

2002 Survey of Professional Development Spending

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*Book Review:
Blackwell Sanders'
Level System*

This was our first attempt to survey actual dollar investments in professional development. We wanted to find out how much law offices are spending to improve competence and performance, on what and for whom they are spending it, and what results they are getting from the investment.

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*Professional
Developments*

On the *spending* side, we asked about direct dollar expenditures for professional development – both total annual expenses, and how those dollars are sliced in three different ways:

- by type of program, such as firm-wide training, practice group or departmental training, mentor program, etc.
- by the target population (e.g., first-year associates, other associates, partners, etc.) whose professional competence the program seeks to develop, and
- by type of purchase (e.g., consulting fees, catering and facilities, etc.).

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MCLE Watch

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*The Capital
CLE Calendar
Distance Course
Schedule &
Provider Directory*

Because outside purchases are only part of the picture, we also asked about indirect investments in professional development staffing and other internal resources, including the number of staff, their percentage time commitments to the program, and staff members' compensation and qualifications.

On the *results* side, we asked what feedback is being collected on the value and impact of the program, and what the feedback shows.

In theory, there should be some tradeoffs among external purchases, internal

resources, and results, and we were interested in seeing how those tradeoffs might be playing out. For example, all other things being equal, investing in a larger and more competent professional development staff should reduce direct expenditures for outside products and services; it should also improve program results.

Survey Response and Respondent Profile

The reaction to this survey was the polar opposite of our experience with January's upward evaluation survey,¹ for which the returns were rapid, complete, and voluminous. Evidently budgeting doesn't have quite the same appeal as setting partners straight on their shortcomings. (Or perhaps, like the people who became lawyers because they can't stand the sight of blood, some of us went into professional development to escape dealing with numbers.)

Despite two extensions of the survey deadline (and postponement of this report from the August to the November issue), several managers who told us they wanted to respond were unable to do so before getting caught up in the fall crush. We are most grateful to the good colleagues who slogged through all the data necessary to complete our lengthy questionnaire, who gave us educated guesses (and identified them as

¹"Upward Evaluation: Results of Our January Survey," PDQ, February 2002, pp. 1-11.

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such) on the information they couldn't obtain with precision, and who regretted the information they could not obtain or estimate. While we don't have everything we wanted, you've given us what you could and made it clear how dependable it all is. Thank you.

Ultimately twelve law offices responded to the budget survey, 11 private law firms and 1 state government agency. Those respondents can be further characterized as follows:

- *Location.* Eleven of the survey respondents are headquartered in the eastern United States, from Massachusetts to Virginia, and the twelfth in the Midwest. Five of the law firms are international, while six are national or regional. All the responding organizations have multiple offices.
- *Size.* The responding law firms spread along the middle ranks of the NLJ 250; they range in size from under 200 lawyers to over 500. The state agency has over 200 lawyers. Average respondent size, counting the total number of lawyers in the entire organization, is 353 lawyers. Two respondents, however, provided data for only their own offices, each of which has its own separate program and budget; this drops average program size (the number actually served by each of the responding professional development programs) to 315 lawyers.²
- *Practice.* Ten of the law firms are best characterized as general practice firms with a corporate clientele. The remaining firm, also with a corporate clientele, concentrates in one major specialty. The state agency serves the public and is litigation-oriented in a variety

²In four cases these programs serve other personnel in addition to the lawyers, but we use lawyer numbers here for the sake of comparing apples with apples.

of substantive specialties.

- *Experience Levels.* Staffing profiles vary, from the traditional pyramid (many junior lawyers at the bottom, few seniors at the top) to the pillar (roughly equal numbers at top and bottom) to the inverted pyramid (many seniors, few juniors). Theoretically, organizations with a higher proportion of junior people should have higher professional development costs.

Overview of Survey Findings

Despite the many similarities among the responding law offices, they approach professional development funding and staffing, expense tracking, and program evaluation very differently. A few broad patterns, however, do emerge from the data. Here are the major highlights, which are discussed in more detail on the pages cited:

Budgets in General (pp. 3-5)

- *Oversight responsibility* for the great majority of professional development budgets lies with the professional development manager, either primarily (8 out of 12 respondents) or jointly with practice group/department heads (2 out of 12).
- *Current and future funding levels:* Seven managers, a majority, consider their current funding to be adequate or more than adequate to meet the needs of the program. And next year looks even better: an even larger majority (10) expects next year's funding to increase or at least to remain at current levels.

Direct Expenditures (pp. 5-9)

- *Most expensive program (law firms):* Outside CLE. At firms based in mandatory CLE states, expenditures for external CLE attendance (including travel) account for as much as 75% of the overall professional development budget. Across all the responding firms, CLE expenses average almost half the total budget.
- *Most expensive target population (law firms):* First-year associates. On average, firms are spending \$3,287 per capita and 27% of the overall professional development budget on new associate orientation and training.
- *Most expensive purchasing category:* Outside faculty and/or consultants, at 26% of budget on average. Nearly all of the responding state agency's small budget is spent for outside assistance (although still less in dollar terms than firms are spending). At the law firms, the range is

8% to 30% – with the average at just below 20% of total budget.

Internal Resources (pp. 9-12):

- *Highest-compensated staff (law firms)*: Lawyer managers of the professional development program. In the survey pool, all the Directors and Assistant Directors with J.D. degrees are paid in the six figures.
- *Lawyer-staff ratio*: The average number of lawyers per full-time member of the professional development staff is 150.
- *Most valued capabilities of current staff*: Interpersonal and organizational skills.
- *Most desired capability to add to staff*: Education/training/CLE competencies.
- *Most common internal resource*: Teleconferencing facilities, available to all 12 respondents.
- *Most useful internal resource*: Specialized meeting space, named by 5 respondents.
- *Least useful internal resource*: A three-way tie between the CLE library, teleconferencing facilities, and videoconferencing facilities.
- *Most desired additional resources*: More and better human resources, in the form of full-time availability of current part-time leaders and staff, additional staff, and strengthened staff capabilities.

Results (pp. 12-16):

- *Attendance at In-House Training Sessions*: The great majority of responding organizations have a voluntary attendance policy, and actual training attendance equals or exceeds their attendance targets.
- *Evaluations*: The great majority also compile participant evaluations of 100% of their in-house courses, and average evaluation ratings fall within the top third of the rating scale. Respondents differ widely in their use of other sources of feedback, and in what programs other than training they evaluate.
- *Highest-impact program*: In-house, interactive, skill-building workshops.
- *Most problematic program*: Mentoring, named by half the respondents as the program most needing improvement.

- *Greatest benefits of in-house training and professional development in general*: Improved lawyer competence is tied with greater firm cohesion and loyalty at the top of the respondents' lists.
- *Most desired change in the program*: A greater quantity and quality of human resources at all levels of the professional development staff.

Now let's move on to the details.

Direct Expenditures

This section reports on our respondents' purchasing budgets. To complete the picture, the next two sections report on their internal investments (Indirect Expenses, p. 9) and their results (p. 12).

1. Budgeting in General

Budget Information and Control

One of the most anomalous results of the survey was this: At 10 of the 12 responding law offices, the person identified as "responsible for monitoring and controlling [budget] expenditures" is on the professional development staff (in two of these cases, oversight responsibility is shared with the practice groups/departments). In only two responding offices was oversight of the professional development budget *not* in the hands of the professional development manager. Yet 8 of the 12 respondents reported moderate to extreme difficulty in assembling the requested survey data on their professional development budgets and expenditures; they could not answer some questions at all, and reported their answers to others as best guesses.

Several respondents also characterized their budgeting and tracking processes as "very loose," "haphazard," etc. Three new managers said they expect to get control of the process and the information in the near future.

Adequacy of Current Funding

We asked the responding managers if they believe the funding provided to professional development is adequate to meet the needs. A slight majority of respondents, 7 of the 12, are getting as much funding as they feel they need: Five say it's "about right," and two consider it more than needed (one of those "substantially more" than needed). Five say their funding is less than needed, including one who says it is "substantially less" than needed.

Future Funding Expectations

Things look even better for next year. Asked about their spending plans for the next 12-month period, 7 respondents say they expect to spend more than this year (3 of them “substantially more”); this group includes all five of those who found this year’s funding to be inadequate. Three respondents expect to spend “about the same amount” next year, and only one expects to spend less (this is one of the respondents who said this year’s funding is more than needed).

