

# PROFESSIONAL DEVELOPMENT QUARTERLY

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## Part 2 of a Series

### Defining Learning Objectives

*Randall B. Christison*

When we last met, I proposed we should train lawyers as adults. If you're willing to accept that proposition, I would like now to talk about goals. It's hard to know how to start if you don't know where you're going.

Let's assume your New York and Washington firm has announced it is merging with Blackstone, Holmes and Cicero of Los Angeles and San Diego. Suddenly your firm has to become knowledgeable in the weird world of California's unique civil procedure system. (You've heard of a demurrer, but you've never seen one in captivity.) The litigation group practice head tells you to get on it immediately.

You ask three of Blackstone's litigation partners to put on a day-long panel presentation. They are to cover the important points your litigators need to know. Jim, Jane and Julie of the Left Coast prepare their lectures and have their associates write handouts. The day comes. Six hours of lecture, five pizzas, four gallons of coffee, and three binders of handouts later, everything is covered. As you expected, the evaluations are good; Jim, Jane and Julie are talented and witty litigators.

But a month later the practice group chair calls to ask, "Why the heck didn't anybody learn anything in that stinking class of yours? My associate couldn't even draft a California summary judgment motion. I'm writing off seven billable hours, and I'm asking the compensation committee why we're paying you so much. Harumph. <click.>"

What went wrong?

The reasons are many, but let me suggest it started with the definition of the class. What were you aiming for? You aimed to "cover the material." And indeed, cover it you did.

What if, instead of “cover” you aimed at “understand” or “apply” the new act? “Covering” is what the instructors did. The teachers “cover” the material whether there is anyone else in the room with them or not. “Understanding” means we focus on the learners and what they know at the end of the session. “Applying” suggests not only they know something, but they’re able to use it the next day. Or you could think of some other terms to label your goal.

But how do you find the right word and put it into action? Fortunately, this wheel has been invented. Unfortunately, the wheel’s legal model is years from the assembly line. My purpose here is to suggest that selecting the correct goal—and phrasing it accurately—is the essential, crucial first step in any training program.

## Bloom’s Taxonomy and the Adult Lawyer

A proverb, in one of its many forms, says:

Tell me, I forget  
Show me, I remember  
Involve me, I understand, but  
Get me to think, I learn.<sup>1</sup>

Benjamin Bloom converted this concept a half-century ago into an organized listing of “cognitive levels.” Now generally known as “Bloom’s Taxonomy,” they are in rising order:

1. **Knowledge**—the ability to remember material previously learned.
2. **Comprehension**—the ability to grasp the meaning of material.
3. **Application**—the ability to use learned material in new, concrete situations.
4. **Analysis**—the ability to break down material into its components so that its organizational structure can be understood.
5. **Synthesis**—the ability to put parts together to form a new whole.

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<sup>1</sup>Renner, *The Art of Teaching Adults*. Vancouver: Training Associates, 1994, p. 40.

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6. **Evaluation**—the ability to judge the value of material for a given purpose.<sup>2</sup>

Numbers four through six are usually described as critical thinking skills, whereas one through three are less demanding goals and not ones involving critical thinking.

When devising a program, or more fundamentally, deciding how to meet a need your lawyers have, you need to know what is to be at the other end. Is it knowledge, is it evaluation, is it something in between or some combination?

If your lawyers need to learn California civil procedure, after offering your sincere sympathies, what do you do? Start by finding out what the firm’s needs are—what, for instance, do the practice group heads want to see in their lawyers?

Likely they want their lawyers to be able to do something, or maybe they want the lawyers to know something. So, let’s say the response comes back, “We want them to be able to draft solid summary judgment motions and to handle discovery.” (I should note assessing and analyzing needs is rarely as simple as our example, but that’s the topic of a later article in the PDQ series.) Your job then is to translate these expressed needs into a form of training to ensure the lawyers are able to draft motions that pass muster and to handle discovery efficiently and successfully.

How do you translate “draft” and “handle”? Fortunately, Bloom’s comes with a built-in thesaurus.

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<sup>2</sup>*Id.*, p. 41.

## Bloom's Taxonomy of Educational Objectives

Level	Meaning	Action Verbs		
<b><i>Non-Critical Thinking Skills</i></b>				
<b>1 Knowledge Recall</b>	To remember previously learned material.	to define to distinguish to identify to inquire to label	to list to match to memorize to name to recall	to recognize to record to relate to repeat to select
<b>2 Comprehension</b>	To grasp the meaning of the knowledge being learned and to be able to paraphrase or explain it.	to change to comment to demonstrate to describe to discuss to explain to express to generalize	to give examples to identify to illustrate to infer to interpret to locate to rearrange to recognize	to report to restate to review to summarize to tell to transform to translate
<b>3 Application</b>	The ability to use learned information and materials.	to apply to calculate to choose to classify to demonstrate to dramatize to employ	to generalize to illustrate to interpret to operate to organize to practice	to reconstruct to schedule to sketch to solve to transfer to use
<b><i>Critical Thinking Skills</i></b>				
<b>4 Analysis</b>	The ability to break material down into its elements or parts so that its organizational structure may be understood.	to analyze to appraise to calculate to categorize to classify to compare to contrast to criticize	to debate to deduce to describe to diagram to differentiate to discriminate to distinguish to examine	to experiment to inspect to inventory to put into lists to question to relate to subdivide to test
<b>5 Synthesis</b>	The ability to combine previous experience with new material to form a structure.	to arrange to assemble to collect to compose to construct	to create to design to formulate to organize to plan	to produce to propose to set up to solve
<b>6 Evaluation</b>	The ability to judge the value of material for a given purpose.	to appraise to assess to choose to compare to conclude to consider to criticize	to estimate to evaluate to exercise discretion to judge to measure	to rate to revise to score to select to value to weigh

## Moving from Bloom to Classroom

Great, you think. Now I have a bunch of words, but how do those connect with what the litigation group needs and wants?

Connecting the course to its goals and then to the individual objectives is an area of study all by itself. But without getting too deeply into it, let me suggest developing objectives involves at least these steps:

1. Identifying training needs (not “wants”—they are different);
2. Analyzing the need, by breaking it down into the smallest parts reasonably possible;
3. Envisioning what lawyers can or will do when they have learned each of these parts;
4. Writing an objective in terms of what the attendees will do after the class is over; and, of course,
5. Repeated feedback and improvement of the objective statements.

So, using our scenario, your need is to produce competent practitioners under a whole new civil practice act. You could start by asking the question, what does a competent practitioner look like, and more specifically, what does a competent practitioner do?

Phrased that way, you’ll only get bewildered looks. Instead, break it down. What are the parts of the new act that will affect our firm’s practice? Let’s say, summary judgment motions have a new format. What does a competent summary judgment practitioner do? He or she drafts an MSJ in the correct format, the first time and without wasted effort.

That becomes your objective. Using Bloom’s terms, your new objective could be, “At the class’s completion, attendees will be able to: . . . (3) Draft MSJs in statutory format,” or “(3) Choose the correct format and draft a legally sufficient MSJ.”

You think, “That’s ok for something almost mechanical, such as drafting an MSJ, but what

about the mental side of law? I want the lawyers to know and understand the practice act. And the only time Bloom’s uses ‘know,’ it’s a non-critical thinking skill, mostly recalling facts, not any deep understanding. What do I do?”

