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Law Firms Expand Horizons in Finding Professional Development Executives

Steve Nelson

While talking to a law firm managing partner about a particular candidate for a director of professional development position, I was surprised to hear that the firm preferred to hire a lawyer for that job. In my 15 years following the growth of such positions in law firms, first as a journalist, and more recently as a recruiter, I had presumed that a law degree was not a major qualification for those positions.

As a result of this conversation, I conducted a limited, informal survey of large law firms. I found that while the majority of professional development directors are not lawyers, there is a bit of a trend towards firms hiring attorneys, particularly those who have spent a number of years as associates, or even partners, at big firms. But I also learned of another, and perhaps more important, trend---that firms are beginning to look for experienced corporate training executives, with no prior exposure to the legal profession.

These two apparently conflicting trends are not that surprising when one considers that in today's legal environment, the stature of professional development directors is increasing. Firms are spending an increasing amount of money on recruiting, both out of the law schools and laterally. And they find that they are losing some of their best people just at the point that they are beginning to become profitable for the firm. Today's generation of lawyers put a high value on the training they get (whether they plan to stay in private practice or whether they don't), and if they sense they aren't progressing from a professional development point of view, they will look for some option that will provide that training. So firms are looking for new avenues to provide that background.

The emergence of former practicing lawyers in this field is as much a result of legal demographics as anything else. More and more attorneys are looking for options outside traditional law practice. But as Tess Amato, Professional Development Administrator at Latham & Watkins points out, this trend by no means is limited to the professional development area.

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“There is a trend of former associates going into a variety of administrative roles, and that would include marketing and recruiting.”

For those who love the law, but aren't as much enamored by the day-to-day pressures of law practice, professional development is an enticing option. For others, working in a development capacity combines an interest in education generally with their interest in the law. Jane Eiselein, Director of Professional Development at Wilmer Cutler Pickering Hale & Dorr in Boston, is an example of that latter trend. Eiselein, a former transactional lawyer at Hale & Dorr in the early 1990s, pursued a Masters in Education while transitioning to a part-time schedule. After spending several years on Capitol Hill working on education policy issues, she decided to return to the firm. She says her legal training “is most helpful for the young associates who know that there is someone who understands what they want [with regard to training]. She adds that her tenure at the firm also provides some “immediate comfort because I know who has the expertise and I know who to ask.”

Still, most observers say that while a legal background may be helpful, it has to be combined with some skills in the learning area. James Sandman, Managing Partner of Arnold & Porter, says that “being a lawyer can be a plus, and a lawyer can hit the ground running, but they will have to have other skills. They need to understand the methods, and how people learn.” At Arnold & Porter, Caren Stacy, a nonlawyer who serves as Director of Professional Development & Legal Personnel, coordinates everything, though she works with a designated lawyer on the Professional Development Committee to develop the content.

Similarly, Stephen Armstrong, Director of Career Development at Wilmer Cutler in Washington (and a nonlawyer), says that “the mere fact that someone has a J.D. doesn't matter. Its value depends on the type of experience that you've had.” Armstrong adds that firm managers should ask, before bringing in a former practicing lawyer for this role, why this person wants to make this move. If it's merely to find an option where he or she may find an easier schedule, that might not be the right answer, he says.

Many of the lawyers who have taken top positions in the Professional Development field are not only lawyers, but remain as partners in their firms. Jane Roberts, who is Senior Counsel for Professional Development at Pillsbury Winthrop Shaw Pittman, notes a distinction between lawyers who have practiced for a few years, and those who “have been through the life cycle” of a major law firm. Roberts, who was an associate and then a partner at Shaw Pittman, notes that someone like her has had the advantage of going through the training process which included an emphasis on writing as a junior associate, an emphasis on supervision as a mid-level and senior associate, and an emphasis on client relations and business development as a partner. It also helped, says Roberts, that she had a background in organizational development, a Masters in Education, and that she had taught at the high school and college level before becoming a lawyer.

Pam Winthrop, a partner at D.C.'s Hogan & Hartson, and Chair of the H&H Academy, agrees that the law degree itself isn't important, but that the experience of having successfully navigated the route to partnership is important. “It's a big advantage in terms of understanding the building blocks that young lawyers have to master. And as a partner who's gone through the process, I'm also better able to evaluate content.” Winthrop, who unlike Roberts has no background in education generally, adds that her status as a partner in the firm helps her in recruiting partners as instructors.

While some firms have been able to utilize partners and other lawyers in professional development roles, other firms have gone in a different direction and have recruited professionals with a strong training and development background either in other professional services firms or in corporations. Eiselein herself notes that based on correspondence she sees through the Professional

Development Consortium, she would estimate that a fourth of the people in the field these days have recently entered the legal industry for the first time. While others say that estimate may be a bit high, no one doubts that there's a trend to bring experienced training executives into law firms these days.

Tracy Lalonde, Associate Development Administrator at Mayer, Brown, Rowe & Maw in Chicago, spent many years in corporate training, including as a systems integration consultant for a Division of MCI. Lalonde says that her corporate background gives her an appreciation of "how people learn, rather than of the content itself." As a result, she says, the firm has been migrating from the traditional lecture format to a more interactive approach. For example, she notes that in training in corporate formation issues, she, with the help of lawyers within the firm, developed a spreadsheet summarizing a number of different corporate structures, and then created a number of hypotheticals that the associates could analyze, with the help of the lawyer-instructors.

Sari Fried-Fiori, Chief of Professional Development at Holland & Knight, who works out of the firm's Los Angeles office, notes a distinction between bringing in training and development people from corporations and professional service firms. Fried-Fiori, whose 20 years of experience includes stints at Accenture and Deloitte & Touche, says "that if you haven't worked with clients, then it's tough," adding that corporate professionals who have served in an internal consulting role would have an easier transition.

At the same time, even those development professionals who have significant experience in professional service firms may find a bit of a culture shock in adjusting to law firm life. Arnold & Porter's Sandman points out that "there is a credibility issue coming in. Lawyers tend to be elitist, and can have difficulty accepting even the best people coming from outside the profession."

Lalonde noted that the biggest adjustment was adapting to a partnership model where decisions

are made on a consensus-driven basis (and sometimes not quickly), versus the corporate top-down model. Fried-Fiori had an interesting take on the culture shock, indicating that two aspects actually were more positive than she expected. One was the level of support from the partnership with regard to the ultimate goals of the program. "Partners want lawyers to be very much at the top of their game," and therefore "anything that can help them get there tends to be supported." Fried-Fiori also noted that because lawyers "are very smart," it took less time to "educate" them on the mechanisms that she was suggesting to upgrade the professional development process. On the other hand, she said that because lawyers are so smart, they tend to be "gifted amateurs" and feel that they know how to do things that maybe they're not yet qualified to do.

The one thing that appears clear is that law firm management has, more so than ever before, embraced alternatives to the traditional "lecture plus on-the-job training" methods that for years characterized law firm professional development. Whether firms are utilizing successful practitioners who have a real-world understanding of what's it's like to be an associate trying to master a number of different skills, or whether they are utilizing corporate and professional services experts who understand how professionals learn, new lawyers can only benefit.

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Associate Development Through Effective Paralegal Utilization

Heather V. Edes

Partner asks busy 4th-year Associate to run another relatively routine asset acquisition by Client Company. The deadline is tight, but not unreasonable. Associate dutifully accepts, staying late that evening talking with Partner about the transaction (1 hour) and organizing and marking up documents from the last acquisition (2 hours).