Figure 1 below charts these funding patterns.

Most Wanted Funding Change

We asked what one change in their professional development funding the respondents would like to make. Six evidently are content (3 said they desired no changes, and 3 others gave no answer); 3 would like improvements in the budgeting and tracking process itself, and 1 each would like more funds for outside faculty, more staff, and higher staff salaries:

- No changes needed: “Nothing at the present time.”
“Nothing.” “We are fortunate in that our budget

Fig. 1

requests have always been met with no questions as to how we allocate/spend it.”

- “The budget process itself. We currently do not track PD expenditures (projected or actual) with sufficient detail and accuracy to know and evaluate our costs and benefits. As a result, some of our responses are best guesses. We’ve had our reorganized program in effect less than a year.”
- “Too early to say – I am only [recently] in this position and am mandated to collect all of this info – I would change the accounting procedures to one centralized system.”
- “Practice Section/Group budgets might allow for a more equitable distribution.”
- “More \$ for use of outside consultants/presenters.”
- “Increase staff for programming in practice management skills, business development and partner training.”
- “Improve salaries of group.”

2. Expenditures by Program

New Lawyer Orientation and Training

In the law firms,³ the most professional development money per capita is, as we might expect, being spent on the least experienced professionals. The range is wide, however: from a low of \$1243 to a high of \$5450 per new lawyer, averaging \$3287. Average total expenditure is 27.2% of the professional development budget. Both averages are misleading, however, because all the numbers cluster in two groups at the top and bottom of the range: either the responding firms spend 15% or less of total budget on new associates, or they spend 40% or more. (The high figures may reflect the cost of multi-day, off-site orientations with associated meal, travel, and lodging costs.)

Summer Associate Orientation and Training

We might reasonably speculate that firms spend comparable per-capita amounts on summer associate development, but we will have to continue speculating because this survey sheds no light on the subject. Only 4 respondents report any expenditures at all for summer

³ The state agency was unable to distinguish expenditures by experience level.

associate professional development, and in 3 of those cases the expenditures are negligible and presumably just a small fraction of the total. The great majority say summer associate expenses are in a different budget.

General Education and Training

Most respondents fund three distinct vehicles for formal education and training after the lawyer’s first year: (1) a *firm-wide in-house education and training program* on subjects that cut across legal specialties (e.g., writing skills, supervisory skills), (2) more specialized education and training at the *department or practice group level*, and (3) *outside CLE courses* to fill gaps in the in-house offerings and/or to obtain required credits. Several law firms had difficulty splitting their expenditures into those three component parts for purposes of our survey. The state agency has a single category for all internal training and none for outside CLE.

Firm-wide Training. Only 6 respondents could report their total expenditures for firm-wide training. On average, the per-lawyer expense of these programs is \$244 (ranging from a low of \$59 to a high of \$446), about 7% of the average per-capita expenditures for new lawyer orientation and training.⁴

Practice Group/Departmental Training. Similarly, only 3 respondents could report what they spend for practice group/departmental training. Per lawyer, these 3 firms’ average expenditure is \$343, another misleading statistic because 2 of the firms spend under \$150 per lawyer and the third over \$850. Interestingly, the latter firm, which spends the most for practice group training, spends the least (\$59 per lawyer) on firm-wide training.

Outside CLE Courses. Spending for outside CLE, in contrast to in-house training, seems to be more closely tracked and is typically much higher. Seven firms could provide dollar totals, and all but one could estimate CLE’s percentage of their total budget. (As noted above, the state agency does not budget for outside CLE at all.) On average, outside CLE is the law firms’ most expensive single program⁵: Their CLE expenditures per lawyer average \$943 and

⁴Four of the respondents report that they include other legal, administrative, and/or support personnel in at least some of their education and training activities, but because their non-lawyer participation appears to be small, our per-capita expense figures are based on lawyers only.

⁵While per capita expenditures for new associate orientation and training are higher, the total new associate program cost is less than for the CLE program, which serves a much larger number of lawyers.

range from \$224 to \$2,215. Two firms report a guideline of \$1,000 per lawyer for outside CLE, but at one of those (a single-office respondent in a non-MCLE jurisdiction) the average actual expenditure is much lower. As a percentage of firms' total professional development budget, CLE averages 48.7%; the range is 20-75%. Those expenditures typically include travel as well as tuition.

There appear to be three major influences on CLE expenditure levels: (1) how many of the firm's lawyers are based and/or admitted in mandatory CLE jurisdictions, (2) the availability of in-house courses and whether the firm obtains CLE credit for them, and (3) the extent to which the firm supports and encourages outside CLE participation up to and even beyond the mandated requirements. Distance CLE courses, which could reduce costs further, so far appear to be little used.

Some examples of those influences at work:

- The highest per-lawyer CLE expense is reported by a national firm with the great majority of its lawyers based in MCLE states.
- By contrast, three firms with below-average CLE expenditures, based in some of the same MCLE states as the preceding firm, are approved CLE providers and can satisfy many MCLE requirements through their in-house courses.
- The second highest per-lawyer CLE expense is reported by an international firm based in a non-MCLE jurisdiction; that firm's lawyers do extensive CLE teaching across the country and abroad, and the CLE budget includes their travel expenses.
- Another firm's CLE budget includes CLE for clients, but as an accredited in-house provider its CLE costs still are well below average.
- One firm that spends less than average mentioned that a subscription to Lawyer's TV is part of its CLE budget.

Outside Faculty

We asked the extent to which in-house courses are taught by external vs. internal faculty. The average proportion is 35% external vs. 65% internal faculty. Again, however, the range is wide – from 5% external/95% internal to the reverse, 95% external/5% internal faculty. But 8 respondents cluster at the lower end of the range, using external faculty for 30% or less of their courses.

As discussed in more detail under Expenditures by Type of Purchase (p. 8), respondents are spending an average of 26% of total budget on outside faculty and consulting services for professional development.

Other Program Expenditures

A few additional types of programs appear in one or more respondents' program budgets:

Mentor program. Based on their comments, most of the respondents seem to have a mentor program, but only 3 (including the state agency) designate funding for it in the professional development budget. At these 3 organizations the average annual per-lawyer cost is \$63, ranging from \$4 to \$128; the law firms are at the extremes and the state agency is in the middle, dedicating 28% of its limited budget to the mentor program.

Knowledge management. Three law firm respondents include knowledge management expenditures in their budgets. At one firm the outlay is significant, over 30% of its large direct budget. At the other two it is under 5%, and at one of those is combined with reproduction expenses. Those data did not allow percentage or per-lawyer calculations.

Work Assignment/Rotation Programs. If the respondents are conducting these types of programs, they are not reflected in their professional development budgets.

Miscellaneous line items: Mentioned by one respondent each are program items for upward evaluations, management training, and miscellaneous.

Figure 2 on the next page charts per-lawyer expenditures by program.

3. Expenditures by Personnel Category

Our second cut at expenditures asked for whose benefit the respondents' professional development money is being spent. That breaks down as follows:

All Professional Personnel

Three law firms could not separate or estimate their respective expenditures on behalf of partners, associates, new associates, law clerks, and other professional personnel. For the combined professional staff, expenditures equal 100% of the professional development budget and average \$2914 per person; the range is \$2058-3571 per person. *Please also note that these firms' overall per-capita expenditures are the highest of all the respondents.*

Fig. 2

Partners/Senior Attorneys

At 8 firms and the state agency, professional development expenditures for senior lawyers average \$649 per lawyer (\$748 for the firms considered separately) and 24% of the total budget. The range is from \$54 per lawyer at the state agency to \$1360 at a firm, and from 10% to 58% of total budget. (The latter percentage is an outlier. The firm has an inverted pyramid structure with more partners than associates, so its *total* spending for partners is higher; but on a *per capita* basis the firm spends more on associates.)

New Associates

As discussed in more detail above (New Lawyer Orientation and Training, p. 5), new lawyers are the group on whom the most funds are spent per capita: \$3,287. Total expenditures on behalf of this small population average 27.2% of the total professional development budget.