This is where your ingenuity and experience come into play. Practicing law is mostly employing mental processes, so-called “higher cognitive skills.” By their nature one cannot see them in action and one cannot see whether a person understands, much less whether that person integrates the understanding with all the other things a lawyer must know and be able to do.

So how do you draft an objective when no one can see it being achieved? This is what Robert Mager calls “covert performance.” Your challenge is to identify what someone who knows and understands the area of law can do, something that someone lacking the knowledge could not do.

Mager calls this an “indicator behavior.” Here is the challenge. Stating an objective in terms of “be able to solve” or “know,” no matter how important, does not describe a visible performance. Stating an objective in terms of an indicator behavior does describe visible action, “one that will tell us directly whether a covert performance is happening to our satisfaction.”<sup>3</sup> What indicates knowledge or competence for something as complex as practicing law is not at all easy (ask anyone doing performance evaluations).

Consult an expert in the field, and find out what he or she considers the signs of the best lawyers in the field—what they do and not do. From this identify what might be a behavior you can translate into one of Bloom’s terms.

Thus a person who understands the California Discovery Act will know the pluses and minuses of each of the alternative discovery methods, weigh them against the needs of the case and the client, and choose the right method. So, an objective could be, “(4) Describe the advantages and disadvantages of each discovery method and accurately select the optimum method in four hypothetical situations.”

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<sup>3</sup>Robert Mager, *Preparing Instructional Objectives*, 3d Ed., Atlanta: Center for Effective Performance, 1997, p. 77.

## The Value of Learning Objectives

Isn't this a lot of work? It is indeed. So why do it?

First, **communication**. When you say "cover a subject," you know what you mean, your instructors know what they mean, the attendees know what they expect, and the practice chairs know what's in their minds. Except those are four different things, and there's no easy way of ensuring everyone is reading from the same page.

Second, **results**. How can you tell whether anyone has learned anything that's been covered? Imagine telling a group of lawyers there's an essay examination at the end of today's session. Instead, measurement is designed into the course. The lawyers who take the course will know immediately whether they learned what they were supposed to. If they accurately identify the optimum discovery tools in all four hypotheticals, they know they hit the course's target. And so do you. If they "covered" the procedural statute, however, you and they have no idea if they learned what the instructors deemed important.

Third, **self-screening**. Lawyers now can make an intelligent choice of whether this course will aid them in getting the skill set they need. "Covering California procedure" leaves one uncertain. "Being able to select optimum discovery methods" is explicit.

When the practice group chair calls and asks why her lawyer didn't learn how to draft an MSJ, would you rather shrug and say, "Well, it was covered." Or would you rather say, "Yes, he would have, had he not been called out of the course to work on the practice group chair's emergency."

## Summing Up

Course goals can replace generality with specificity and subjective measurement with objective. It successfully moves the focus in our programs from the instructor to the learners. It is not easy, and it is not quick. But it is worth it.

Ultimately, clear, precise statements of what attendees should be able to do at the course's end benefit everyone.<sup>4</sup>

### References:

Many books and articles address instructional and learning objectives, but the two I use most often are:

- (1) Robert Mager, *Preparing Instructional Objectives*, 3d Ed., Atlanta: Center for Effective Performance, 1997 (isbn 1 879 618 036) and
2. Walter Dick, Lou Carey and James Carey, *The Systematic Design of Instruction*, 5<sup>th</sup> Ed., New York: Addison Wesley Longman, 2001 (isbn 0 321 037 804).



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<sup>4</sup> I wish to thank Mel Turner, currently in private consulting practice in Sacramento, and Dr. Phil Sherwood, currently with the State of California, who taught me Adult Learning Theory and introduced me to instructional objectives and much more.

## Focus on Ethics

Dismayed and perplexed by corporate malfeasance and legal hijinks? A number of recent authors and studies offer fascinating insights into some underlying factors, along with remedial suggestions:

Paul Babiak and Robert Hare, *Snakes in Suits: When Psychopaths Go to Work*. (In publication<sup>5</sup>)

According to numerous media interviews, Robert Hare is a Canadian psychologist and university professor who has intensively studied serial criminals and other psychopaths, is regularly consulted by the FBI, and developed a "Psychopathy Checklist" used by law enforcement and mental health professionals around the world to determine whether a given individual is a psychopath.

Paul Babiak is an industrial psychologist and management consultant who 12 years ago, in trying to assist a dysfunctional corporation in righting itself, found that the company's problems flowed from a manipulative, unscrupulous executive who scored high on Hare's checklist.

Now Hare and Babiak are collaborating on a book. They say that the free-wheeling, "no holds barred" corporate cultures and high rewards of modern capitalism attract psychopaths and give them fertile soil in which to thrive. While they estimate that perhaps 1% of the general adult population qualifies as psychopaths, they believe that percentage is higher in the ranks of corporate executives and other highly compensated professionals, notably including lawyers. An organization need contain only a few such people to be heavily impacted because they gravitate to positions of power and then aggressively abuse their power.

The authors have developed a new, 107-point questionnaire called the "B-Scan," or Business

Scan, that organizations can use to expose the psychopaths lurking in their midst. Some of the items on it:

- "Comes across as smooth, polished, and charming."
- "Lies to co-workers, customers, or business associates with a straight face."
- "Has created a power network in the organization and uses it for personal gain."
- Is "opportunistic and ruthless, hating to lose and playing to win."

G. Richard Shell, *Make the Rules or Your Rivals Will*. Crown Business, 2004.

Psychopaths take note: Shell's book explains how corporations and their lawyers have used the legal system, in ways both ethical and unethical, to increase profits.

One web-based review gushes, "[This book] is a must read, cover to cover.... Whether it is snubbing competition, influencing legislation, exhausting your rival with litigation, using price wars, or settling through tight contracts, the moral is straight forward, but most ignored – find your place at the table where laws are made; be in the arenas of courts, bureaucracies, legislatures, and contracts; understand how law can serve both as a shield and a sword in most competitive situations."<sup>6</sup>

Shell describes "Five Factors of Legal Strategy Success" in business situations and provides numerous case studies showing them in operation:

1. **The Merits:** Having effective legal protections such as patents or contracts already in place.
2. **Public Legitimacy**, which could result from a media campaign to generate public sympathy.
3. **Strategic Position** in the marketplace.
4. **Resources:** Those with deep pockets are much more likely to prevail.
5. **Access:** To the courts, the legislature, and high government officials.

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<sup>5</sup>This book has been heavily publicized since January in the print and broadcast media (an Internet search on the title produced a stream of articles and interviews in the U.S., UK, and Australia, on which this writeup is based). As of late July it is still "forthcoming," and no publisher is mentioned. We look forward to seeing the actual book, and wonder if the authors are so busy promoting it they don't have time to write it.

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<sup>6</sup>[www.globallawreview.com/richardshell.html](http://www.globallawreview.com/richardshell.html).

Maurice Schweitzer et al., "Goal Setting as a Motivator of Unethical Behavior." *Academy of Management Journal*, June 2004.

Although the management literature consistently recommends goal setting as a performance motivator, the authors of this study found that it can also promote cheating. In an experiment with 70 individuals, they found that those who were given a difficult performance goal, as opposed to merely being asked to "do their best," were more likely to misrepresent their performance as having met the goal. The likelihood of cheating increased if the individual's performance had fallen short of the goal by only a small amount.