Over the course of the next few days, Associate reviews the minimal due diligence and, with Target Company's counsel, prepares the schedules that accompany the acquisition agreement and inventories all of Target Company's employees, assets and outstanding liabilities (5 hours).

Associate exchanges draft documents with Client Company and with Target Company's counsel and, a week before closing, enlists a paralegal to obtain required closing certificates and to organize documents for the closing (another 5 hours). Despite a delay in procuring a necessary certificate from the Secretary of State's office, which is easily remedied by paying an extra fee to expedite the process, the transaction closes on time and the client is happy.

While typical and straightforward, this approach to staffing a routine matter is replete with lost professional development opportunities. In fact, the practice outlined in this scenario is quite insidious; it undermines a law firm's ability to provide excellent service and value to its clients.

By failing to enlist the assistance of a paralegal early on and handling most of the transaction herself, Associate precludes any opportunity to take on more substantively challenging work during the course of the matter, fails to develop the ability to delegate, diverts time from business development activities and bypasses an opportunity to learn critical matter management skills. In addition to failing to capitalize on the developmental opportunities presented by this otherwise mundane matter, Associate undermines the firm's success by contributing

to low morale, fueling turnover and not generating the most cost-effective solution for the client.

This article evaluates the consequences of such a staffing model and explores the benefits of an alternative and often underutilized approach – the effective collaboration of associates, particularly junior and mid-level associates, with paralegals. It then sets out a role for Professional Development personnel in guiding and facilitating appropriate use of a firm's paralegal resources as an associate professional development tool.

Consequences of This Staffing Model

Lost Opportunity 1: Learning New Substance

To remain competitive, experienced attorneys must be able to guide clients through the development of new legal issues. Therefore, the development of well-rounded professionals serves clients and the firm better than training associates as narrow subject-matter experts. The associate years should be dedicated to developing both a familiarity with a wide range of subject matters and the ability to apply existing skills to new contexts.

In the scenario outlined above, most of the work that Associate handles augments neither her knowledge nor her skills. As Associate has already handled this type of matter before, Associate's best learning opportunities will be found in any unusual developments in the substantive issues, or possibly in any challenging interpersonal issues that Associate encounters. Associate's goal should be to delegate as much work on this matter as possible, making time to accept and complete more substantively developmental assignments.

One way to accomplish this goal is to involve a paralegal early in the matter. Defined similarly by the ABA and several professional organizations, a paralegal is a trained or experienced individual who performs legal work under supervision of an attorney. Generally speaking, a paralegal may ethically handle any portion of a matter other than establishing the attorney-client relationship, setting legal fees, appearing on behalf of a client in court or dispensing legal advice. Anything else within the paralegal's skill set is fair game.

A firm with a good paralegal program will be able to provide skilled, experienced paralegals who can prepare initial drafts of pleadings and agreements, establish and maintain databases, evaluate and process many of the client's and opposing counsel's comments and prepare schedules and exhibits. Paralegals also have the best sense of how far in advance to order required closing certificates (avoiding delays and expediting fees) and, when involved in a matter from the beginning, can organize and run a closing, or assist at court appearances, with a minimum investment of attorney time.

Of course, as with any delegation or collaboration, the supervising attorney is responsible for the resulting work product. By enlisting a paralegal to handle the majority of the substantive work in addition to the paper-shuffling and administrative tasks, Associate's role shifts to monitoring the progress of the matter and participating as necessary, and she now has time to take on more substantively challenging assignments.

Lost Opportunity 2: Learning to Delegate

Associates must develop solid delegation skills to be prepared to handle the demands of partnership. While the associate years are primarily focused on training, partnership requires an additional focus on business development and management of the business of practicing law. Not only are delegation skills required for effective time management, but clients, increasingly watchful of expenses, now question whether they should pay top dollar for work product that a professional with a lower billing rate could handle.

For these reasons, savvy firms will not promote to partnership associates who lack the ability to delegate. In the unlikely event that an associate lacking delegation skills does make partner, she is likely to find that the varied and time-consuming demands of ownership and management responsibility encroach very quickly on her ability to "carry the laboring oar" on a matter, and she will founder whether or not she tries to delegate.

Associates would do well to adopt a variation on the time-honored approach to training medical students: "See one, do one, delegate one." Once an associate has mastered the key aspects of any task, she should be on the lookout for

opportunities to delegate that task when next assigned. Often, junior and mid-level associates will find that many of their assignments can be handled in large part by a paralegal. Taking this approach, even the most junior associate can begin developing his or her delegation skills.

Lost Opportunity 3: Devoting Time to Business Development

Ten years ago, associate were generally admonished to focus solely on training and to leave the generation of business to the partners. Now, however, the competitive climate has changed to favor earlier cultivation of business development skills. While substantive training is still associates' main focus, even the newest associates now know that the contacts they nurture in their early professional years can affect partnership decisions, compensation levels and overall success.

It is a common lament of associates that there is insufficient time for both substantive work and networking/relationship-building. It is a waste when associates spend time on assignments that do not contribute significantly to their development but do detract greatly from investing time in client-cultivation activities. Again, a paralegal is often an appropriate, but overlooked, resource for getting the work done.

Lost Opportunity 4: Learning Management Skills

Big-ticket matters mandate effective and appropriate use of resources. By choosing not to delegate, associates are bypassing an opportunity to develop team management skills. Inexperienced delegators, when finally and inevitably forced to parcel out work, tend to exhibit poor judgment in managing their team's work, either micro-managing (inefficient) or neglecting to supervise sufficiently (dangerous).

Successful partners are able to manage teams of professionals all working to achieve the client's goal. Experienced delegators know how much supervision and guidance is required at each level. They can foster teamwork and loyalty, and they know how to boost morale during low points.

These abilities can be developed early in an associate's career when paralegals are appropriately utilized.

Lost Opportunity 5: Retaining Personnel

Not only is individual development compromised by failure to inappropriately utilize paralegal resources, but overall staff development is also affected. Ineffective delegation and team management contributes to lower morale and the defection of both associates and paralegals.

Even before the question of partnership arises, associates who find themselves handling the same types of work over and over again may become frustrated and seek employment elsewhere - not necessarily realizing that their inability to delegate may be more at fault than the firm's staffing procedures. Similarly, a good paralegal is unlikely to find challenging or rewarding a job that consists primarily of clerical and administrative activities. When an opportunity to perform more challenging work in another setting arises, it may prove too attractive to turn down.

Good associates and paralegals may not even choose to work at a firm that does not encourage delegation in the first place. While compensation is determined by a number of factors, appropriate utilization of resources is a key driver. Only firms that make effective use of their staffs can charge higher billing rates, leading to greater profitability and higher compensation. Similarly, lower rates lead to lower compensation, and if a skilled paralegal will be more highly valued and compensated elsewhere, it is difficult to understand why he would choose to work at a lower-paying firm.

How to Overcome Obstacles to Learning to Delegate

The benefits of the effective use of paralegal resources are clear, but implementation of best practices is a challenge. Many law firms fail to maximize their use of paralegals.

How might cultures change so that the effective delegation to paralegals becomes the norm, not a goal? Professional development personnel, with access to and influence on attorneys, law firm managers and training resources, have a unique and important opportunity to act as change agents in this effort.

Obstacle 1: Perceived Ceding of Control

A common challenge when learning to delegate is confronting the need to feel in control.

Many lawyers tend to be detail-oriented perfectionists with a strong sense of how things should be done. It can be very disconcerting to cede control over a task to someone who may prefer a different approach. It can also be unnerving as a deadline looms not to have a critical piece of paper on one's desk, not to know intimately how long each piece of the project will take to finish. For a new, or poor, delegator, not to be the "owner" of a task can be more unsettling than owning all tasks and working on them day and night.