Other Associates/Junior Lawyers

Professional development expenditures for associates and other junior lawyers by 9 respondents average \$1,155 per junior lawyer or 46.2% of total budget, ranging from \$265 at the state agency to \$2,632 at a firm and from 27% of

budget at the “inverted pyramid” firm to 80% at the state agency. The adjusted percentage range at law firms only, if we omit the outliers at top and bottom, is 35% to 60%. Omitting the state agency, average law firm per-associate spending is \$1,304, ranging from \$408 to \$2,632. (At four firms contract attorneys are included in these calculations.)

Other Personnel

Only one firm, one of the three that could not separate expenditures by personnel category, includes law clerks in its professional development budget. Three firms include legal assistants, at an average expenditure of \$289 per person. Two firms and the state agency include administrative and/or support staff, at an average per-person expenditure of \$139 for administrators and \$47 for staff. Other respondents comment that professional development for staff is in someone else’s budget. (Even in the offices where staff are included in the professional development budget, additional funds for staff development may be available in other managers’ budgets as well.)

The pie chart in Figure 3 on the next page shows how expenditures are allocated by personnel category.

Fig. 3

4. Expenditures by Type of Purchase

For our third cut at spending, we asked what products and services the respondents are buying. Here are the answers, in descending order from most to least expensive:

- *External CLE seminars.* As discussed in more detail above (pp. 5-6), tuition and travel for outside CLE is a substantial expense for law firms. Expenditures average \$943 per lawyer and 48.7% of the total professional development budget, and range as high as \$2215 per lawyer and 75% of budget.
- *Outside faculty and consultants.* On average, the respondents spend 25.8% of their expense budget for the services of outside experts, ranging from a low of 5% at a firm to a high of 90% at the state agency (though still less in dollar terms than the firms are spending). For law firms alone, the average is 19.4% and the range is 5-30%.
- *Catering and space.* Food and facilities expenditures average 18.5% at 11 organizations. The range is very wide, however: from <1% at one law firm (which cites its in-house meeting space as an especially useful resource, and presumably also has in-house food services that are not charged to the professional development budget) to 70% at another. Five firms and the state agency are clustered in the 10-20% range.
- *Self-study materials* (books, tapes, CDs, etc.). Spending on these materials at 4 firms averages \$7 per lawyer or 2.3% of budget; the range is from \$4 to \$30 per capita and from 0.2% to 5% of total budget. One manager comments that books and materials are not in his budget, and it would appear that is the case at numerous other firms and the state agency as well (perhaps they are charged to the library budget).
- *Technology purchases and leases.* These too would appear to come under someone else's budget at most of the responding organizations. Two firms give percentages

(1% and 25%), and a third gives a combined percentage for technology and printing (24% of the direct budget).

- *Other purchases.* One firm each cites the following additional expense categories as a percentage of total budget: travel (35%, presumably for outside CLE but not identified as such, and therefore not used in calculating the averages for that category), associations (24%), bar dues (14%), nonlegal dues and seminars (9%), memberships and travel (6.5%), knowledge management and reproduction (5%), miscellaneous (5%), and upward evaluations (2%).

Figure 4 below shows the breakdown of expenditures by type of purchase.

Indirect Expenses: Internal Resources

1. Professional Development Staff

This section of the survey tried to get at both quantitative and qualitative indicators: the size and compensation of the professional development staff, and staff members' professional qualifications. We also asked about staff capabilities: the most valuable capabilities of the current staff, and what capabilities the managers would like to add.

Staff Size

In this section of the questionnaire, we asked how many people staff the program (including any practicing lawyers with part-time responsibility for directing it) and what percentage of their time is committed to it.

Fig. 4

From that information we calculated the number of full-time-equivalent (FTE) personnel on staff, and the number of lawyers per full-time staff member. For example, one full-time staff member plus two half-time staff members equals the equivalent of two full-time staff members (1.00 + .50 + .50 = 2.00 FTE). If the program they administer serves 200 lawyers, that's 100 lawyers per FTE staff member.

For 11 respondents (the 12th could not provide time percentages for some of its staff), the average ratio is 150 lawyers per FTE staff member, ranging from a low of 85 to a high of 301. The state agency was right at the average of 150.

The responses show that the great majority of professional development programs must accommodate other demands on the time of both the leaders and the support staff: 8 of 11 responding programs have less than full-time top leadership (in 5 cases multiple part-time leaders), and 10 of 11 have staff support that is less than full-time. (As noted on p. 12 below under "Resource Wish List," increasing staff size and/or time commitment and the speed of decision-making is at the top of many respondents' wish lists.)

Staff Compensation and Qualifications

More complicated, and more sensitive, were our questions about compensation and qualifications. We requested compensation figures in \$50,000 bands: below \$50,000, \$50-99,000, and so forth up to a top figure of \$250,000 plus. Eleven of the 12 respondents (10 firms and the state agency) provided this information, although four respondents could not give the compensation of responsible partners and two could not give it for support staff members with 25% or less time commitments.

With regard to qualifications, we asked about both educational background and prior work experience. All 12 respondents answered these questions.

Here are the compensation breakdowns, in descending order of compensation level:

- \$250K+: 1 partner with a 20% time commitment. Qualifications: J.D., 20+ years law practice experience.
- \$200-249K 2 directors. Time commitments: One at 5%, one at 100%. Qualifications (both): J.D., law practice experience (average 12 years), law teaching/training/consulting experience (average 18 years).

- \$150-199K 1 partner and/or director, time commitment 60%. Qualifications: J.D., law practice experience, law teaching/training/consulting experience.
- \$100-149K 4 managers at 3 firms: 1 partner and/or director, 2 directors, 1 assistant director/manager. Time commitments: 100% (all 4). Qualifications: J.D. (all 4), M.Ed. (1); law practice experience (all 4, average 11+ years).
- \$50-99K 14 personnel in a wide range of positions at 9 firms and the state agency, with time commitments ranging from 25% to 100%: director (3, at two firms and the state agency), manager/assistant director (3), administrator/coordinator (5), legal assistant (1), and secretary (2). Qualifications: J.D. (1), M.Ed (1), MBA (1), M.A. (1), unspecified degree in Education/Training (1), varied experience in law practice and teaching, Career Services, legal administration, and legal recruiting.
- <\$50 K 11 support personnel at 9 firms and the state agency: 4 Administrator/Coordinators at 100% (2), 70% (1), 20% (1); 1 administrative assistant at 50%; 6 "other" at 25-70%.
- Unknown: 16 partners at 4 firms, with time commitments ranging from 5% to 30% (13 of these are at 5%), all with J.D. and at least 8 years law practice experience.
 - 8 managers and staff at 2 firms and the state agency: 1 Director (30%, M.A., 15 years law teaching/training/consulting experience); 2 Administrator/Coordinators (one 100%, B.A.; one <25%); 5 "other", all with <25% time commitments.

Staff Capabilities

We asked what were the most valuable capabilities on the professional development staff, and what capabilities managers would most like to add.

Current Strengths. As their staff's most valuable current capabilities, 6 respondents cite generic skills like creativity and interpersonal and organizational skills, 4 cite legal and/or law office background, 2 cite knowledge of the firm, and 1 each cite education/training background and technological competence. One says she and her team are too new to know. The comments are as follows:

- “Strong interpersonal and communication skills, creativity and dedication.”
- “Outstanding people skills and organizational skills.”
- “Organization, effective communication, and advanced technology.”
- “The varied experience, perspectives of the staff allows for increased creativity in developing/designing programs.”
- “1. Law background – gives us knowledge of realities of lawyers expectations and needs. 2. Highly organized and credible.”
- “Ability to motivate, communicate with lawyers.”
- “Understanding the practice of law and knowing what type of law each practice group specializes in.”
- “Knowledge of law firm practices and administration.”
- “Legal education experience (previous law school teaching and CLE teaching), practice experience, administrative experience and recruiting/new associate coordination experience.”
- “Thorough understanding of the firm’s business and mission.”
- “Our team is brand new to the firm, so we are still in the transition stages.”

Added Capabilities Wanted. Asked what capabilities they would most like to add to their staffs, 4 respondents want additional education/training/CLE capabilities, and 1 each mention marketing, technology, implementation skills, and corporate practice experience. Two had nothing to suggest and 5 others, presumably also satisfied, did not answer the question:

- “Marketing skills and more educational/training experience.”
- “Greater depth of training.”
- “Someone with ability to implement ideas quickly; ability to handle CLE without direction.”
- “Corporate law practice experience combined with training experience.”
-

- “More technology.”
- “N/A.” “None at the moment. We are still in the start-up phase following a major merger.”