In an interview published online, author Schweitzer, a professor at Penn's Wharton School, sounds a cautionary note for law firms as well as business:

"Within the business community, I think [cheating is] epidemic," he says, noting that it happens particularly frequently in consulting and law firms where employees are supposed to bill a certain number of hours per year in order to continue working and/or to get a bonus.... It's a problem especially in organizations where "reporting your hours is an individual decision, where the exact numbers are difficult to measure and where no one is checking up on you," ...

(<http://knowledge.wharton.upenn.edu/article/1017.cfm>. The full research paper is available at <http://knowledge.wharton.upenn.edu/papers/1279.pdf>.)

John Marchica, *The Accountable Organization: Reclaiming Integrity, Restoring Trust*. Davies-Black Publishing, 2005.

Marchica's message is that principles and profitability can – and should – go hand in hand. He is no slouch in business. He is the founder and CEO of FWI, an information services provider to the medical profession, and a four-time finalist for the Ernst and Young Entrepreneur of the Year Award. His company was twice named to Inc.'s list of America's 500 fastest growing companies.

The book is a guide to creating a workplace culture that promotes accountability, integrity, and trust, and to building employees' commitment to both business ethics and business success. Along the way he shares his own story, including mistakes, and his interviews with other CEOs. The book includes a case study of Southwest Airlines as a model of the accountable organization and an extensive bibliography.

### [Codes of Ethics Online, The Center for the Study of Ethics in the Professions](#)

The Center for the Study of Ethics in the Professions has collected over 850 codes of ethics of professional associations, business, government, and academia for researchers' use. Other materials on the site include a discussion of the function and value of codes of ethics, a case study in using a code of ethics, a literature bibliography and links to other online collections of ethics codes, and other print and online resources for writing a code of ethics for an organization. ([www.iit.edu/departments/csep/PublicWWW/codes/](http://www.iit.edu/departments/csep/PublicWWW/codes/))

### **Classic Quotes:**

"Ninety percent of what we call 'management' consists of making it difficult for people to get things done in an organization." (Peter Drucker)

"Creativity comes from joy in work." (W. Edwards Deming in answer to a question at one of his last management workshops, as reported by a workshop participant)



*(Editor's Note: This column highlights best practices and new approaches to common challenges of in-house training managers. We invite your comments and your suggestions for future articles. You can reach us at (703) 719-7030 or maraeg@profdev.com.)*

## An Orientation Icebreaker

I recently shared this training activity with some colleagues and got an enthusiastic reaction. So I thought I would share an expanded version of it with the rest of you in this month's column.

An interactive exercise that is a good icebreaker for new associate orientation is the Group Resume. It gets people engaged in the orientation session from the beginning, helps them get to know one another, and reminds everyone how diverse and talented the incoming class is.

Suggestions for conducting the activity:

1. Divide the participants into groups of 5-6. Make the groups as heterogeneous as possible in terms of both their backgrounds and the practice groups they will be joining.
2. Give each group a sheet of flip chart paper and a marker.
3. Ask each group to compile a cumulative resume and report it out to the full group. Provide a list of suggested categories of information for them to choose from (see examples in the sample resume at right). It's good to include one or two fun items on it that might not appear on the typical legal resume to loosen things up.
4. Give them 10 minutes to compile their resumes. It doesn't take that long, but the extra time lets people chat about some of the items and get acquainted.
5. Give each group 2 minutes to report its resume and answer questions about it. Keep things moving; you don't want to lose control of the group and the schedule at the beginning of the day.

6. After the group's reports, take another 2-3 minutes to note some of the interesting and surprising things you have learned about the incoming class, and invite additional observations from the participants.

Here's a sample of the type of resume one of your new associate groups might put together:

"We:

- have 99 years of formal education
- have undergraduate degrees in biology, economics, engineering, music, and political science
- have graduate degrees in law, business, and biochemistry
- have held non-law-related summer jobs at 3 restaurants, an oil field, an animal shelter, a box manufacturing plant, a shrimp boat, and an organic farm.
- have lived in 23 cities in 5 countries
- speak English, Spanish, Portuguese, and Russian
- will be working in the Tax Group, the Intellectual Property Group, the International Trade Group, and the Commercial Litigation Group."

With five groups, the complete exercise takes 25 minutes. Try it, and let me know how it goes!

– Gaye Mara

## Professional Developments

### Events

The coming months spread out a feast of “back to school” activities before us:

- 📎 8/3-5/04, San Diego, CA. *Developing Procedures, Policies & Documentation*. \$1495. Information Mapping, (800) 463-6627 x3211, [www.infomap.com/dppd.htm](http://www.infomap.com/dppd.htm). (Repeated 8/10-12, Waltham, MA; 8/17-19, Houston, TX; 8/24-26, Minneapolis, MN; 8/31-9/2, Washington, DC.)
- 📎 8/12/04, online. **The Guild Online Forum Series: Strategies for Managing a Successful LMS/LCMS Implementation**. eLearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).
- 📎 8/12-13/04, Chicago, IL. *ROI Two-Day Skill-Building Certificate Program*. \$850/1050. American Society for Training and Development, [www.astd.org](http://www.astd.org). (Repeated 9/20-21, Alexandria, VA; 10/21-22, New York, NY; 11/8-9, Los Angeles, CA.)
- 📎 8/16-18/04, Chicago, IL. *Accelerated Learning Training Methods Workshop*. \$995. Center for Accelerated Learning, (262) 248-7070, [www.alcenter.com](http://www.alcenter.com). (Repeated 9/13-15, Denver, CO; 9/27-29 Dallas, TX; 10/4-6 Lake Geneva, NY; 11/15-17, Orlando, FL; 12/1-3, Phoenix, AZ.)
- 📎 8/23-24/04, Richmond, VA. *The Mid-Atlantic Trainers' Creativity Day Camp*. \$249-448. Rockhurst University, (800) 682-5078, [www.natsem.com](http://www.natsem.com). (Repeated 8/24-25 in Arlington, VA, 8/25-26 in Baltimore, MD)
- 📎 9/8-10/04, Washington, DC. *Needs Assessment for Performance Technologists: Tools and Techniques*. \$1350. Clark Training & Consulting, (602) 230-9190, [www.clarktraining.com](http://www.clarktraining.com).
- 📎 9/9/04, online. **The Guild Online Forum Series: Beyond E-Learning: Other Technologies and Strategies for Learning**. eLearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).
- 📎 9/20-24/04, San Francisco, CA. *The Training Director Workshop*. \$2650. Center for Effective Performance, (800) 558-4237, [www.cepworldwide.com](http://www.cepworldwide.com).
- 📎 9/27-29/04, Alexandria, VA. *Training Certificate Program*. \$1095/1195. American Society for Training and Development, [www.astd.org](http://www.astd.org). (Repeated 10/6-8, Chicago, IL; 12/13-15, Alexandria, VA.)
- 📎 9/27-10/1/04, San Francisco, CA. *How to Plan, Develop and Evaluate e-Learning*. \$1950. Clark Training & Consulting, (602) 230-9190, [www.clarktraining.com](http://www.clarktraining.com).
- 📎 9/29-10/1/04, Washington, DC. *HPI Performance Summit*. 9/29 pre-conference workshops, \$250/350; 9/30-10/1 conference, \$700-850. American Society for Training and Development, [www.astd.org](http://www.astd.org).
- 📎 10/4-5/04, Tyngsboro, MA. *Fifth Annual Documentation and Training Conference*. \$599. PubsNet, (978) 649-8555, [www.doctrain.com](http://www.doctrain.com).
- 📎 10/4-5/04, Chicago, IL. *Telling Ain't Training Conference*. \$450/550. American Society for Training and Development, [www.astd.org](http://www.astd.org).
- 📎 10/4-7/04, Orlando, FL. *The Next Generation Leadership Summit: Innovative Leadership Development Strategies, Tools, and Best Practices*. \$1595/1695. Linkage, Inc., (781) 402-5555, [www.linkageinc.com/conferences/leadership/ngl](http://www.linkageinc.com/conferences/leadership/ngl).
- 📎 10/5-8/04, Denver, CO. *How to Plan, Develop and Evaluate Training*. \$1795. Clark Training & Consulting, (602) 230-9190, [www.clarktraining.com](http://www.clarktraining.com). (Repeated 12/7-10, San Francisco. Also available online anytime for \$1200.)
- 📎 10/6-8/04, Chicago, IL. *Outsourcing Learning Conference: Trends and Strategies*. Conference 10/6-7; post conference workshops, 10/8, Supplier Review and Selection: Questions to Ask, Actions to Take. American Society for Training and Development, [www.astd.org](http://www.astd.org).
- 📎 10/11-13/04, San Francisco, CA. *Training Magazine's Annual Training Fall Conference & Expo*. \$895-1195. <http://www.trainingfall.com>.