This is an area in which traditional training can be useful. However, the most common approach to delegation skills training - training mid-level associates how to delegate - is insufficient. Recognizing that delegation is a two-way street, many firms also train junior associates how to be most effective when on the receiving end of a delegated assignment. This training is important because it empowers more junior professionals to seek work and help proactively manage an effective team effort.

What is less common, but very useful, is training delegators and delegates together. Exercises that require supervisors to delegate specific tasks to subordinates are remarkably effective in ingraining new behaviors, instilling trust and demonstrating, in concrete fashion, that teams that delegate win. And junior associates should be trained how to delegate, so that they can begin delegating early in their careers.

Training associates and paralegals together is important, but including partners is crucial. Even the best-intentioned associates give up trying to delegate if their efforts are repeatedly crushed by partners who don't understand the efficiency gains, who don't trust either the skills of their paralegals or the supervisory abilities of their associates, or who simply aren't good at delegation themselves.

I recommend training partners and associates of all levels together. This not only builds confidence and trust among team members but, by addressing the consequences of both poor and effective delegation on the achievements of a team, helps associates gain the confidence to pursue delegation even if the assigning partner

proves a less-than-perfect role model in this respect.

Obstacle 2: Confusion About Paralegal Role

Another challenge in learning to delegate, particularly for more junior associates, will be the general confusion over the appropriate role of a paralegal.

While many attorneys understand and appreciate the value that a properly trained paralegal brings to a matter, others are less enlightened. I have observed time and again that partners who are comfortable delegating to a particular associate are often uncomfortable with that trusted associate's logical next step of delegating to a paralegal. Many firms have orientation or junior-associate training sessions that address the effective use of paralegals, but associates don't often take the initiative to learn how to use paralegals, particularly when their own role models, the partners, don't.

Some of this confusion can be alleviated by team-based delegation skills training as noted above. I find it additionally helpful, however, to remind both attorneys and paralegals on a regular basis of the scope of activities in which paralegals are ethically able to engage. Distribute and discuss the ABA Guidelines for the Utilization of Legal Assistant Services at practice group, paralegal and associate meetings. It can also be helpful to provide models for successful delegation by inviting effective teams to talk about their experiences.

A work broker can be a very effective advocate and/or catalyst for developing associates' delegation skills. Any work broker, whether attorney or staff, should be well trained in the basics of law firm economics and communication skills.

A work broker who responds to a partner's request to "get me a good associate to work on this project" by reactively staffing the practice group's star associate in that area is not doing her job. Rather, the work broker should ask questions to determine the nature of the project, the different levels of work involved and the budget for completing the work. She should then recommend the best staffing arrangement given the circumstances, and if the work broker does not also handle staffing for paralegals (the best approach), she should work with the

paralegal work broker to find the most appropriate staffing choice.

Obstacle 3: I'd Rather Work with a First-Year

Related to the confusion over paralegals' roles is the potential tension between training junior associates and drawing upon paralegal resources.

It seems that associates find it more comfortable to work with a summer or first-year associate than with a paralegal. Particularly when billable hours are scarce, there may be a perception that it is more important to train the next generation of lawyers than to delegate work to a paralegal who, after all, is not on partnership track. The best remedy for this issue is to train associates and paralegals in the basics of law firm economics. Associates need to understand the increase in profitability that comes from properly utilizing a paralegal, and how increased profitability benefits them.

This is not to suggest, however, that junior associates have no role. Rather, I recommend using paralegals, not more advanced associates, to train junior associates. Billing rates for most paralegals are lower than for mid-level associates. Paralegals also have a good understanding of the degree to which new associates lack a knowledge of the basics, which is something that more advanced attorneys freely admit they have trouble remembering. Paralegals are on the front line for new associate requests, many of which may not be made in a timely or informed manner.

Many associates quickly learn that an experienced paralegal can be an extremely valuable resource, but firms can stretch training dollars and deliver more targeted training by drawing upon paralegals as trainers and content contributors.

Obstacle 4: "It's Faster to Do It Myself"

An almost ubiquitous challenge to encouraging delegation is the perceived drain of time required to delegate a task. I wish I had a dollar for every time an associate (or, for that matter, a partner) has told me, "I know I'm supposed to delegate, but I just don't have time – it's faster to do it myself."

This declaration is, almost always, simply wrong. In their 2003 publication for the Law Practice Management Section of the ABA, Arthur Greene and Therese Cannon parse the hours required of an experienced attorney handling a routine matter. They then analyze the hours required if that same attorney brings a paralegal into the matter early on. They find that while overall more hours are invested by the attorney and paralegal combined in the second approach, adding the paralegal's assistance actually reduced the attorney's time commitment by more than half. As a bonus, the attorney/paralegal approach generated an overall cost savings for the client.¹

Finally, to drive home the importance of developing good delegation skills, and to support the professional development efforts described above, it is important to incorporate delegation skills into the evaluation process for associates at all levels. Junior associates should be evaluated on their ability to delegate to paralegals, as well as to secretaries and other legal support professionals, and more senior associates should be able to delegate to all junior associates and staff. If expectations are clear for achievement at all levels, and particularly if achievement is supported by appropriate training and other professional development initiatives, associates will start to develop good delegation skills. Tying achievement specifically to compensation will motivate associates to work that much harder to overcome any obstacles they may encounter.

Let's rewrite the opening scenario:

Associate accepts Partner's assignment and tells Partner that Associate will be delegating work, as appropriate, to Paralegal. Both Associate and Paralegal attend the initial 1-hour conference with Partner to learn the parameters of the matter.

While Paralegal is preparing initial drafts of documents and processing edits (3 hours), preparing initial schedules and exhibits and triaging issues for Associate's attention (5 hours), Associate is at work on a cutting-edge

transaction with a new client. Associate spends a few hours addressing issues that arise and reviewing revised documents.

Paralegal arranges and runs the closing (5 hours) and Associate makes an appearance to congratulate the happy client.

This approach to staffing challenges both the associate and the paralegal and benefits the firm and its clients in the long run. The paralegal takes "ownership" of the matter, and having the ability and responsibility to evaluate issues and discuss them with the associate allows the paralegal to enhance his knowledge base. Associate can now rely on Paralegal to handle large portions of similar transactions going forward and has established a relationship with Paralegal that will enable her to help train Paralegal on new types of matters.

As a direct result of proper delegation, the workloads of both associates and paralegals comprise more varied, challenging and interesting work. Fully engaged employees reduce the firm's personnel costs and overhead, enhancing profitability and the firm's ability to provide clients with a competitive rate structure.

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¹ Greene, Arthur G. and Cannon, Therese A., *Paralegals, Profitability, and the Future of Your Law Practice*. American Bar Association, 2003 (10-13).

Rapid E-Learning Development

Create quality online courses quickly and for (much) less

Steve Gluckman

Law firms are increasingly looking to e-learning as a practical, efficient and effective delivery vehicle for attorney development. Access to online courses can be of great benefit to attorneys and firms alike as they allow lawyers to meet CLE and other professional development and training requirements with limited time away from the office (and, therefore, a reduction in non-billable hours).

E-Learning is also an extremely effective business tool. With online learning, learners are able to move through a course at their own pace and at a time that is convenient. The American Society for Training and Development (ASTD) states, "[N]umerous studies have shown that workers learn faster with multimedia training; they more accurately recall what they learned over a longer period of time; and they are better able to transfer what they learned to actual performance."²

Until now, firms have had to rely on existing vendor libraries for off-the-shelf e-learning content or invest significant time and money to develop custom courses. Traditionally, if a firm desired a custom e-learning course, a development firm would be engaged to build the course based on training requirements. Such custom e-learning development can be a costly undertaking. Traditionally, one course-hour of quality e-learning could cost as much as \$50,000 to create with a long development period (months). Such an investment has made e-learning a less-than-realistic solution for many firms.