2. Other Internal Resources

We asked what other internal resources are dedicated or available to the professional development program, and which of those are most and least useful.

Available Facilities and Resources

The breakdown of available resources is as follows, in descending order of the number of respondents who have them:

- *Teleconferencing facilities* (12 respondents)
- *Videoconferencing facilities* (11)
- *Specialized meeting space.* In this category, individual respondents mention “smart” conference rooms and a conference facility (9)
- *Intranet* (8)
- *CLE Library* (6)
- *Other space* (4). Comments included “moot court room”, “hotels as needed,” and “conference rooms.”
- *Other technology* (4). In this category “knowledge management of training materials” and a 50% time commitment from the A/V Director were mentioned.
- *Web-based “virtual” meeting facility* (3)
- *Other* (1). In this category one respondent mentioned an in-house restaurant; it may be that others have such a facility but did not think to list it here.

Most and Least Useful Resources

Five respondents mentioned their meeting space as being their *most useful resource*; one referred to it as “flexible space.” Also mentioned were videoconferencing facilities (3 respondents) and intranet (1 respondent).

Least useful resources are tied at 2 mentions apiece: the CLE Library (“underutilized” according to one respondent), teleconferencing facilities, and videoconferencing facilities (which one respondent complained don’t always work).

3. Internal Resources: Adequacy and Needs

Finally, we asked how adequate overall are the staff and other internal resources for the professional development program, and what one thing the managers would change if they could.

Adequacy of Resources

The managers find their internal resources somewhat less adequate than their purchasing budgets (see Adequacy of Funding, p. 3). Seven of 12 respondents believe the staff and other resources available to them are “moderately less than needed.” Four say their resources are “about right,” and one says they are “substantially more than needed.”

Resource Wish List

For the great majority of respondents, what they would most like to change is the human resources available to the program. Others mention technology and space needs. Their wish lists include the following:

- “A partner who is 100% dedicated to prof. dev. – meaning the partner with whom I work is a practicing lawyer ... – hard to get things done on occasion.”
- “Increase percentage of time dedicated to training by director and main administrative assistant until we have completed a full cycle of programs and a thorough evaluation of it.”
- “More trainers.”
- “Hire a CLE administrator.”
- “Dedicated 100% professional development staff.”
- “That our assistant had the ability to handle things at a higher level.”
- “Retention incentives.”
- “Updated technology to track CLE credits and budget; Intranet; web meetings; Professional Development Library.”
- “Improve the consistency of the technology: there are frequently complications which make videoconferencing impossible.”
- “Dedicated space.”

One manager, however, expressed strong satisfaction with her staff and resources:

- “At this point the system/staffing we have in place works very well for our purposes.”

Results

Finally, we looked at results: What are the respondents getting for their money? We asked about attendance levels and evaluations of in-house courses; what other feedback is collected; what other components of the professional development program are evaluated; and what the feedback shows about the program’s impact on performance and its overall value to the organization.

1. In-House Training Program: Feedback and Results

Actual vs. Target Attendance Figures

The answers to this question surprised us. Although we have heard numerous managers complain over the years about poor in-house training attendance, the survey respondents don’t seem to have that problem. Eleven respondents say that their actual attendance for in-house courses is close to, equal to, or better than their attendance targets, averaging “about” 109% (4 respondents are getting attendance “about” equal to their targets) and ranging from 75% to 200% of target. (We can’t calculate a percentage for the twelfth, who provided actual attendance numbers but optimistically estimates target attendance as “unlimited.”)

Mandatory vs. Voluntary Attendance

Among the 9 respondents who gave percentage figures in answer to our question, on average attendance at 16% of in-house courses is mandatory, and voluntary at the remaining 84%. The range is 0-100% mandatory, but 6 of the 9 organizations are at 0% – that is, none of their courses are mandatory. Interestingly, at the sole firm which has a mandatory attendance policy for 100% of its in-house courses, actual course attendance was the second lowest in relative terms: 89% of target.

Two of the remaining three respondents say their attendance policy varies with the course and did not provide percentages; the third says only that attendance is 100% mandatory in the first 2 years.

Evaluations and Evaluation Ratings

All 12 respondents collect and compile evaluations from the participants for at least some of their in-house courses.

The great majority (8) compile them for 100% of their courses, 3 more for 60-90%, and only 1 for less than 10%.

For the great majority of respondents, the evaluation ratings indicate that their in-house courses are meeting or exceeding expectations. All but two of the reported average ratings fall within the top third of the respondents' respective rating scales, and most are in the top quarter or higher.⁶

These very similar evaluation results offer little clue as to the factors influencing course quality, and no correlations with other survey data. We note, however, that the two firms with average numeric ratings below 70% are two of the firms that had the most difficulty compiling data for our survey and that provided some of the least complete answers. That may indicate problems with staffing adequacy and/or management control that could affect the quality of training as well.

Top-Rated In-House Courses

Asked what types of courses generally garner the highest participant ratings, 5 respondents said "interactive" ones, 2 said ethics, 2 said firm business or business development, and 1 each said "entertaining lectures," new programs in response to needs, short lunch-hour sessions, and "major outside programs":

- Three very similar responses: "Interactive, hands-on approaches." "Interactive, hands-on sessions." "Interactive skills building led by outside faculty."
- "Interactive; small groups, skill training; entertaining lectures."
- "Ethics, interactive programming."
- "Ethics always rate high. Also, any new programming we offer generally rates [high] due to the fact that we usually offer it in direct response to a request or determination that it is wanted/needed."
- "Business of the law firm."

⁶Four respondents, including the state agency, use numeric rating scales of 4 to 10 points; converting those scales to percentages, the average course rating is 72%, and the range is 50-88%. For the 7 respondents who use word-based rating scales, 6 had average ratings of "Good" to "Excellent" and within the top third of the possible ratings on their respective scales, and 1 was "Positive" on a "Positive/Negative" scale. The 12th respondent did not provide average ratings.

- "Information/seminars on business development for our more senior associates."
- "So far it looks like our attorneys prefer short lunchtime programs, except in the case of major outside programs (e.g., NITA training)."

Other Sources of Feedback

Second to formal course evaluations by the participants is informal participant feedback, relied on either "regularly" (worth 2 points) or "occasionally" (worth 1 point) by 11 of the 12 responding managers. In descending order of average frequency of use, the managers rated their other sources of feedback on in-house courses as follows:

- Informal participant feedback (1.7)
- Exit interviews (1.2)
- Informal supervisor feedback; Faculty evaluations (1.0 each)
- Employee surveys (0.8)
- Performance appraisals (0.7)
- Financial data (0.4.)
- Focus groups (0.2)

Value of In-House Courses

We asked the respondents to tell us, based on the feedback they have collected, "in what significant ways have in-house courses contributed to your firm, office, or group? What significant results have they achieved?" Their answers pointed most often to greater competence as the primary benefit, but they also mentioned improved firm loyalty, cohesion and communication; expanded access to training; time and cost savings; and improved understanding of learning needs:

- "In-house training has improved the skills of the attorneys in the firm, both in substantive law and otherwise, while also showing the associates how strongly the firm is committed to their development."
- "Better understanding of what our associates need and the type of training our partners want our associates to engage in; better lawyers – more skilled lawyers."
- "Increased substantive knowledge of associates (information within area of particular practice and basics from areas outside of their expertise); more

loyalty to firm because of investment in attorneys; and increased efficiency due to knowledge of training resources, people and expertise.”

- “Reduction of CLE expenditures.”
- “When we provide in-house CLE courses there is less time dedicated to travel, etc., and more time our attorneys can focus on billable hours. Plus, with frequent seminars, the topics are very current and crucial to practice.”
- “We just started our program, and the initial feedback is great. The in house courses save time and travel costs/expenses. We are now an Accredited Provider too.”
- “Contribution to sense that all offices are part of one firm and share in one philosophy. Helps assure that training occurs regularly and consistently.”
- “Partners have been quite pleased with the breadth of courses offered and amount of training offered to associates, particularly first years.”
- “Made more training available to more people; changed way people do certain litigation-related tasks; made people get to know one another across practice groups.”
- “Commitments to attend, teach. Practice efficiency, faster learning, just-in-time (online) learning, better supervision skills, etc.”
- “Increased sense of community and keeping up to date for legal matters.”