- 📌 10/13/04, satellite broadcast. *10<sup>th</sup> Annual Worldwide Luminary Series: Leadership from the Ground Up, Effectiveness in Changing Times*. 10:45 am-5:30 pm ET, \$179-199. Lum-Core and Fortune Magazine, (800) 289-0051, [www.luminaryseries.com](http://www.luminaryseries.com).
- 📌 10/14/04, online. **The Guild Online Forum Series: Managing e-Learning Evaluations and Assessments**. eLearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).
- 📌 10/17-19/04, Cambridge, MA. *Teaching Negotiation in the Organization*. \$2250. Harvard Law School Program on Negotiation, (781) 239-1111, [www.pon.harvard.edu](http://www.pon.harvard.edu).
- 📌 10/18-20/04, Tampa, FL. *ROI Network Conference*. \$795/995. American Society for Training and Development, [www.astd.org](http://www.astd.org). (Repeated 2/23-25/05, Irvine, CA.)
- 📌 10/18-21/04, Orlando, FL. *eLearning Producer Conference and Expo 2004*. The ELearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).
- 📌 10/25-27/04, New York, NY. *The 2004 Succession Management Conference: Imperatives for Building Your Leadership Pipeline*. Pre-conference workshop 10/25, \$495/595; conference 10/26-27, \$1895/2095. The Conference Board, (212) 339-0345, [www.conference-board.org/succession.htm](http://www.conference-board.org/succession.htm).
- 📌 10/28-29/04, San Francisco, CA. *e-Learning and the Science of Instruction*. \$799. Clark Training & Consulting, (602) 230-9190, [www.clarktraining.com](http://www.clarktraining.com).
- 📌 11/3-6/04, Washington, DC. *2004 NASAGA Annual Conference*. North American Simulation and Gaming Association, co-sponsored by DC Chapters of American Society for Training & Development and International Society for Performance Improvement, [www.nasaga.org](http://www.nasaga.org).
- 📌 11/4-5/04, Washington, DC. *The Hiring Partner Forum: Law Firm Recruitment and Retention for Laterals and New Graduates*. Glasser LegalWorks, (973) 890-0008, [www.glasserlegalworks.com](http://www.glasserlegalworks.com).
- 📌 11/11/04, online. **The Guild Online Forum Series: Beyond the First Project: Strategies for Ensuring Success**. eLearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).
- 📌 11/11-14/04, Bethesda, MD. *Building Personal and Professional Competence in a Multicultural Society*. \$1185-1500. National Multicultural Institute, (202) 483-0700, [www.nmci.org](http://www.nmci.org).
- 📌 11/14-17/04, New York, NY. *TechLearn 2004: Exploring Learning and Technology*. TechLearn, (800) 829-3400, [www.techlearn.com](http://www.techlearn.com).
- 📌 11/15-17/04, New York, NY. *The 2004 Change Management Conference*. 11/15 pre-conference seminar, \$1250/1450; 11/16-17 conference, \$1895-2095. The Conference Board/Accenture, (212) 339-0345, [www.conference-board.org/change.htm](http://www.conference-board.org/change.htm).
- 📌 11/16-19/04, San Francisco, CA. *Mastering the Art of Instructor-Led Training*. \$2650. Center for Effective Performance, (800) 558-4237, [www.cepworldwide.com](http://www.cepworldwide.com).
- 📌 11/18-19/04, Scottsdale, AZ. *Building Expertise: Applying Learning Psychology to Instructional Design*. \$1195. Clark Training & Consulting, (602) 230-9190, [www.clarktraining.com](http://www.clarktraining.com).
- 📌 12/9/04, online. **The Guild Online Forum Series: New Tools for Developing High-end e-Learning**. eLearning Guild, (707) 566-8990, [www.eLearningGuild.com](http://www.eLearningGuild.com).

## Competition

Enter *Training* magazine's "Training Top 100" competition and see how your professional development programs stack up against the best. The application deadline for this year's contest is October 1. Rules and application form are available at [http://www.trainingmag.com/training/reports\\_analysis/top100/index.jsp](http://www.trainingmag.com/training/reports_analysis/top100/index.jsp).

## Resources

The **American Society for Training and Development** released in May the results of its year-long competency study of "workplace learning and performance" (e.g., professional development) or "WLP" professionals. The report

analyzes and builds on the results of interviews and focus groups with over 130 practitioners and “thought leaders,” an extensive literature review (almost 25,000 document pages), and an online survey with over 2,050 respondents. The authors have comprehensively categorized and described what WLP professionals know and do and the context in which they do it, including:

- ✍ 12 “Foundational [Basic] Competencies,” clustered in three areas – Interpersonal, Business/Management, and Personal – that are generally required in all job specialties and settings in our field;
- ✍ 9 “Areas of Expertise,” or specialty areas, including “Designing Learning,” “Delivering Training,” and “Managing Organizational Knowledge”;
- ✍ 4 major “Workplace Learning and Performance Roles” that essentially locate one’s position in the organizational hierarchy, ranging from “Learning Strategist” and “Business Partner” at the highest level to “Project Manager” and “Professional Specialist” at a lower level; and
- ✍ 8 major trends and how they have and will influence the profession, including the Internet and other technologies, economic and security concerns, growing diversity, accelerating change, and globalization.

## MCLE Watch

**Alabama** has adopted a one-hour annual ethics and professionalism requirement, effective this calendar year and now contained in its published CLE Rules. The Alabama Supreme Court appears to have backed away from the rest of last year’s proposal for a 15-hour overall CLE requirement including up to 6 hours of distance education. ([www.alabar.org/cle](http://www.alabar.org/cle))

Effective on November 1, **Pennsylvania** will require all defense counsel in capital cases to meet minimum qualification standards set out in new Criminal Procedural Rule 801, “Qualifications for Defense Counsel in Capital Cases” issued on June 4 ([www.courts.state.pa.us](http://www.courts.state.pa.us)). The new standards include an educational requirement, and approved courses offered in several U.S. locations are listed on the Pennsylvania CLE Board’s web site in the “Capital Counsel” CLE category ([www.pacle.org](http://www.pacle.org), click on “Approved Courses” and “Capital Counsel Credits”).