Rapid E-Learning

Enter Rapid E-Learning (REL) development. Rapid E-Learning uses new tools and development processes to allow for the quick development of quality courses. Using these tools, training content can be created in days or weeks rather than months. Courses created

using these tools can be of a surprisingly high quality and offer many of the attributes available through traditional custom development.

ASTD states, "In traditional courseware development, long design and development cycles that lead to higher costs have usually precluded content that has a short shelf-life, content that needs to be developed quickly, or content that isn't substantial enough to merit the time and cost of traditional e-learning. Institutions with limited budgets have also foregone e-learning as a means of workplace development. But by developing content quickly and cheaply with very little risk, REL processes and tools allow e-learning to be an effective alternative in situations where previously it wasn't considered feasible."³

How it works

REL utilizes new tools that allow for shorter development periods and employs an abbreviated design/development cycle. In traditional development, subject matter experts (SMEs) work with instructional designers who must then translate content so that it can be deciphered by programmers and other developers. With Rapid E-Learning development, the process is condensed significantly. SMEs work directly with the REL developer and the need for separate designers and programmers is eliminated.

Traditional e-learning development requires significant programming along with detailed testing and integration processes. This is a costly and time consuming procedure that is critical if requirements warrant, but not necessary in many situations.

Let's say you have identified an instructional topic within your firm that you'd like to address via an e-learning course. Depending on the course requirements, REL may be the best

² *A Vision of E-Learning for America's Workforce*, American Society for Training and Development (ASTD), 2000.

³ *Rapid E-Learning: A Growing Trend*, Dianne Archibald, American Society for Training and Development (ASTD), Learning Circuits, January 2005

development method. You have two options for REL course development:

Option 1: Purchase one of the many tools available to assist with REL development and begin developing basic courses in-house.

There are a number of tools now on the market that allow for quick in-house course development without the need for programming. Two of the more popular tools, Macromedia Breeze (www.macromedia.com) and Articulate (www.articulate.com), employ PowerPoint as the basic course development environment and are relatively easy to master. These tools also allow for easy update and editing of content. Prices range from around \$1000 to more than \$10,000 for a single license depending on the tool you choose. Once you have installed the development tool, you or a member of your team simply create a PowerPoint presentation, add an audio track (using a microphone plugged into your PC) and then publish your final product so that it can be accessed by users from any browser. Most of the REL development tools available convert your final presentation file to a Flash movie. Flash players are now packaged with all major web browsers and exist on 98% of all PCs in use today. Thus no plug-ins or special technology will be required by your users to access a course. Any individual with a browser and access to your intranet or network will be able to view the course. If your firm uses a Learning Management System (LMS), courses can be generated to meet LMS standards and requirements.

Developing courses yourself with these tools is a good solution for basic courses that are of a simple “presentation” nature.

Option 2: Engage a development partner who specializes in Rapid E-Learning development.

Depending on your requirements, you may want to expand your offering beyond a simple slide presentation (to include video, animation, assessments and/or interactive exercises). These items require additional expertise and a suite of tools beyond those included with the products discussed above. A good REL development firm will specialize in digital video editing, flash development, graphics and more. Using these in conjunction with REL development tools, an experienced REL developer can create your course for you in a fraction of the time and cost of

traditional custom developers. By using a REL vendor, you will not need to purchase or learn to use any new software. Simply share your learning objectives, subject matter and any additional requirements with the developer and you will quickly receive a file that can be placed on your firm’s intranet or LMS for access by any user within your firm.

Many firms are now successfully working with REL development partners to get courses online quickly. They have found that the best way to work with developers is to provide them with an existing PowerPoint presentation currently used in live training sessions. The REL developer can then build upon the presentation by including video clips from the live training, an audio track, animated graphics and a learner assessment. A course of this nature can be developed within a few days of receiving the classroom presentation.

A New Approach

Rapid E-Learning development is not appropriate for all courses. Some higher-end courses that incorporate sophisticated role-play, games, scenario-based learning or extensive animation may be beyond the capabilities of REL tools. For courses that are designed for learner certification or that require significant interaction with the learner, traditional development is the preferred solution.

However, it is estimated that as much as 75% of all e-learning courses could easily be developed using REL tools and processes. This means the majority of online courses can be developed faster and for much less.

A recent Bersin & Associates study states: “Rapid E-Learning...changes the development model, leverages new tools, and dramatically changes the economics of content development. Our findings tell us that this new approach can revolutionize the process of developing and deploying information in organizations worldwide. With a compound growth rate of over 80%, (REL) is going to change the way training is built, deployed, and managed.”⁴

⁴ *Rapid E-Learning: What Works*, Bersin & Associates, July 2004

Steve Gluckman specializes in Rapid E-



Learning development for law firms. He is currently authoring a new book for the American Bar Association titled “E-Learning for Law Firms” (available Summer 2005) and regularly speaks on the subject. Since 1996 Steve has assisted Law Firms, Big 4, Fortune 500 and other organizations with a variety of online

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Quotes of the Quarter:

“Forget the arduous, intellectualized number crunching and data grinding. In real life, strategy is actually very straightforward. You pick a general direction and implement like hell.”

“A focus on best practices may not sound like strategy, but try implementing strategy without it. Best practices are not only integral to making strategy happen, they are a sustainable competitive advantage if you continually improve them, with *if* being the key word here.”

– Jack Welch, *Winning* (2005, HarperBusiness).

Adult Learning for Lawyers, Part 4

Needs Assessment:

Getting from Where You Are to Where You Need to Be

Randall B. Christison

What we professional development professionals do revolves around finding out four things:

1. Where our lawyers are currently in their professional development,
2. Where they need to be,
3. What programs and methods will get them there, and
4. How much it will cost.

This article addresses the first two elements, elements which fall under the umbrella of “needs assessment.”

Determining a firm’s needs necessarily means gathering information first. Sources for that information abound, and include the lawyers themselves, the firm’s HR records and HR staff’s insights, and some external channels.

Professional Development Consortium Survey

To learn what PD professionals are in fact doing, and especially what works and what doesn’t, I conducted a survey of Professional Development Consortium members. In general, the survey sought to find which methods PD managers are using, which options are providing accurate and usable information, and which ones are worth the time and money invested. Table 2 on the last page summarizes the overall results.

Because the sample was neither random nor large, this should not be considered a statistically valid survey. Sixteen law offices – fourteen private firms and two state attorneys general -- responded. The results were consistent whether the sample was divided between public and private or were combined, and only the combined numbers are reported in this article. The respondents were asked for their sizes and numbers of offices. They were:

Table 1. Profile of Survey Respondents

No of lawyers	800-1,200	400-799	0-399
(14 of 16 respondents)*	3	5	6
No. of offices	Over 10	5-9	1-4
(13 of 16 respondents)*	3	7	3

* Some respondents did not answer one or both questions.

Because of the expertise and experience level of PDC members, there seem to be few missteps, few methods attempted which the respondents weren't ready to undertake again. In addition to the specific data provided, many of the respondents included valuable, insightful comments—and described lessons learned—all well worth reading.