2. Feedback and Results for Overall Professional Development Program

In this section of the survey we asked:

- which components of the professional development program other than in-house courses are evaluated,
- which are the strongest and weakest components of the program,
- what is the greatest value or contribution of the overall professional development program, and
- what one thing about the program would the respondents change if they could?

Which Components Are Evaluated

While 8 of the 12 respondents do evaluate additional components of the overall program besides in-house courses, there is wide variation as to which components they evaluate:

- Overall program (3 respondents): One respondent conducts an annual survey in which the lawyers rate the entire professional development program and provide suggestions for improvement, a second refers to evaluating “associate development in general,” and a third to the achievement of Director and Committee goals for the program.
- Mentoring (3)
- New lawyer orientation (3): In one case, it is lateral integration that is evaluated.
- The associate evaluation system, process, and/or form (2)
- The compensation and/or bonus system (2)
- “Service delivery (e.g., on CLE credits)” (1)
- The support staff training program (1)

Strongest and Weakest Components of the Program

In this section we asked which program components (a) have the most impact, (b) generate the most upper management enthusiasm, (c) are most in need of improvement, and (d) might be eliminated. Respondents’ answers are as follows:

Has the greatest positive impact on individual competence and performance. In-house training gets the majority of the votes in this category:

- Skills training, in general or in specific areas (5): “Skills-based fundamentals programs,” “Annual Legal Writing courses, Basic Deposition training, and practice area skills programs,” “communication skills workshops,” “interactive skills building,” “skill courses.”
- Other particular types of in-house courses (2): “[For] morale – our lunch & learn programs,” “Practice Management/Technology in Practice courses.”
- In-house training in general (2): “Training,” “Formal education and training.”

- 1 each: “Department meetings,” “Mentoring,” “Integration (orientation).”
- Don’t know (2)

Generates the most enthusiasm from upper management. Again, in-house training leads the list:

- Training overall or in specific areas (6): “Training,” “Formal education and training, including new associate orientation,” “Substantive updates, innovative ‘cutting edge’ topics and teachers,” “Interactive skills building, writing,” “Senior associate training program,” “Leadership training.”
- “Mentor program” (1)
- “Diversity initiatives” (1)

Most needs improvement. Here the mentor program is most often found lacking:

- Mentor program (6). One respondent added, “Needs more involvement by both the associates and partners.”
- Training (3), including “Trial and business section on-going training” and “new partner training.”
- “Personal supervisory skills of partners” (1)
- “Benchmarks” (1)
- “All of it!!” (1)

Figure 5 on the next page contrasts the highest-impact programs with those most needing improvement.

Might be eliminated. No one could affirmatively recommend anything for elimination. One respondent identified as a “guess,” “Basic administrative ‘how to’ tasks in first-year orientation.”

Most Valuable Contributions of the Professional Development Program

The comments here refer often to training, and echo or even repeat verbatim many of the comments above (pp. 13-14) about the value of in-house courses; it appears that formal training is seen by many as the core of professional development:

- “Better skilled lawyers, CLE compliance, and an enhanced reputation of the firm.”

- “Providing new and focused resources that did not previously exist for attorneys.”
- “Improved lawyering at the firm.”
- “Made more training available to more people; changed way people do certain litigation-related tasks; made people get to know one another across practice groups; brought interesting outside people in who see how talented the staff is here.”
- “Associate belief (accurate) that they get top notch training here compared to elsewhere (on the job and in formal settings).”
- “The program has given a jump start to a well-intentioned but stalled associate training objective.”
- “So far, our ability to become an accredited provider, the in house courses, our efforts to centralize the professional development department and having a designated person administering all aspects of the program.”
- “Mentoring program improvements, focused overhaul of training offerings.”
- “Increased knowledge (in and outside of atty’s area of expertise).”
- “Hiring competent people, attracting high level personnel, pointing out areas for improvement.”
- “Cross community building.”
- “Improvement in morale among associates.”

Most Wanted Change in the Program

Here again, changes in training are a major focus; other comments go to enhancing program staffing, resources, operations, and visibility:

- “Less lecture based seminars and more practical training.”
- “A change that couldn’t be made – eliminating other conflicts so attorneys could attend [courses], arrive on time. Attorneys in firm take on responsibility for designing [courses] where they see a need.”
- “More time and resources to train internal faculty.”
- “To centralize operations and establish standardized in-house training.”

Fig. 5

- “More staff.” (2 respondents)
- “Need dedicated outside space.”
- “Enhanced technology. Presently we cannot use videoconferencing with all offices and we have not explored other technologies, such as web-based virtual meetings or video streaming. Our use of the firm intranet is still limited, but developing.”
- “Less bureaucracy in the decision making processes.”
- “That more partners would have a fuller understanding and appreciation for the services we provide to the firm.”

One respondent volunteered the further comment that she “would like to see resource sharing among law firms in the provision of courses.”

Conclusion

Those of us who have been around for a while remember a time when the first hint of a recession brought the widespread elimination of professional development programs and positions. In those days, they were seen as a “frill,” a fringe benefit that was competitively necessary to attract and placate junior attorneys when hiring needs peaked, and expendable when hiring contracted.

Those days seem to be past. Our survey results indicate that not only are the programs and positions holding fast in the current downturn, but the budgets for them may even be going up. Perhaps organized professional development programs have finally arrived as a true partner in the success of today's law practice. And perhaps that is due to the important benefits mentioned in the survey responses – in particular, that the professional development program strengthens both individual competence and firm cohesion and communications.

Other major conclusions suggested by the survey results:

- The typical law firm is spending large sums on the development of first-year associates and on outside CLE courses. The former seems a sensible investment. As to the latter, it appears that more firms could take advantage of opportunities for cost savings on CLE tuition and travel, and time savings as well, by beefing up their in-house offerings for more senior attorneys and obtaining CLE credit for them, and by using more economical distance learning alternatives.
- The typical professional development staff is performing satisfactorily, if evaluation feedback is any guide. But the staff, and presumably the lawyers they serve, would benefit from additional human resources in both leading and supporting roles and from stronger education and training capabilities.

We view this survey as being, at best, a good start toward understanding how law offices are funding their professional development purchasing and infrastructure, and what returns those investments are producing. Given the wide variety of approaches and expenditure levels revealed by the responses, it is probably best to take our findings not as setting parameters, but as suggesting a range of options to consider.

It is also good to remember that the level of spending is only one factor in professional growth and competence, and not the most important factor at that.

One striking, and quite humbling, experience burned that realization into your editor's memory in her in-house days. A star third-year associate was assigned to work a small case for a long-time client of one of the firm's most senior partners, a renowned litigator and gifted supervisor and mentor who was approaching retirement. Together they wrapped the case up in two weeks. Afterward, the associate commented that he had learned more in his two weeks working with that partner than he had in all of his previous 2-1/2 years at the firm.

Long after that experience, it is comforting to remember how isolated it was -- that so few associates ever have, or could have, the same opportunity as that one fortunate third-year. That is why we have professional development programs.

Book Review:

How to Create a Level System

Peter B. Sloan, *From Classes to Competencies, Lockstep to Levels: How One Law Firm Discarded Lockstep Associate Advancement and Replaced It with an Associate Level System*. Kansas City, MO: Blackwell Sanders Peper Martin LLP, 2002, 107 pages. (\$235, \$195 for members of ALI-ABA or the Professional Development Consortium. Order form available from Mary Meyer at Blackwell Sanders, mmeyer@blackwellsanders.com.)

I first heard about Blackwell Sanders' level system at this year's NALP Conference in Kansas City, where partner Peter Sloan made a presentation about it. I missed the presentation; but it created quite a buzz for the rest of the conference, and numerous attendees gave me enthusiastic accounts of it. Sloan subsequently agreed to write an article about the system for **PDQ's** August issue ("From Lockstep to Levels," August 2002, pp. 1-3). Then he kindly sent me a copy of his book when it came out in September.