Paul R. Bernthal et al., *2004 ASTD Competency Study: Mapping the Future*. Alexandria, VA: American Society for Training and Development, 2004 (142 pages, \$49.95/69.95, [www.astd.org](http://www.astd.org)). A related ASTD White Paper, “The Human Capital Challenge,” is available free of charge from the same web site.

The **Law Practice Management Section of the American Bar Association**, (800) 285-2221, [www.lawpractice.org/catalog](http://www.lawpractice.org/catalog), has published four “how-to” texts of general interest for lawyers. We can see any of these serving as the manual for an in-house course:

- ✍ *The Lawyer’s Guide to Adobe Acrobat* (\$49.95/59.95, 160 pages)
- ✍ *The Lawyer’s Guide to Fact Finding on the Internet*, Second Edition (\$69.95/79.95, 640 pages with CD-ROM containing Internet links and checklists)
- ✍ *The Lawyer’s Guide to Palm Powered Handhelds* (\$54.95/ 64.95, 220 pages)
- ✍ *The Lawyer’s Guide to Summation®* [the litigation software package] (\$29.95/34.95, 112 pages).

In the **UK**, the Law Society of England and Wales has approved a new category of mandatory Legal Practice Course or “LPC” (roughly equivalent to our state bar “Bridge-the-Gap” courses) that is customized to the corporate law firm setting. At this writing the Society’s web site contains no information, but according to an article in the May 18 *Financial Times* (p. 8) as reported by ASTD, the course is offered in association with Allen & Overy, Clifford Chance, and Linklaters.

The new course results from the Law Society’s new Training Framework Review and a concurrent UK government review. A customized LPC for legal aid attorneys is also in the works, and approval for the use of distance media for delivering LPCs is also under consideration. The Law Society’s web site, which presumably will post more information shortly, is [www.lawsociety.org.uk](http://www.lawsociety.org.uk).

# *The Capital CLE Calendar*

Volume 11, No. 1 ■ August 1, 2004

*(Distance Courses and Providers Only)*

## **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 the date of this issue. 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 schedule. (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 course 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.** A directory with contact information for the sponsoring organizations

follows the course schedule. More detailed information on the courses is available from the course providers.

**Registration and Fees.** Most course providers make brochures and registration forms available on their web sites 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. Advance registration and payment are usually required.

**Materials.** Many 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 <[www.profdev.com/courses.htm](http://www.profdev.com/courses.htm)> for a listing of current, live CLE courses announced after this issue went to press. To find on-location courses offered by major national providers, visit our page of links to their sites, <[www.profdev.com/links.htm](http://www.profdev.com/links.htm)>.

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## Distance Course Schedule

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### **ADMINISTRATIVE/GOVERNMENT/ REGULATORY LAW, GENERAL**

8/11/04. *Minimizing Risk and Prevention of Harm When an Enforcement Agency "Drops In."* 1-2 pm ET BLT Live teleconference and live audio webcast. \$55-125. ABA. [1.0]

### **ALTERNATIVE DISPUTE RESOLUTION/ ARBITRATION**

8/12/04. *Essential Issues of Arbitration (ADR Issues).* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/22, 10/12, 11/19, 12/3)

8/19/04. *Should My Client Litigate or Mediate? (ADR)* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/14, 10/21, 11/11, 12/8, 12/16)

## **ANTITRUST/UNFAIR COMPETITION LAW**

8/2-3/04. *Unfair Competition Claims 2004: California Section 17200 -- Its Impact on Consumers and Businesses Everywhere*. 9 am-5 pm PT live webcast. \$1295. PLI.

## **BANKING/FINANCIAL SERVICES LAW**

9/1/04. *Checks and Balances: The New Laws Governing Banks and Their Customers*. 9 am-12:10 pm ET telephone seminar. \$179. VACLE. [3.0] (Replay 9/21)

9/24/04. *Federal Money Laundering Laws*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 4-6 pm ET on 10/6, 11/16, 12/22)

## **BANKRUPTCY LAW**

8/18/04. *Fraudulent Transfer and Preference Litigation: Current Developments*. 12-1 pm live audio-only webcast. \$80. WLEC/Celesq (R) AttorneysEd Center. [1.0]

## **BUSINESS/CORPORATE LAW AND PRACTICE**

[See also Corporate Counsel Programming below]

8/2-3/04. ***The Pocket MBA for Lawyers 2004: Crunching the Numbers Exercises in Present Value, Capital Structure and Valuation***. Live webcast. \$1295. PLI.

8/12/04. ***Barrister Workshop For New Attorneys: Practical Aspects of Practicing Law for New(ish) Attorneys -- Business Law***. 9-11 pm ET live webcast. \$80/120. WLEC/Beverly Hills Bar Assn. [2.0]

8/18/04. *How to Make a Private Company Acquisition*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/10, 10/7, 11/10, 12/7)

8/20/04. *Shareholder Activism -- The Legal Context*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/16, 10/27, 11/12, 12/9)

9/14/04. *Understanding Financial Statements 2004*. 4-7 pm live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

9/29/04. ***How to Form An Illinois Business Entity: Corporation and Its Alternatives 2004: Selecting and Forming the Business Entity***. 3-6 pm ET live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

9/30/04. *Drafting Corporate Agreements: Converting the Deal into an Effective Contract*. 11 am-6 pm ET American Law Network satellite seminar. \$299. PLI. [4.0] (80+ viewing sites nationwide)

10/1/04. ***How to Form An Illinois Business Entity: Corporation and Its Alternatives 2004: Refinements and Some Common Problems***. 3-6 pm ET live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

11/8-9/04. *The Outsourcing Revolution 2004: Protecting Critical Business Functions*. Live webcast. \$1395. PLI.

10/14-15/04. *Second Annual Directors' Institute on Corporate Governance: What Board Members Need to Know to Be Effective Today and Tomorrow*. Live webcast. \$1995. PLI.

10/28/04. *Sixth Annual Private Equity Forum 2004: Legal and Financial Strategies for Dealmaking in a New Regulatory Regime*. Live webcast. \$1595. PLI.

12/1/04. *Drafting Corporate Agreements 2004*. Live webcast. \$1395. PLI.

## **CIVIL RIGHTS/CONSTITUTIONAL LAW**

9/24/04. *Dean Rodney A. Smolla on Contemporary First Amendment Speech Issues*. 9 am-12:20 pm ET telephone seminar. \$179. VACLE. [3.0]

## **CLIENT DEVELOPMENT/CLIENT RELATIONS**

8/18/04. *Getting a Return on Your Legal Marketing Investment*. 1-2 pm ET live audio-only webcast. \$149. WLEC/PLI. [1.0]

## **COMMERCIAL LAW**

9/29/04. *The Adlaw (R) Series: Children, Drugs, Alcohol, Privacy, Telemarketing and Taxes -- Top Lines on Emerging Critical Legal Issues to Marketers*. 12-1 pm live audio-only webcast. \$80. WLEC/Celesq (R) AttorneysEd Center. [1.0]

## **COMPUTER APPLICATIONS AND SKILLS**

8/9/04. *Microsoft Word: Legal Survival Tips, Tricks and Shortcuts 2004*. 12:30-1:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

8/23/04. *Corel WordPerfect 12: The Latest Suite Is Sweet 2004*. 12:30-1:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

9/1/04. *What Every Lawyer Needs to Know About Using E-Mail: Ethics Issues Telephone Seminar*. 1-3 pm ET telephone seminar. \$129/144. VACLE. [2.0] (Replay 9/22, 10/12)

9/17/04. *Wisconsin Court System Website: What's on It for Me? 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

#### **CORPORATE COUNSEL PROGRAMMING**

11/19/04. *Electronic Discovery Guidance for Corporate Counsel*. Live webcast. \$1295. PLI.