Methods Used

The needs assessment methods used most frequently, and the percentage of law firms using them, are:

- Partner requests 94%
- Informal surveys (e.g., email, direct contact) 81%
- Associate requests 75%
- Organizational change-driven (e.g., new computer system, diversity) 63%
- Formal surveys, and performance reviews, each 57%

The least frequently used of the sixteen choices are:

- Client surveys 31%
- Individual development plans 20%
- Focus groups 20%
- Business data analysis 13%

Interestingly, almost all of the needs assessments are being conducted by internal PD staff. Only a very small number, under 13%, indicated they used outside consultants to perform needs assessment, and only 6% said they were actively considering it.

The survey posed a second set of questions: For those methods used, which ones would you use again, which ones yielded accurate (or inaccurate) results, and which ones were cost effective. Those

methods with the highest and lowest evaluations follow.

Quality of Results

The “**would do it again**” leaders:

1. Firm PD committee
2. Performance evaluations
3. Formal surveys

Due to the small numbers involved, ones which maybe are leaders:

4. Benchmarking and competency systems
5. Exit interviews
6. Client interviews

The lowest scores? None really, but organizational-change driven needs got only a lukewarm endorsement. Given the low accuracy and cost ratings for “Partner requests,” one may suspect the reason for the high score on “would do it again” is because of the realities of firm administration; PD managers cannot easily ignore the firms’ partners. Given that formal, comprehensive needs assessments provide consistently superior results, they may serve to insulate PD managers from this complication.

When it comes to **accuracy** in depicting needs, we saw a greater spread from top to bottom. The top vote getters are:

1. Performance evaluations
2. Firm PD committee

In the “maybe” category:

3. Focus groups
4. Client surveys
5. PD professionals’ own insights

The least accurate methods were:

16. Associate requests,
15. Partner requests,
14. Exit interviews, and maybe
13. Benchmarking and competency systems.

As for **cost effectiveness**, the winners are:

1. PD committee and
2. PD professionals' own insights.

For least cost-effective, the competition was brisk, but the "winners" are:

16. Partner requests,
15. Organizational-change driven needs,
14. Surveys,
13. Client surveys, and
12. Exit interviews.

In other words, using a PD committee, especially one comprising a good cross-section of the target training population and one maintaining good communication with their peers, seems the hands-down winner, while listening to lawyers individually, whether partners or associates, is less effective. Less cost effective, but still highly useful in the judgment of our respondents, are performance evaluations, focus groups, and surveys, both formal and informal.

But even the lowest scoring options were still positively viewed by almost all in the survey. We might say we have a Lake Wobegon group, "All the methods were above average."

That all of the choices produced positive results should be no surprise, given who the respondents were, for, as one respondent put it, "I have twenty years' experience in doing needs assessments."

But there were some surprises expressed by the participants themselves. One PD director noted that he "had very mixed results [from partner requests]. Some partners were reliable resources; others couldn't see the big picture and focused on 'one off' solutions." One suspects the low accuracy and cost-effectiveness number for associate requests and exit interviews may be similarly explained.

References and Resources

We asked which references and resources the respondents found useful. They are, roughly in frequency order:

1. PDC Listserv,
2. PDC conferences and materials,
3. A tie between the "ABA book," which I assume is the recent *Best Practices in Attorney Professional Development*, and Ida Abbott's *Lawyers' Professional Development*,
4. Other PD professionals,
5. Adult education materials from earlier training,
6. NALP meetings,
7. Hildebrandt (for core competencies),
8. ALI-ABA website.

Lessons Learned

The last question asked is, "Do you have a success story or 'lesson learned' to share?" The responses included some interesting observations:

- "When I started at the firm, the firm did not have any organized professional development programs. Since I had a blank slate, it was absolutely critical to do a need assessment."
- "The most effective system in our opinion runs as follows: (1) fee earners have their annual performance appraisals; (2) the results are recorded in writing; (3) fee earners are offered a one-to-one training plan interview with one of the internal training team; (4) if they say "yes," the appraisal results are sent to the training team who scrutinize them for appropriate training needs; (5) the interview takes place, and the fee earners are added to waiting lists for courses, or coaching and mentoring as appropriate. Time consuming but effective and appreciated by those who take up the offer."
- "Partner and associate involvement was critical to ensuring the competency model was accepted. Approximately 90 attorneys gave input to the model."

The Principal Message

When it comes to which methods to use, firm PD committees, and both informal and formal surveys seem to be the winners. That a minority of firms used PD committees and only a bare majority of the responding firms used formal surveys, indicates an area where PD managers may well turn their attention. Partner requests and associate requests, both heavily used, may well cause more problems than they solve.

Whatever method one uses, however, one needs to conduct assessments often if not continuously. As one respondent put it succinctly: “Everyone should do needs assessments on an ongoing basis.”

And, whatever method one uses, the PD manager’s professional judgment still counts. As another respondent put it: “First, never rely solely on your own insights, no matter how long you have practiced (or worked in the field), but never ignore them either.”

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Table 2. Summary of PDC Survey Results

Needs Assessment Method	Frequency (%)	Would do again	Accuracy	Cost-effectiveness
Partner requests	94	H	L	L
Informal internal survey, e.g., direct contact, email inquiries	81	H	M	M
Associate requests	75	H	VL	M
Organizational change (e.g., diversity program, new computer system)	63	M	L	L
Formal internal survey	57	H	M	M
Performance evaluations	57	H	H	L
Firm PD committee requests	44	H	H	H
Benchmark or competency systems	38	H*	L*	L*
Client interviews or requests	31	H*	H*	L*
Exit interviews	25	H*	VL*	L*
Use own insights	25	H*	H*	H*
Individual development plans	20	H*	L*	H*
Business data analysis	13	H*	H*	L*

Legend: H = High, M = Moderate, L = Low, VL = Very Low

* indicates the number of ratings provided is very small, but the ratings may nevertheless provide some insight.

Law Office Diversity Programs, Part 2: Success Factors and Program Results

Evelyn Gaye Mara

This Part 2 of our diversity survey report discusses:

- The 12 factors rated by the survey respondents as working in favor of diversity in their law offices,
 - The respondents' ratings of program success on five basic measures: recruitment, retention, integration into the social life of the organization, integration into its practice and client relationships, and diversification of its leadership,
 - Correlations between program longevity and program success, and
 - The major conclusions to be drawn from the survey results.
2. For all respondents compared by *organization size* (>700 lawyers, 300-700 lawyers, and <300 lawyers).
 3. For a major subset of respondents compared by their predominant *geographic location* in the U.S. (Central vs. Coastal).⁵ (Non-U.S. respondents and any U.S. respondent not predominantly located in one of the two areas are omitted from the comparison.)
 4. For a major subset of respondents compared by two differing *personnel categories* they have targeted for diversity (lawyers only vs. all personnel including the lawyers). (Respondents targeting a different combination of staffs are omitted from the comparison.)

Part 1, in the February issue, described:

- The 31 law offices that responded to the survey,
- The status, longevity, and staffing of respondents' diversity programs,
- The priority objectives of the respondents' programs, and
- The methods the respondents are using to pursue the objectives – with their nontraditional personnel, with other personnel, and organization-wide.

Both parts of the report review the respondents' diversity data from four perspectives:

1. For all respondents combined.

Factors Working in Favor of Diversity

We asked the respondents what factors have worked in favor of diversity in their organizations. Twenty-six of them answered the question – 25 law firms and one state agency.

The factors they cited are listed in descending order of frequency in Table 8a below.

⁵As explained in Part 1, the “Central” law offices are those in which at least two-thirds of the lawyers practice in states in the U.S. interior, and the “Coastal” law offices are those in which at least two-thirds of the lawyers practice in the states along the U.S. east and west coasts.