The book, like the system it describes, is an extraordinary achievement. In the first 35 pages, Sloan lucidly recounts the conceptualization, research, consensus-building, planning, and implementation of a system that turns decades of law firm tradition on its head. The revolutionary, and eminently sensible, rationale for the system is that the progressive acquisition of necessary competencies in the practice of law -- and *not* the year of law school graduation -- is the proper foundation for every other aspect of associates' careers in the firm: Their

assignments, their education and training, their performance appraisals, their compensation and billing rates, and their advancement to partnership.

Blackwell Sanders' system integrates all of these career development programs, which at other firms usually proceed independently and even at cross-purposes, within the framework of four associate competency levels, A1 to A4. The firm has identified generic competencies like "Research and Analytical Ability" for all associates and, at each level, has defined the incremental differences in performance expectations. The firm's individual departments and practice groups have likewise defined, level by level, the specialized competencies for their practice areas. In combination, those definitions mark a clear path for associate development.

Each level also has a corresponding compensation band. There are small raises within the levels, but the big raises come upon moving from one level to the next. Billing rates also correspond to the competency levels. Associates' evaluations assess their performance at the current level and their readiness to move up to the next one. Training offerings are keyed to developing the competencies needed to progress through the current level and on to the next.

The competencies are used in hiring as well, to assess the abilities and placement of lateral candidates and the potential of entry-level hires. The final piece of the system is upward evaluation of supervising attorneys, to make

sure they are promoting, or at least not retarding, associates' progress.

Sloan also walks us through the firm's annual process cycle as it now exists, and reports candidly on the difficulties the firm has encountered and the further difficulties they anticipate as they push ahead through this uncharted territory.

The remaining 70 pages of the book are given over to templates: the firm's policy statement describing the level system; lists of generic and specialty competencies at the four competency levels; associate evaluation, self-evaluation, and developmental planning forms; an evaluation timetable; a list of level-by-level in-house education and training courses; a partner upward evaluation form; and sample data printouts for tracking associates' performance evaluations, compensation and advancement, and partners' upward evaluation results.

Sloan's book is a "must" read for anyone who runs associate programs in a law firm and is exasperated with putting bandaid after bandaid on an essentially dysfunctional system. It is at once clear and candid, innovative and provocative, sensible and practical, copiously informative, and mercifully brief. It passes Blackwell Sanders' own "Goldilocks test": Not too much, not too little, just right.

– Gaye Mara

NOTE: Our regular *Learning Lab* feature has been omitted from this issue for lack of space. It will resume with the February issue.

Professional Developments

Events

The **Conference Board** (www.conference-board.org) has scheduled a series of conferences in varied locations on developing human assets in the organization:

- 3/20-21, New York City: 2003 Talent Management Strategies Conference, \$1595-1895.
- 4/8-9, New York City: The East Coast E-Learning Conference. \$1595-1895.
- 5/1-2, San Francisco: The West Coast E-Learning

Conference, \$1595-1895.

- 5/7-8, New York City: The Leadership Development Conference.
- 6/4-5, New York City: The Knowledge Management Conference.

Geary Rummler and The Performance Design Lab have created a new workshop on **Performance Analysis for Results**, \$1300/1500, www.performancedesignlab.com. The workshop fee includes two hours of post-workshop distance coaching. (Rummler is co-author of the best-

selling *Improving Performance: How to Manage the White Space on the Organization Chart.*) Workshop dates and locations are:

- 2/4-6, San Diego
- 6/10-12, Chicago
- 9/8-10, Boston
- 11/4-6, Phoenix

Other upcoming conferences of interest:

- 12/5-6, Washington, D.C.: The NALP/ALI-ABA 2002 **Professional Development Institute**. Targeted to law firm professional development administrators, the program offers two full days of plenary and breakout sessions on topics including designing and implementing a curriculum, new associate training, programs for partners and senior associates, understanding the impact of firm economics, building vs. buying training, making the most of evaluations, de-mystifying MCLE, improving your communication skills, building and managing your staff, and transitioning from recruitment to professional development. \$295-595, www.nalp.org. CLE credit available.
- 2/1-4, Scottsdale, AZ: **ACLEA's semi-annual winter conference**, with joint and specialized programming for CLE providers and in-house managers. Check www.aclea.org in a few weeks for conference information.
- 2/24-26, Atlanta: **Training Magazine's 26th Annual International Conference and Expo**, with pre- and post-conference workshops on 2/22, 23, and 27. Over 200 sessions presented by the heavy hitters in the corporate training world, in 8 subject matter tracks: Assessment, Evaluation, and ROI; Classroom Training; Project Management; Accelerated Learning; Gaming and Simulations; Blending Learning; Case Studies; and Enterprise Learning. \$795-1195 conference, \$295-595 each workshop, www.vnulearning.com.

MCLE Watch

Indiana is now accepting online courses for credit effective January 1, 2003, but attorneys will have to leave their desks to take them :

To be approved courses must provide a discussion leader or two-way communication, *classroom setting away*

Resources

The **ABA Commission on Billable Hours**, chaired by Jeffrey Liss of Piper Rudnick and Anastasia D. Kelly of Sears Roebuck, has published a report of its year-long study of the impact of hourly billing on the legal profession. The report is on line at www.abanet.org/careercounsel/billable.html. Also on the web site is a toolkit that includes a ready-made PowerPoint presentation for anyone who would like to present the Commission's findings to groups.

The **CLE Journal**, a joint publication of ALI-ABA and ACLEA, has gone virtual as of the October 2002 issue – no more hard copy. All subscribers should have received an e-mail providing a user name and password to access the October issue. Future e-mails will notify subscribers of each new issue and of the need to renew their subscriptions. www.ali-aba.org.

The **NALP Foundation** for Law Career Research and Education has grown up and gone out on its own. Its new home is at www.nalpfoundation.org, 1850 M Street, N.W., Washington, DC 20036-5918, (202)533-2002. Paula Patton, who for years has worn two hats as Executive Director of both the Foundation and its parent, The National Association for Law Placement, now wears just one: CEO and President of the Foundation. Pamela S. Malone, former Director of Attorney Recruitment and Development at McGuire Woods LLP and before that Assistant Dean at Vanderbilt Law School, is the Foundation's new Senior Vice-President. They expect to issue two major reports in the near future:

- *Real World Returns: The impact of Summer Clerk Programs in Student Recruitment and Development*, due out later this year, and
- *After the JD – The First 10 Years*, a longitudinal study in collaboration with the ABA and the Law School Admission Council, with initial findings to be issued in 2003.

from the attorneys' offices [emphasis ours], opportunity to ask questions, and must monitor attendance.

(See www.state.in.us/judiciary/cle)

Also beginning January 1, **New York** will require

independent verification of attorneys' participation in any "nontraditional" or "self-study format" activity such as online courses, videotapes, audiotapes, etc. As examples of acceptable verification methods, the Board cites "a numeric code embedded in the tape, which the attorney would have to submit" or provider tracking of an attorney's progress through an online course. One of our correspondents was orally advised by a Board representative that viewing of tapes created before January 1 can be accredited under the old rules, but presumably some procedure will have to be devised for verifying the age of the tape. (www.courts.state.ny.us)

Pennsylvania has added to its rules a Bridge the Gap requirement for new admittees, who must take the 4-hour

course from an approved Bridge the Gap provider before their compliance deadlines. (www.pacle.com/rulesregs.htm)

In preparation for Pennsylvania's Distance Learning Pilot Project, under which online courses will be approved for credit beginning January 1 (see our August issue, p. 10), the **Pennsylvania Bar Institute** (www.pbi.org) has put the first courses up on its web site. Course demos are included to let you sample the content and check out your computer's capabilities.

The Capital CLE Calendar

Volume 9, No. 3 ■ November 1, 2002
(Distance Course Schedule and Provider Directory)

How to Read This Schedule: The following course schedule lists, first by topic and then by date, live continuing legal education (CLE) courses offered on and after November 1, 2002. The course provider code in all caps at the end of each course listing keys to a provider listing in the provider directory which follows the course schedules. (If a program has multiple sponsors, the provider listed first is the suggested contact for registration.)