#### **CRIMINAL LAW**

8/16/04. *They've Got My Stuff! How Do I Get It Back?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/8, 10/1, 11/22, 4-6 pm ET on 12/20)

8/19/04. **Barrister Workshop For New Attorneys: Practical Aspects of Practicing Law for New(ish) Attorneys -- Criminal Law**. 9-11 pm ET live webcast. \$80/120. WLEC/Beverly Hills Bar Assn. [2.0]

9/21/04. **Juvenile Criminal Defense in Florida Part 1**. 9 am-12 noon ET live webcast. \$90. WLEC/Florida - NBI, Inc.. [3.0]

9/21/04. **Juvenile Criminal Defense in Florida Part 2**. 1-4:30 pm ET live webcast. \$105. WLEC/Florida - NBI, Inc.. [3.5]

#### **EDUCATION LAW**

9/21/04. **Florida Special Education Law: Part I**. 9 am-12 noon ET live webcast. \$90. WLEC/Florida - NBI, Inc.. [3.0]

9/21/04. **Florida Special Education Law: Part II**. 1-4:30 pm ET live webcast. \$105. WLEC/Florida - NBI, Inc.. [3.5]

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

9/22-23/04. *Hot Issues in Executive Compensation 2004*. Live webcast. \$1295. PLI.

9/22/04. **Hot Issues in Executive Compensation 2004: Developments and Trends - Best and Worst Practices, Disclosure Lessons from the Year's Proxies and 10Ks, and Shareholder Resolutions and Withhold Votes and How Companies Are Reacting**. 9 am-12:15 pm live webcast. \$447. WLEC/PLI. [3.0]

9/22/04. **Hot Issues in Executive Compensation 2004: Financial Accounting Developments and Trends, New Approaches to Equity-Based Compensation, and 280G What the Regulations Do Not Say**. 9 am-12:15 pm live webcast. \$447. WLEC/PLI. [3.0]

9/23/04. **Hot Issues in Executive Compensation 2004: Developments and Trends - Best and Worst Practices, Disclosure Lessons from the Year's Proxies and 10Ks, and Shareholder Resolutions and Withhold Votes and How Companies Are Reacting**. 9 am-12:15 pm live webcast. \$447. WLEC/PLI. [3.0]

11/10/04. *Annual Fall Employee Benefits Law and Practice Update*. 12-4 pm ET Video Law Review satellite seminar and live webcast. ALI-ABA. [4.0] (80+ viewing sites nationwide)

#### **EMPLOYMENT AND LABOR LAW**

8/30/04. *Workplace Harassment -- Provide Your Clients with the Essentials for Eliminating Claims*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/17, 10/28, 11/17, 12/14, 12/17)

9/14/04. *Understanding and Applying the New FLSA Overtime Regulations*. 12-2 pm ET telephone seminar. \$129. VACLE. [2.0] (Replay 10/29, 3-5 pm)

9/30-10/1/04. *33rd Annual Institute on Employment Law*. Live webcast. \$1295. PLI.

11/8/04. *The Outsourcing Revolution 2004: Protecting Critical Business Functions*. Live webcast. \$1395. PLI.

#### **ESTATES/TRUSTS/PROBATE LAW**

8/3/04. *Trust Accounts in Wisconsin -- The Rules Have Changed 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

8/5/04. **Barrister Workshop For New Attorneys: Practical Aspects of Practicing Law for New(ish) Attorneys -- Probate and**

*Conservatorship*. 9-11 pm ET live webcast. \$80/120. WLEC/Beverly Hills Bar Assn. [2.0]

8/17/04. *References to Referees in California Probate Cases*. 3:30-4:30 pm ET live webcast. \$40/60. WLEC/Beverly Hills Bar Assn. [1.0]

9/14/04. *Engel on Asset Protection: The Foundation -- Overview, Legal Principles, and Ladder of Available Planning Tools*. 12-1 pm live audio-only webcast. \$80. WLEC/CeLesq (R) AttorneysEd Center. [1.0]

9/20-21/04. *35th Annual Estate Planning Institute*. Live webcast. \$795. PLI.

9/23/04. *Advanced Estate Planning Practice Update -- Fall 2004*. 12-3:15 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [3.0] (80+ satellite viewing sites nationwide)

9/28/04. *Estate Planning and Drafting Fundamentals 2004*. 4-7 pm ET live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

9/28/04. *Irrevocable Trusts in Elder Law Cases: When Is It OK to Use Them?* 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

12/6-7/04. *Understanding Estate, Gift and Fiduciary Income Tax Returns 2004: Strategies for Maximum Advantage with the "706," "709" and "1041."* Live webcast. \$1195. PLI.

#### **ETHICS AND PROFESSIONALISM/SUBSTANCE ABUSE**

8/6/04. *Reporting Misconduct - Who, When and Where*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 8/31, 9/30, 10/20, 11/16, 12/22)

8/9/04. *When Lawyers Cross the Line*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 9/2, 10/5, 10/25, 11/23, 12/23)

8/10/04. *Is a New Rule Needed re Class Action Litigation?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 9/3, 10/6, 10/26, 11/24, 12/27)

8/13/04. *When Counsel's Duties Conflict*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 9/7, 10/8, 10/29, 11/29, 12/28)

8/24/04. *Personal and Professional Liability Issues*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 9/21, 10/13, 11/8, 12/13, 12/30)

8/26/04. *Just WHO Is the Client?* 1-3 pm telephone seminar. \$125. TRT. [2.0] (Repeated 9/28, 10/19, 11/15, 12/21, 12/31)

9/1/04. *What Every Lawyer Needs to Know About Using E-Mail: Ethics Issues Telephone Seminar*. 1-3 pm ET telephone seminar. \$129/144. VACLE. [2.0] (Replay 9/22, 10/12)

9/16/04. *Common Sense Ethics -- Histories and Mysteries*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 4-6 pm ET on 10/12, 11/19, 12/17)

10/20/04. *Ethics Update for Virginia Lawyers*. 12-2 pm ET telephone seminar. \$129/144. VACLE. [2.0 ethics] (Replay 10/27, 10/29, 12/14)

12/8/04. *Staying Out of Trouble: What Every Attorney Must Know About Ethics 2004*. Live webcast. \$595. PLI.

12/21/04. *Ethics*. 2-4 pm ET teleseminar. \$139/159. ATLA.

#### **FAMILY LAW**

8/25/04. *Parental Alienation Syndrome (PAS) -- the Lawyer's Role*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/27, 10/18, 11/9, 12/20)

8/26/04. ***Barrister Workshop For New Attorneys: Practical Aspects of Practicing Law for New(ish) Attorneys -- Family Law***. 9-11 pm ET live webcast. \$80/120. WLEC/Beverly Hills Bar Assn. [2.0]

9/16/04. ***Child Support Tele-Talk: Military Enforcement***. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

9/27/04. *Domestic Violence and the Impact on Child Custody and Placement in Divorce Cases 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

10/21/04. ***Child Support Tele-Talk: Arrearage Collection***. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

11/17/04. *Adoption Law Institute 2004*. Live webcast. \$499. PLI.