**Table 8a. Factors Supporting Success of the Diversity Effort
(All Respondents, and Respondents by Organization Size)⁶**

Success Factors	All Respondents (26)	>700 lawyers (7 respondents)	300-700 lawyers (10 respondents)	<300 lawyers (9 respondents)
Strong commitment from top leadership	81%	86%	80%	78%
Client expectations	77%	71%	90%	67%
Strong diversity chair or committee	73%	57%	90%	67%
Strong recruitment program	73%	71%	80%	67%
Open, inclusive firm culture	58%	43%	70%	56%
Strong professional development program	50%	29%	60%	56%
Publication of firm demographics	50%	29%	70%	44%
Well-regarded nontraditional personnel	42%	14%	40%	67%
Candidate or law school expectations	38%	29%	50%	33%
High partner support	35%	14%	40%	44%
High associate support	35%	14%	40%	44%
High staff support	19%	14%	10%	33%
Average number of factors cited	6.3	4.7	7.2	6.6

Overall Results. As Table 8a above indicates, the top overall factors driving the success of diversity efforts in law offices boil down to pressure from the people with power in (or over) the organization: *the leaders of the organization, its clients, and the leaders of the diversity effort* itself. A strong *recruiting program*, which enables the organization to compete effectively for diverse personnel, is tied for third place. Roughly 3/4ths or more of the respondents cited those four factors.

One respondent commented on the critical importance of its leadership:

“Unwavering commitment and support from top management strongly and clearly communicated to all firm personnel. Once you have that, positive things start to happen.”

Another commented on her firm’s promising combination of firm and diversity leadership roles:

⁶In this and the following tables, we have highlighted differences of 15% or greater with a lighter-colored background. Because our sample of law offices is self-selected and relatively small, lesser differences are disregarded as not reliably meaningful.

“Our firm is in the process of developing a program, and having a member of the firm’s management committee as the chair of our diversity committee has been invaluable. He is also an openly gay partner who ... is the co-leader of [an] office.”

Success factors that are lower down the list, but still operating in half or more of the responding law offices, are (as worded in the questionnaire and abbreviated in the table) a *Firm culture of inclusion and open communication*, *Strong professional development program*, and *Collection and publication of firm demographics by NALP and others*.

Over one third cited the next four factors: *successful nontraditional personnel* who are well-regarded in the organization, external pressure from *candidate and law school expectations* and, internally, high levels of support from both *partners and associates*.

Three respondents offered comments related to their successful nontraditional personnel (the last of these was attached as a testimonial to the firm’s survey response):

- “Very successful female partner who works flexible hours.”
- “The key to achieving diversity within a law firm setting is building a pipeline of high quality candidates who have strong skill sets. As more women and minority attorneys make their way through the ranks to partner, it provides incentive to junior attorneys that they too can make the run for partner.... Our current Head of Litigation is a perfect example ... an African American [who] started with the firm as a summer associate....”
- “As an Hispanic American female partner, I have experienced [the firm’s] commitment to diversity on a very personal level. Our firm’s ethos has consistently been to support entrepreneurial endeavors, regardless of the background of the individual attorney. Our standards have always focused on excellence of the work product, responsiveness and dedication to our clients and integrity of each aspect of our professional conduct.... Our eclectic combination of people has included different politics, religious beliefs, styles and approaches, and has consistently welcomed diverse thought patterns into the creative process of resolving our clients’ problems....”

Staff support for the program ranks last on the overall list, although as noted below it is a bigger factor in the smaller firms and a much bigger factor in the firms that target all categories of personnel, including staff, for diversity (see Table 8c).

The average number of supporting factors cited overall was just over 6, or half of the 12 on our list.

Under “Other” on the questionnaire, the respondents inserted three additional success factors:

Two respondents mentioned the importance of “the business case” for diversity:

- “The easiest way to effect change on the diversity front is to make the business case for it.”
- “Success with diversity is directly tied to the strength of the ‘business case’ for it within the particular firm. Several factors are/can be involved. Identify and test for those factors, and you will get the best read on how a firm is doing or likely to do.”

One respondent each mentioned one additional supporting factor in their particular firms:

- “Appointment of a director of diversity with the support of the firm’s leadership and direct and regular reporting to the firm’s leadership.”
- “Signing on to the ABCNY Diversity Initiative.”

Differences by size (Table 8a above). The differences among size categories are marked:

- The largest law offices (700 or more lawyers) would seem to have the fewest success factors working in their favor. While they report a somewhat higher level of commitment to diversity from top leadership, those leaders appear to have their work cut out for them. In almost every respect, they reportedly have less to work with than their counterparts at smaller firms – less internal support, and less impact from external pressures. On average, fewer than 5 of the 12 success factors are working for diversity in their organizations, and of those factors the leaders themselves are by far the strongest.

- By contrast, the middle-sized law offices (300-700 lawyers) seem to have the most going for their diversity efforts. They report the strongest internal support from their diversity and professional development programs (and perhaps from the recruitment program as well) and from their existing organizational cultures, and better-than-average support from the lawyers. They are also by far the most strongly affected by external pressures – that is, by client and candidate expectations and the publication of firm demographic statistics. Staff support for the program, however, is lowest in this size category. On

average, over 7 of the 12 success factors are operating in these firms' favor.

- The smallest offices (under 300 lawyers) occupy the middle ground on most of the indicators. They are, however, much more likely than their larger counterparts to have well-regarded nontraditional personnel paving the way for others' success, and also higher levels of support for the program from both lawyers and staff. Between 6 and 7 of the success factors are at work in these law offices.

**Table 8b. Factors Supporting the Diversity Effort
(US Central vs. Coastal Respondents)**

Supporting Factor	All Respondents (26)	US Central (10 respondents)	US Coastal (15 respondents)
Strong commitment from top leadership	81%	80%	87%
Client expectations	77%	80%	80%
Strong diversity chair or committee	73%	80%	73%
Strong recruitment program	73%	70%	73%
Open, inclusive firm culture	58%	60%	53%
Strong professional development program	50%	20%	73%
Publication of firm demographics	50%	60%	47%
Well-regarded nontraditional personnel	42%	30%	53%
Candidate or law school expectations	38%	30%	47%
High partner support	35%	30%	40%
High associate support	35%	30%	40%
High staff support	19%	20%	20%
Average number of factors cited	6.3	5.9	6.9

Differences by location (Table 8b above). The differences in success factors between Central and Coastal respondents are less marked than the size differences. The Coastal respondents appear to have:

- more factors (roughly 7 vs. 6) operating in their favor overall,
- dramatically stronger *professional development programs*,
- more frequent internal presence of *well-regarded nontraditional personnel*, and
- stronger impact from *candidate and law school expectations*.

Other differences are minor.

Differences by targeted personnel categories (Table 8c below). There are some dramatic differences here:

- The firms whose diversity efforts focus exclusively on the lawyers report a much stronger impact from their recruitment programs, which may perhaps be due to their intensified recruiting focus. On average, they find just over 5 of the 12 success factors working in favor of their programs.