All course listings indicate the delivery medium, such as telephone conference, online seminar, satellite broadcast, etc. Each listing also includes, if available, the beginning and ending times, tuition fee, and total CLE credit hours approved or pending for the course (credits appear in brackets at the end of the listing). Please note that CLE credit requirements vary by state and credit arrangements vary by course and provider. If credit is important to you, be sure to confirm in advance with the course provider or appropriate CLE Board whether and how the needed credits are obtainable.

Course Providers. Contact information for the sponsoring organizations follows the course schedules. More detailed information on the courses in this schedule is available from

the course providers.

Registration and Fees. Most course providers will fax brochures and registration forms on request and will accept credit card registrations by phone, fax, or on the Internet. Many discount registration fees for members (in the case of membership organizations), for government and public interest lawyers, or for early registration, multiple registrants, or multiple courses for the same registrant. Some permit registration at the door for an additional charge. For some courses, however, especially those noted as "limited enrollment," advance registration and payment may be required.

Materials. Most providers sell their course materials separately. These may offer the most comprehensive and up-to-date survey of the law on a given topic that is currently available.

Additional Courses. Visit our website at <http://www.profdev.com/courses.htm> for a listing of current, local CLE courses announced after this issue went to press. To find live, on-location courses offered by major national providers, visit our page of links to their sites, <http://www.profdev.com/links.htm>.

Distance Course Schedule

BUSINESS/CORPORATE LAW AND PRACTICE

11/15/02. *New Rules in a Post-Andersen World? Document Production and Retention*. 12:30-2 pm teleconference and audio webcast. \$60-150. ABA/ABA Antitrust Section. [1.5]

11/18/02. *Psychology of Litigation and Transactional Work*. 1-3 pm ET telephone seminar. \$115. TRT. [2.0] (Repeated 12/19)

11/22/02. *Document Creation, Retention and Destruction: Tips for the In-House Practitioner*. 1-2 pm ET online webcast. WLE/Hennepin Co. Bar Assn.

(Distance Courses, cont'd)

[1.0]

12/5/02. *LLC's: A View from the Trenches*. 1-2:30 pm videoconference and teleconference. ABA/ABA Bus. Law and Lit. Sections. [1.5]

12/5/02. *The New Disclosure and Corporate Governance Regime Post-Enron: What Corporate and Securities Lawyers Must Know Now*. 11 am-6 pm ET American Law Network satellite seminar. \$299. PLI. (80+ viewing sites nationwide)

1/26-27/03. *Preparation of Annual Disclosure Documents 2003*. Videoconference. \$1,395. PLI.

2/6/03. *Choice of Form and Structure for Closely-Held Businesses and Ventures*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

3/20/03. *Limited Liability Entities*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

CLIENT DEVELOPMENT/CLIENT RELATIONS

11/11/02. *A Ban on Attorney-Client Sex -- Should It Make the Cut?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/3)

COMMERCIAL LAW

11/13/02. *Default and the Enforcement of Security Interests Under UCC Revised Article 9: Through the Looking Glass*. 1-2:30 pm videoconference and teleconference. ABA/ABA Bus. Law and Lit. Sections. [1.5]

DISABILITY LAW

11/4/02. *The Future of the ADA: Following the Supreme Court's Lead in 2002*. 4-7 pm ET live online webcast. \$90/120. WLE/NPI/Chicago Bar Assn. [3.0]

EMPLOYEE BENEFITS LAW/ERISA/PENSIONS AND PROFIT-SHARING/EXECUTIVE COMPENSATION

11/7/02. *Annual Employee Benefits Law and Practice Update*. 12-4 pm ET American Law Network satellite seminar. \$99/179. ALI-ABA. [3.6, 4.0 CPE] (80+ viewing sites nationwide)

3/27/03. *Health Plans, HIPAA, and COBRA Update*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

4/3/03. *Annual Spring Employee Benefits Law and Practice Update*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

EMPLOYMENT AND LABOR LAW

11/6/02. *Electronic Privacy and Surveillance in the 21st Century Workplace*. 1-2:30 pm teleconference and audio webcast. \$60-150. ABA/ABA S&T Section. [1.5]

11/6/02. *The Most Common Mistakes Companies Make When Downsizing*. 1-2:30 pm teleconference. \$60-150. ABA/ABA L&EL Section. [1.5]

12/3/02. *Covenants Not to Compete and the Duty of Loyalty in Virginia*. 12-2 pm telephone seminar. \$129. VACLE. [2.0] (Replay 12/10)

1/9/03. *Non-Traditional Employment Issues [in Health Care]*. 1-2:30 pm ET telephone seminar. AHLA.

ENVIRONMENTAL LAW

11/14/02. *2002 Update: Clean Air Act*. 12-4 m ET American Law Network satellite seminar. \$179. ABA/various ABA sections/EPA. (80+ viewing sites nationwide)

ESTATES/TRUSTS/PROBATE LAW

11/5/02. *Asset Protection Planning*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

11/12/02. *Multidisciplinary Rule Trends & General Ethical Considerations for Estate and Wealth Management Planning Professionals*. Teleconference. Cannon Financial Institute, Inc., (706) 353-3346. [1.5]

12/3/02. *The Ongoing Liability Risks of Estate Planning Professionals & How to Minimize Exposure*. Teleconference. Cannon Financial Institute, Inc., (706) 353-3346. [1.5]

2/14/03. *Annual Winter Estate Planning Practice Update*. 12-3:15 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

6/5/03. *Annual Spring Estate Planning Practice Update*. 12-3:15 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

ETHICS AND PROFESSIONALISM/SUBSTANCE ABUSE

11/1/02. *Corporate Privilege -- White Collar Prosecution and Defense*. 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 11/26, 12/27.)

11/4/02. *Billable Hour -- 'Going, Going, Gone'?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 11/27, 12/30)

11/5/02. *Multijurisdictional Practice (and It's Coming!) Will Affect Your Practice*. 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/2, 12/31.)

11/11/02. *A Ban on Attorney-Client Sex -- Should It Make the Cut?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/3)

11/11/02. *Ethical Issues Affecting Securities Counsel After the Sarbanes-Oxley Act*. 1-2 pm ET online webcast. WLE/Hennepin Co. Bar Assn. [1.0]

11/12/02. *Substance Abuse -- How Should One Respond?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/16)

11/19/02. *What's Different About Government Lawyers?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/23)

11/25/02. *When Does My Professional Life End and My Private Life Begin?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/26.)

12/18/02. *The Final Word on Ethics 2000*. 1-2 pm ET ABA Connection telephone seminar. Free/\$110. ABA/Various ABA Sections. [1.0] (Advance reading)

FAMILY LAW

12/12/02. *Child Support Teletalk: The New Uniform Parentage Act*. 2-4 pm ET telephone seminar. \$195/215 per site connection. NCSEA. [1.0]

FOOD AND DRUG/MEDICAL DEVICE/BIOLOGICS LAW

11/1/02. *OIG's Compliance Model for the Pharmaceutical Industry*. 1-3 pm ET telephone seminar. FDLI/ AHLA.

GENERAL LAW/MULTIPLE TOPICS

Monthly. See dozens of monthly, live online CLE seminars announced the first week of each month by CLEO.

GOVERNMENT LAWYER PROGRAMMING [Open-enrollment programming only.]

11/19/02. *What's Different About Government Lawyers?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/23)

HEALTH CARE/MEDICAL LAW/PROVIDER REPRESENTATION

11/1/02. *OIG's Compliance Model for the Pharmaceutical Industry*. 1-3 pm ET telephone seminar. FDLI/ AHLA.

11/7/02. *HIPAA Privacy for Health Plans: Priorities in the Countdown to April 2003*. 1-2:30 pm ET telephone seminar. \$115-225. AHLA.

11/19/02. *Crisis: The Medical Malpractice Mess*. 1-2:30 pm ET telephone seminar. \$115-225. AHLA.

12/5/02. *Contract Management Systems for In-House Counsel*. 1-2:30 pm ET telephone seminar. \$115-225. AHLA.

12/10/02. *Health Care Fraud: Enforcement and Compliance Update*. 12-4 m ET American Law Network satellite seminar. \$179. ABA/various ABA sections/EPA. (80+ viewing sites nationwide)

12/12/02. *Conflicts of Interest in Research: Approaches to the Quandaries*. 1-2:30 pm ET telephone seminar. AHLA.