11/18/04. **Child Support Tele-Talk: Qualified Domestic Relations Orders (QDRO's)**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

1/20/05. **Child Support Tele-Talk: Paternity Disestablishment**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

2/17/05. **Child Support Tele-Talk: Medical Support**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

3/17/05. **Child Support Tele-Talk: IV-D/IV-A Interface Collection**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

### **FOOD AND DRUG/MEDICAL DEVICE/BIOLOGICS LAW**

8/11/04. *FDA, the Media, and Public Trust*. 1-3 pm ET audioconference. \$349-624. FDLI.

11/15/04. *Biotechnology and Pharmaceutical Law 2004: Patents and Business Strategies*. Live webcast. \$1395. PLI.

### **GENERAL LAW/MULTIPLE TOPICS**

Monthly. See dozens of monthly, live online CLE seminars on a range of topics announced at the beginning of each month by CLEO.

12/15/04. *California MCLE Marathon 2004-05*. Live webcast. \$495. PLI.

12/15-16/04. *New York MCLE Marathon 2004*. Live webcast. \$995. PLI.

### **HEALTH CARE/MEDICAL LAW/PROVIDER REPRESENTATION**

9/14/04. *Legal and Other Crises: How Can Outside Counsel Help? (Why In-House Counsel CAN'T and SHOULDN'T Do It All)*. 1-2:30 pm ET telephone seminar. \$130-225. AHLA.

9/15,22,29/04. **Hospitals and the Uninsured: 3 Part Series**. 1-2:30 pm ET telephone seminars. AHLA.

9/23,30/04. **Reforms in Corporate Governance for Healthcare Entities... New Issues for Non-profits: 2 Part Series**. 1-2:30 pm ET telephone seminars. AHLA.

10/28/04. *Effect of Staffing Changes in Hospitals*. 2-4 pm ET teleseminar. \$139/159. ATLA.

12/7/04. *EMTALA*. 2-4 pm ET teleseminar. \$139/159. ATLA.

### **IMMIGRATION LAW**

8/10/04. *Alternatives to Hs: Js and Es and Other Lesser-Used Categories*. 2-3:30 pm ET teleconference. AILA.

8/24/04. *Guest Workers/Essential Workers*. 2-3:30 pm ET teleconference. AILA.

9/14/04. *Successful Strategies for J Waivers*. 2-3:30 pm ET teleconference. AILA.

9/28/04. *Relief from Removal for Aliens with Criminal Convictions*. 2-3:30 pm ET teleconference. AILA.

10/12/04. *Successful Strategies for Religious*. 2-3:30 pm ET teleconference. AILA.

10/25-26/04. *37th Annual Immigration and Naturalization Institute*. Live webcast. \$795. PLI.

10/26/04. *Paranoia Strikes Deep: Attorney-Client Privilege Issues*. 2-3:30 pm ET teleconference. AILA.

11/9/04. *Consular Update with Senior State Department Officials*. 2-3:30 pm ET teleconference. AILA.

11/23/04. *USA PATRIOT Act and the Use of Terrorist Sections of the INA in Asylum and Other Cases*. 2-3:30 pm ET teleconference. AILA.

12/14/04. *Adoption*. 2-3:30 pm ET teleconference. AILA.

### **INSURANCE LAW**

8/5/04. **Insurance Coverage Law in Florida: Part I**. 9 am-12 noon ET live audio-only webcast. \$90. WLEC/Florida - NBI, Inc.. [3.0]

8/5/04. **Insurance Coverage Law in Florida: Part II**. 1-4:30 pm ET live audio-only webcast. \$105. WLEC/Florida - NBI, Inc.. [3.5]

11/1-2/04. *Reinsurance Law and Practice 2004: New Legal and Business Developments in a Changing Global Environment*. Live webcast. \$1395. PLI.

## **INTELLECTUAL PROPERTY/PATENT/ COPYRIGHT/TRADEMARK LAW**

8/12/04. *Protecting Corporate Intellectual Assets: Enforcing Restrictive Covenants in the Employment Context 2004*. 1-2 pm ET live audio-only webcast. \$149. WLEC/PLI. [1.0]

8/18/04. *The Real World: Copyright vs. Idea Protection for Television Programs*. 3:30-4:30 pm ET live webcast. \$40/60. WLEC/Beverly Hills Bar Assn. [1.0]

8/24/04. ***The Intellectual Property Aspects of Business Transactions: What Practitioners Should Know - Part 1***. 1-2 pm ET telephone seminar. \$89 (\$149 with Part 2 on 8/25). VACLE. [1.0]

8/25/04. ***The Intellectual Property Aspects of Business Transactions: What Practitioners Should Know - Part 2***. 1-2 pm ET telephone seminar. \$89 (\$149 with Part 1 on 8/24). VACLE. [1.0]

9/8/04. *Is Patent Protection the Solution to the Outsourcing Problem for U.S. Businesses? 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

9/21/04. *Intellectual Property Basics: What Every Attorney Needs to Know 2004*. 4-7 pm ET live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

10/6/04. *Preparing Patent Legal Opinions 2004*. Live webcast. \$1295. PLI.

10/21-22/04. *Tenth Annual Institute for Intellectual Property Law*. Live webcast. \$1495. PLI.

10/25-26/04. *Patent Litigation 2004*. Live webcast. \$1295. PLI.

11/8-9/04. *The Outsourcing Revolution 2004: Protecting Critical Business Functions*. Live webcast. \$1395. PLI.

12/13-14/04. *Understanding the Intellectual Property License 2004*. Live webcast. \$1395. PLI.

## **LAW OFFICE/LAW PRACTICE MANAGEMENT**

9/28/04. *Saving Costs and Keeping Your Practice Thriving*. 2-4 pm ET teleseminar. \$139/159. ATLA.

## **LEGISLATIVE/LOBBYING LAW AND PRACTICE**

9/16/04. *Lobbying & Political Activities by Tax-Exempt Organizations 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

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

8/10/04. *Punitive Damages in a Post-State Farm World*. 1-2 pm ET teleconference and live audio webcast. \$30-110. ABA. [1.0]

8/11/04. *Challenging the Expert's Opinion*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/9, 10/7, 11/5, 12/2)

8/17/04. *Damages: Motivations for Giving and Motivations for Not Giving*. 2-4 pm ET teleseminar. \$139/159. ATLA.

8/17/04. *Electronic Document Retention Policies and Electronic Discovery: New Requirements in the Digital Age*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/29, 10/14, 11/17, 12/6, 12/15)

8/19/04. *Should My Client Litigate or Mediate?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/14, 10/21, 11/11, 12/8, 12/16)

8/20/04. *Minimizing Damages at Trial: Developing a Fabre Defense*. 10-11 am ET live audio-only webcast. \$99. WLEC/Florida - NBI, Inc.. [1.0]

8/23/04. *Is Attorney-Client Privilege on the Ropes?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/20, 10/11, 10/31, 11/30, 12/29)

8/26/04. ***Civil Trial from Start to Finish: A Practical Approach to Trying a Civil Case in Florida, Part 1***. 9 am-12 noon ET live audio-only webcast. \$90. WLEC/Florida - NBI, Inc.. [3.0]

8/26/04. ***Civil Trial from Start to Finish: A Practical Approach to Trying a Civil Case in Florida, Part 2***. 1-4:30 pm ET live audio-only webcast. \$105. WLEC/Florida - NBI, Inc.. [3.5, 1.0 ethics]

8/27/04. *Simply Scientific -- A Primer on Expert Testimony*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 9/23, 10/22, 11/18, 12/10)

9/14/04. *Preparing Witnesses for Trial 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

9/14/04. *Selecting and Working with Your Expert to Become a More Effective Team*. 2-4 pm ET teleseminar. \$139/159. ATLA.