**Table 8c. Factors Supporting the Diversity Effort
(Respondents Seeking to Diversify Lawyer Personnel Only
vs. Those Seeking to Diversify All Personnel)**

Supporting Factor	All Respondents (26)	Lawyers Only (11 respondents)	All Personnel (7 respondents)
Strong commitment from top leadership	81%	73%	100%
Client expectations	77%	73%	86%
Strong diversity chair or committee	73%	73%	71%
Strong recruitment program	73%	82%	43%
Open, inclusive firm culture	58%	64%	57%
Strong professional development program	50%	36%	43%
Publication of firm demographics	50%	45%	57%
Well-regarded nontraditional personnel	42%	9%	57%
Candidate or law school expectations	38%	18%	43%
High partner support	35%	27%	43%
High associate support	35%	18%	43%
High staff support	19%	0%	43%
Average number of factors cited	6.3	5.2	6.9

- The firms which have targeted all personnel categories for diversity, however, report many more factors working strongly in their favor – in particular, much greater impact from well-regarded nontraditional personnel and from candidate and law school expectations, and a much higher level of staff support. They also have a more consistent level of support from both partners and associates. On average, these respondents say that about 7 of the 12 factors are supporting the success of their programs.

Success of the Program

We asked the respondents to rate their success at achieving five basic diversity objectives, on a 3-point scale on which 3=High, 2=Moderate, and 1=Low. The respondents' accomplishments in those areas are listed below in Table 9a, in descending order of their average ratings.

Overall Results (Table 9a below). Based on the above figures, the respondents believe they have achieved greater success at *Integrating nontraditional personnel into the social life of the firm* than in any of the other four areas. This may indicate a concerted effort at personal outreach. Or perhaps other factors are at work. (Or perhaps this just confirms that after all, lawyers are party animals at heart.)

Overall, the respondents have been moderately successful as well at *recruiting nontraditional personnel* and at *fully including them in the work and client relationships of the firm*. But their results drop off after that, with their success both at *retention* and at *integration into the leadership* being somewhat less than “moderate.” Indeed, the key test of diversity – whether nontraditional personnel progress to positions of true power in the organization – is the one on which respondents currently score themselves the lowest.

**Table 9a. Success Ratings
(All Respondents and Respondents by Organization Size)**

Accomplishment	All Respondents (26)	>700 lawyers (7 respondents)	300-700 lawyers (10 respondents)	<300 lawyers (9 respondents)
Integration into firm's social life	2.5	2.1	2.8	2.4
Recruitment	2.1	2.1	2.3	1.9
Integration into firm's practice and client relationships	2.1	2.1	2.2	1.9
Retention	1.8	1.9	2.1	1.4
Diversifying firm leadership	1.6	1.9	1.5	1.6
Average rating overall	2.0	2.0	2.1	1.8

Differences by size (Table 9a above). There are two notable differences here, along with numerous minor ones:

- The mid-size law offices (300-700 lawyers) report the greatest success at *integrating nontraditional personnel into the social life of the organization*, as well as slightly higher

success ratings overall than the other two groups (with the notable exception of leadership diversity).

- The smaller law offices (under 300 lawyers) report the least success at *retention*, and somewhat lower success ratings overall.

- The largest offices (over 700 lawyers) have the flattest curve, with all their success ratings consistently hovering around “Moderate.” Most importantly, they are the closest to achieving “moderate” success in *diversifying their leadership*, the ultimate test of program effectiveness.

Differences by location (Table 9b below). The Coastal firms appear to have achieved markedly more recruiting success, and slightly better

results as well on all the other indicators. Another way of looking at this is that, once the Central firms succeed in recruiting nontraditional personnel, they do almost as well at retaining them and at integrating them into the practice and social life of the organization.

But on the key test of achieving diversity at the leadership level, both Coastal and Central respondents report that so far they have not done very well.

**Table 9b. Success Ratings
(US Central vs. Coastal Respondents)**

Accomplishment	All Respondents (26)	US Central (10 respondents)	US Coastal (15 respondents)
Integration into firm social life	2.5	2.3	2.5
Recruitment	2.1	1.7	2.4
Integration into firm practice and client relationships	2.1	1.9	2.2
Retention	1.8	1.6	1.9
Diversifying firm leadership	1.6	1.5	1.6
Average rating overall	2	1.8	2.1

Differences by targeted staff categories (Table 9c below). Interestingly, the firms that seek to diversify all personnel (that is, all lawyers, managers/administrators, and other legal and nonlegal staffs) seem to be having more success at integrating those personnel into the practice and client relationships of the firm, and perhaps at recruiting them in the first place, than the firms that are focused on diversifying only their lawyer personnel.

One explanation for this is suggested by the reported reaction of a minority lawyer to one firm’s “apartheid-like atmosphere..., where

virtually everyone in power, including the secretaries, was white, while another whole workforce -- [for] the mail room, copiers, etc. -- was black. It made me uncomfortable.”⁷

Unfortunately, that initial success at recruiting and integration does not seem to translate into greater long-term success at retention or leadership diversity.

⁷Tamara Loomis, “Practicing What They Preach.” *The American Lawyer Student Edition*/June 2004.

**Table 9c. Success Ratings
(Respondents Seeking to Diversify Lawyer Personnel Only
vs. Those Seeking to Diversify All Personnel)**

Accomplishment	All Respondents (26)	Lawyers Only (11 respondents)	All Personnel (7 respondents)
Integration into firm social life	2.5	2.3	2.3
Recruitment	2.1	1.9	2.3
Integration into firm practice and client relationships	2.1	1.8	2.3
Retention	1.8	1.8	1.7
Diversifying firm leadership	1.6	1.5	1.6
Average rating overall	2	1.9	2

Table 9d. Success Ratings by Longevity of Diversity Programs⁸

Accomplishment	Program Longevity (18 Respondents)		
	1-3 years (9)	3-5 years (5)	Over 10 years (4)
Integration into firm's social life	2.2	2.6	2.5
Recruitment	2	2.4	2.3
Integration into firm's practice and client relationships	1.9	2.2	2.5
Retention	1.7	2	2.3
Diversifying firm leadership	1.4	2	1.8
Average rating overall	1.8	2.2	2.3

Differences by program maturity (Table 9d above). We ran some further data splits to see how our respondents' program results might

relate to program longevity. Table 9d is the result, and the trend lines surprised us:

⁸Data for two groups of respondents, those with programs under 1 year old and 5-10 years old, are omitted because the number of respondents in those groups is very small and several of them did not answer some or all of the relevant questions.

- *Integration into the practice and retention* appear to rise steadily as programs mature.
- *Recruiting success and social integration* rise in the first 5 years, and then flatten out or perhaps even decline a bit.
- *Leadership diversity* rises in the first 5 years and then declines.

No comments were provided to shed light on the causes of these trends, nor could we detect any notable anomalies in other data that would explain them. With regard to the improvements over time in *retention* and *practice integration*, we might speculate that the older programs have achieved some critical mass of workforce diversity that feels more hospitable to nontraditional personnel and that makes it a matter of course for everyone else to be working with them. The flattening yields for *recruitment* and *social integration* perhaps indicate that the possible results there have topped out.

Leadership diversity is always the most difficult goal to achieve. For all their preaching about diversity, clients themselves are not exactly in a state of grace on this particular issue. What is hard to understand about our data is why results would rise in the first 5 years and then drop. Perhaps the data are an aberration, or perhaps they indicate that over time resistance grows or resolve weakens. Or perhaps people tend to believe after some initial successes that they are done and can slack off.

One thing we know is this: Diversity ain't for sissies.

Putting It All Together

Connecting the dots between the various parts of the survey leads to the following conclusions and combinations:

1. Organized diversity programs are a recent trend in law offices and one that is strongly influenced by client expectations (February issue, Table 1a, page 4, and this issue, Table 8a, page 16).

Almost 1 out of 5 of the respondents to our survey are only now starting to develop a formal diversity program. Of the 71% with a program in place, over half those programs are 3 years old or less (Table 1a).