12/13/02. *Technology and Health Law*. Teleconference. ABA/ABA Health Law Section.

12/18/02. *Annual Update of Select Provisions of Medicare Hospital and Physician Payment Regulatory Developments*. 1-2:30 pm ET telephone seminar. AHLA.

1/9/03. *Non-Traditional Employment Issues*. 1-2:30 pm ET telephone seminar. AHLA.

1/14/03. *HIPAA Basics: Confidentiality of Health Information*. Teleconference. ABA/ABA Health Law Section.

1/21/03. *HIPAA Series Part II*. Teleconference. ABA/ABA Health Law Section.

1/22/03. *Medicare Appeals*. 1-2:30 pm ET telephone seminar. AHLA.

1/28/03. *HIPAA Series Part III*. Teleconference. ABA/ABA Health Law Section.

2/4/03. *HIPAA Series Part IV*. Teleconference. ABA/ABA Health Law Section.

2/11/03. *HIPAA Series Part V*. Teleconference. ABA/ABA Health Law Section.

2/13/03. *Records and Access*. 1-2:30 pm ET telephone seminar. AHLA.

3/6/03. *Immigration Series -- Part III*. 1-2:30 pm ET telephone seminar. AHLA.

3/13/03. *Laws Affecting Criminal and Civil Liability Exposure*. Teleconference. ABA/ABA Health Law Section.

3/27/03. *Health Plans, HIPAA, and COBRA Update*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. (80+ viewing sites nationwide)

5/8/03. *General Legal Areas of Practice for Health Care General Counsels*. Teleconference. ABA/ABA Health Law Section.

7/11/03. *Ethical Issues for Health Lawyers*. Teleconference. ABA/ABA Health Law Section.

INTELLECTUAL PROPERTY/PATENT/COPYRIGHT/TRADEMARK LAW

12/17/02. *Business Methods Patents Teleconference*. 2 pm ET telephone seminar. MPI.

LAW OFFICE/LAW PRACTICE MANAGEMENT

11/4/02. *Billable Hour -- 'Going, Going, Gone'?* 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 11/27, 12/30)

LITIGATION/TRIAL AND APPELLATE ADVOCACY [See also various substantive law topics for specialized litigation courses.]

11/1/02. *Federal Discovery 2002*. 4-7 pm ET online video seminar. \$90/120. WLE/NPI/Chicago Bar Assn. [3.0]

11/6/02. *Junk Science vs. Real Science: Scientific Evidence in the Judicial Kitchen*. 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 11/20, 12/4, 12/17)

11/13/02. *Current Developments for Litigators*. Telephone seminar. ABA/ABA Lit. Section.

11/15/02. *Perils, Pitfalls and Practical Pointers in Class Litigation*. 12-1:30 pm live teleconference from National Institute in Chicago. \$60-150. ABA/ABA RPP&T Section. [1.5]

11/18/02. *Psychology of Litigation and Transactional Work*. 1-3 pm ET

telephone seminar. \$115. TRT. [2.0] (Repeated 12/19)

MULTI-DISCIPLINARY/MULTI-JURISDICTIONAL PRACTICE

11/5/02. *Multijurisdictional Practice (and It's Coming!) Will Affect Your Practice*. 1-3 pm ET telephone seminar. \$115. TRT. [2.0 ethics] (Repeated 12/2, 12/31.)

REAL ESTATE/LAND USE/HOUSING/REAL PROPERTY LAW

11/5/02. *Mold, Mildew and Other Microbial Matters: What the Real Estate Practitioner Should Know*. 1-2:30 pm teleconference and audio webcast. \$75-150. ABA/ABA RPP&T Section. [1.5]

11/6/02. *Section 1031: Exchanges for Investment or Business Use Property*. 1-3 pm ET live online webcast. \$90/120. WLE/NPI/Chicago Bar Assn. [2.0]

SCIENCE AND TECHNOLOGY

11/6/02. *Science and Technology Review*. Telephone seminar. ABA/ABA S&T Section.

SECURITIES LAW

11/6/02. *Pre-Conference Briefing to the 34th Annual Institute on Securities Regulation: What Every Lawyer Needs to Know About Accounting Now - or Else!* 12-5 pm online webcast. \$795. PLI.

11/7-9/02. *34th Annual Institute on Securities Regulation*. Live online webcast: 8:45 am-5 pm ET Day 1, 9 am-5 pm ET Day 2, 9 am-1 pm ET Day 3. \$1795. PLI.

11/11/02. *Ethical Issues Affecting Securities Counsel After the Sarbanes-Oxley Act*. 1-2 pm ET online webcast. WLE/Hennepin Co. Bar Assn. [1.0]

2/3-4/03. *Doing Deals 2003: Understanding the Nuts & Bolts of Transactional Practice in an Uncertain Market*. Videoconference. \$1,395. PLI.

TAX LAW

11/15/02. *Tax Issues from a Tough Year*. 1-2 pm ET ABA Connection telephone seminar. Free/\$110. ABA/ABA Tax Section. [1.0] (Advance reading)

Distance Course Providers

ABA. Center for Continuing Legal Education, American Bar Association, 514 N. Fairbanks Court, Suite 1600, Chicago, IL 60611-3314, (800) 285-2221 or (312) 988-5522, Fax (312) 988-5850, fax-on-demand service (800) 995-1253, Web <http://www.abanet.org/cle>.

AHLA. American Health Lawyers Association, 1120 Connecticut Avenue, N.W., Suite 950, Washington, DC 20036-3902, (202) 833-0766, Fax (202) 833-1105, Web <http://www.healthlawyers.org>.

ALI-ABA. American Law Institute-American Bar Association Committee on Continuing Professional Education, ALI-ABA, 4025 Chestnut Street, Philadelphia, PA 19104-3099, (800) CLE-NEWS (253-6397) or (215) 243-1630; Fax (215) 243-1664; Web <http://www.ali-aba.org>.

CLEO. CLE Online, P.O. Box 1897, Round Rock, TX 78680-1897, (512) 310-9618, Fax (512) 310-1720, E-mail info@cleonline.com, Web <http://www.cleonline.com>.

ESI. ESI International, 4301 Fairfax Drive, Suite 800, Arlington, VA 22203, (703) 558-3010 or (888) ESI-3626, Fax (703) 558-3001, E-mail info-reg@esi-intl.com, Web <http://www.esi-intl.com>.

FDLI. FDLI, Inc., 1000 Vermont Avenue, N.W., Suite 200, Washington, DC 20005, (202) 371-1420, Fax (202) 371-0649, E-mail comments@fdli.org, Web <http://www.fdpi.org>.

LCS. Law.com Seminars (formerly Legalseminars.com), San Francisco, CA, (415) 352-1574, Web <http://store.law.com/seminars/>.

MPI. Mealey Publications, Inc., P.O. Box 62090, King of Prussia, PA 19406-0230, (800) 632-5397, (610) 768-7800, E-mail seminars@mealeys.com, Web http://www.mealeys.com/sem_cal.html.

NBI. National Business Institute, Inc., P.O. Box 3067, Eau Claire, WI 54702, (715) 835-7909, Fax (715) 835-1405, Web <http://www.nbi-sems.com>.

NPI. National Practice Institute, Suite 1710, 701 Fourth Avenue South, Minneapolis, MN 55415-1634, (800) 328-4444, Fax (612) 349-6561, Web <http://www.npilaw.com>.

PLI. Practising Law Institute, 810 Seventh Avenue, New York, New York 10019-5818, (800) 260-4PLI [-4754] or (212) 765-5700, Fax (800) 321-0093 or (212) 581-4670, E-mail info@pli.edu, Web <http://www.pli.edu>.

TRT. TRT, Inc., 43546 Firestone Place, Leesburg, VA 20176-3920, (800) 672-6253, Fax (800) 853-1946 or (703) 853-1946, E-mail trt@trt-de.com, Web <http://www.trtcle.com>.

VACLE. Virginia Continuing Legal Education, P.O. Box 4468, Charlottesville, VA 22905, (800) 979-VACLE (8253) or (804) 979-5644, Fax (434) 979-3147, Info-Fax (800) 676-0210, Web <http://www.vacle.org>.

WLE. West LegalEdcenter, Web <http://westlegaledcenter.com>.