9/23/04. *Discovery Techniques: Practical Tools to Help You Frame Your Case for Trial 2004*. 4-7 pm ET live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

10/12/04. *Cybersettle: How to Use It in Your Small Damages Cases*. 2-4 pm ET teleseminar. \$139/159. ATLA.

10/19/04. *Deposing Witnesses*. 12 noon-3:15 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [3.0] (80+ satellite viewing sites nationwide)

11/11/04. *Secrecy*. 2-4 pm ET teleseminar. \$139/159. ATLA.

11/19/04. *Electronic Discovery Guidance for Corporate Counsel*. Live webcast. \$1295. PLI.

11/23/04. *Litigating Auto Collision Cases*. 2-4 pm ET teleseminar. \$139/159. ATLA.

## **MEDIA RELATIONS**

9/30/04. *Legal Public Relations: Managing Your Firm's and Client's Image in the Press 2004*. 1-3 pm ET live webcast. \$80/120. WLEC/Chicago Bar Assn. [2.0]

## **NOT-FOR-PROFIT ORGANIZATIONS**

9/16/04. *Lobbying & Political Activities by Tax-Exempt Organizations 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn. [1.0]

10/27/04. *Advising Nonprofit Organizations 2004*. Live webcast. \$299. PLI.

## **REAL ESTATE/LAND USE/HOUSING/REAL PROPERTY LAW**

9/8/04. *How to Use Title Insurance to Your Advantage 2004*. 4-7 pm live webcast. \$120/180. WLEC/Chicago Bar Assn. [3.0]

11/8/04. *Understanding the Sophisticated Real Estate Practice 2004*. Live webcast. \$1395. PLI.

12/6-7/04. *Negotiating Commercial Leases: How Owners and Corporate Occupants Can Avoid Costly Errors, Fall 2004*. Live webcast. \$1295. PLI.

## **SECURITIES LAW**

9/9-10/04. *Understanding the Securities Laws 2004*. 9 am-4 pm (-12 pm Day 2). Live webcast. \$1295. PLI.

9/13-14/04. *Securities Litigation and Enforcement Institute 2004*. Live webcast. \$1395. PLI.

10/6/04. *Coping with Broker/Dealer Regulation and Enforcement 2004*. Live webcast. \$1495. PLI.

10/21-22/04. *Securities Filings 2004*. Live webcast. \$1395. PLI.

10/28-29/04. *Sixth Annual Private Equity Forum 2004: Legal and Financial Strategies for Dealmaking in a New Regulatory Regime*. Live webcast. \$1595. PLI.

11/10/04. *Pre-Conference Briefing to the 36th Annual Institute on Securities Regulation Webcast*. Live webcast. \$795 (\$2390 with following Institute). PLI.

11/11-13/04. *36th Annual Institute on Securities Regulation*. Live webcast. \$1795 (\$2390 with the preceding Pre-Conference Briefing). PLI.

11/18-19/04. *SWAPS and Other Derivatives in 2004*. Live webcast. \$2095. PLI.

12/9/04. *Securities Filings 2004*. 12 noon-7:30 pm ET live webcast. \$1395. PLI.

## **TAX LAW**

8/18/04. **State and Local Taxation 2004: What Every Tax Lawyer Needs to Know: Apportionment Issues, Model Tax Court Act, and Judicial Update**. 9 am-12:15 pm live webcast. \$447. WLEC/PLI. [3.0]

8/18/04. **State and Local Taxation 2004: What Every Tax Lawyer Needs to Know: Related-Party Transactions, Audit Issues, and Ethics in State and Local Tax Practice**. 1:45-5 pm live webcast. \$447. WLEC/PLI. [3.0, 1.0 ethics/prof. resp.]

8/18/04. *State and Local Taxation 2004: What Every Tax Lawyer Needs to Know*. Live webcast. \$1295. PLI.

8/25/04. *Regulated Investment Companies*. Teleconference and live audio webcast. ABA/ABA Tax Section.

9/22/04. *Employment Taxes*. Teleconference and live audio webcast. ABA/ABA Tax Section.

10/27/04. *Sales, Exchanges and Basis*. Teleconference and live audio webcast. ABA/ABA Tax Section.

12/1/04. *State and Local Tax*. Teleconference and live audio webcast. ABA/ABA Tax Section.

12/6/04. *Understanding Estate, Gift and Fiduciary Income Tax Returns 2004: Strategies for Maximum Advantage with the "706," "709" and "1041."* Live webcast. \$1195. PLI.

## TIME/STRESS MANAGEMENT

8/5/04. *Effective Time Management for Lawyers*. 1-3 pm telephone seminar. \$125. TRT. [2.00] (Repeated 9/13, 10/4, 11/4, 12/1)

## WRITING/DRAFTING SKILLS

9/30/04. *Drafting Corporate Agreements: Converting the Deal into an Effective Contract*. 11 am-6 pm ET American Law Network satellite seminar. \$299. PLI. [4.0] (80+ viewing sites nationwide)

12/1/04. *Drafting Corporate Agreements 2004*. Live webcast. \$1395. PLI.

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## Distance Course Providers

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(Providers which also offer on-demand, pre-recorded courses available 24/7 are marked with a double asterisk (\*\*))

**ABA.\*\*** American Bar Association, Center for Continuing Legal Education, 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, 1025 Connecticut Avenue, N.W., Suite 600, Washington, DC 20036-5405, (202) 833-1100, Fax (202) 833-1105, Web <http://www.healthlawyers.org>.

**AILA.** American Immigration Lawyers Association, 918 F Street, N.W., Washington, DC 20004-1400, (202) 216-2400, Fax (202) 371-9449, Web <http://www.aila.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>.

**ATLA.\*\*** Association of Trial Lawyers of America, 1050 31st Street, N.W., Washington, D.C. 20007, (202) 965-3500, ext. 612, or (800) 622-1791; E-mail [clehelp@atlahq.org](mailto:clehelp@atlahq.org), Web <http://www.atla.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](mailto:info@cleonline.com), Web <http://www.cleonline.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](mailto:comments@fdli.org), Web <http://www.fdpi.org>.

**LS.\*\*** LegalSpan, 1325 North Fiesta Blvd., Suite 4, Gilbert, AZ 85233, (480) 497-8803 or (888) 892-7676, Fax (480) 497-8596, Web <http://www.legalspan.com>.

**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](mailto:seminars@mealeys.com), Web [http://www.mealeys.com/sem\\_cal.html](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>.

**NCSEA.** National Child Support Enforcement Association, 444 N. Capitol Street, Suite 414, Washington, DC 20001-1512, (202) 624-8180, Fax (202) 624-8828, E-mail [ncsea@ssso.org](mailto:ncsea@ssso.org), Web <http://www.ncsea.org>.