The recent vintage of these programs surprised me. As far back as 1988, the ABA's Minority Counsel Demonstration Program was organized to put client pressure on law firms to diversify their legal personnel. Shortly thereafter a lot of firms (I was at one of them) hired diversity consultants and established diversity committees, relationships with minority student groups, and internal diversity training programs. I can only suppose that most of those efforts were overly optimistic, short-lived forays into what the experts say is an arduous, long-term undertaking for any organization that seeks to make lasting changes in its culture and composition.

A few of those efforts, however, evidently continued and matured (again, refer to Table 1a). Of the respondents with programs in place, 17% have programs that are over 10 years old. There's a big dropoff in the 5-10 year range; only 4% of the respondents' programs are of that vintage. Then new programs started up again 5 years ago – perhaps nudged into existence by the “Statement of Principle” on diversity that was signed by the Chief Legal Officers of 500 major corporations in 1999.

That conclusion is reinforced by the fact that “Client expectations” ranked second out of the 12 factors driving the diversity efforts of our respondents, the overwhelming majority of which are private law firms (Table 8a).⁹ It will be interesting to see if the latest corporate diversity initiative – the Chief Legal Officers' Diversity “Call to Action” endorsed at the October 2004 annual meeting of the Association of Corporate Counsel – coincides with a new uptick in diversity efforts at private firms.¹⁰

2. Overall, most programs have focused their diversity goals on:

- **Lawyers and perhaps other legal staff**, but not firm managers and nonlegal staff (February issue, Table 2a, p. 7)

⁹“Strong commitment from firm leadership” ranked first. It seems reasonable to assume that client expectations have played some part in engendering that commitment.

¹⁰The initiative seems to be having trouble getting off the ground. The last ACC press release about it was in November 2004, and a planned web site at www.cloCallToAction.com announced in October is still not online as of this writing.

- **Diversity on the basis of race/cultural background/national origin, gender, and sexual orientation**, but not disability, religion, or age [February issue, Table 3a, page 9]
- **Recruitment and retention**, but not integration into firm leadership [February issue, Table 4a, p. 12]

and have achieved at best only “moderate” success (this issue, Table 9a, page 20).

Client expectations may be the reason for the emphasis on the legal staff, because the organized initiatives by corporate counsel have focused only on lawyer diversity.

By contrast, EEO law does not appear to be a major factor in the attributes respondents are targeting for diversity. Of the attributes targeted by the majority, one (sexual orientation) is not protected under EEO law, whereas three attributes which most respondents are not actively targeting (disability, religion, and age) are so protected.

For most respondents, recruitment success has been only “moderate” and retention somewhat below that [Table 9a]. I suppose when one is having difficulty hiring people and even more trouble keeping them, their integration into the organization’s leadership becomes a moot point.

Research by the National Association for Law Placement confirms that retention and advancement of women and minority lawyers in law firms is very limited. Summer associate populations approximate law school demographics, but the proportion of women and minorities progressively declines as lawyers move up the organizational ladder. (See the data table at <http://www.nalp.org/nalpresearch/mw04sum.htm> and the discussion at <http://www.nalp.org/press/minrwom04.htm>.)

3. The largest law offices (over 700 lawyers):

- **Report using more approaches overall with their personnel, both traditional and nontraditional, but fewer organization-wide strategies, to support the diversity effort** (February issue, Tables 5a, page 15; 6a, page 17; 7a, page 19)
- **Report fewer “success factors” supporting the program and in general only average**

results (this issue, Table 8a, page 16, and Table 9a, page 20).

- **Show a much greater focus on diversifying the organization’s leadership and have been more successful than smaller firms in that one area** [February issue, Table 4a, page 12; this issue, Table 9a, page 20].

The largest respondents’ emphasis on leadership diversity is strikingly greater than that of their smaller counterparts [Table 4a]. Perhaps in pursuit of that goal, these respondents are using targeted advancement 30-43% more frequently than others (Table 5a) and also report slightly better success in achieving the goal (Table 9a).

The NALP research cited above confirms that the largest firms¹¹ report a higher proportion of minority partners than others and are near the top in women partners. That appears to translate to greater diversity as well in the top leadership of these firms.

4. The law offices in the middle size category (300-700 lawyers) report:

- **The longest-standing diversity programs** (February issue, Table 1a, page 4)
- **More success factors operating in their favor** (this issue, Table 8a, page 16),
- **Better than average success at recruitment, retention, and integration of nontraditional personnel into the firm’s practice and social life** (this issue, Table 9a, page 20), and
- **Much less emphasis on, and slightly less than average success at, diversifying organization leadership** (February issue, Table 4a, page 12; this issue, Table 9a, page 20).

The middle-sized respondents have the highest proportion of diversity programs over 3 years old (two-thirds, vs. about one-third or less for other respondents -- see Table 1a) and are also much more likely than others to have a strong diversity chair and/or committee (Table 8a). In view of those facts and their relative success in other areas, it may be that the only reason these

¹¹The largest size category for which NALP reports data is 500+ lawyers, somewhat smaller than ours.

respondents have not had more success bringing nontraditional personnel into their leadership is that for most that is not a high priority.

5. The smallest respondents (under 300 lawyers):

- **Have the fewest and newest diversity programs** (February issue, Table 1a),
- **Are the most likely to target their nonlawyer legal staffs for diversity, and the least likely to target the attributes of gender and sexual orientation** (February issue, Table 2a, page 7; Table 3a, page 9),
- **Are the most likely to have well-regarded nontraditional personnel in the organization and a high level of staff support for the diversity program** (Table 8a, page 16),
- **Have the greatest difficulty recruiting and retaining nontraditional personnel and integrating them into the organization's practice and client relationships** (Table 9a, page 20)

This size category contains the most respondents that have no diversity program and the most programs under 3 years old (Table 1a).

In my experience, smaller firms have the greatest difficulty launching significant management initiatives. Typically their management expertise and resources are limited, and they are led by lawyers who at the same time are also practicing law. These respondents' lack of results may reflect the fledgling state of their diversity programs, or a lack of systematic and sustained management attention to the things that have to be done to produce results, or both.

Their smaller size and greater personal closeness also confers both advantages and disadvantages in a diversity context – it is easier for everyone to get to know each other, but more disruptive if some of those relationships are not successful.

6. The U.S. Coastal law offices, in comparison to the U.S. Central respondents:¹²

- **Have more and older diversity programs** (February issue, Table 1b, page 5)
- **Are more likely to seek to diversify their nonlawyer staffs and to recruit disabled and gay/lesbian/bisexual personnel** (February issue, Table 2b, page 8, and Table 3b, page 10)
- **Place more importance on strengthening their employees' diversity awareness and skills, and more often implement diversity incentives and diversity education/training for their leaders, lawyers, and staff** (February issue, Tables 4b, page 13, and 6b, page 18).
- **Are significantly more likely to pursue targeted assignments and supervision for their nontraditional personnel, the strengthening of management and supervision skills, and the strengthening of the organization's human resource programs** (February issue, Tables 6b, page 18, and 7b, page 20)
- **Are significantly more likely to have a strong professional development program and somewhat more likely to have well-regarded nontraditional personnel on staff** (this issue, Table 8b, page 18)
- **Are having markedly more success at recruiting, and somewhat more success at retaining and integrating, nontraditional personnel** (this issue, Table 9b, page 21)

In short, the Coastal firms have been doing this longer, are doing more, and are getting better results. As noted earlier, however, population diversity became a fact of life earlier in U.S. Coastal cities than elsewhere, which may be one reason why these firms started the journey earlier and are now farther down the road.

The disparate recruiting results in Table 9b also support the contention I've heard that minority lawyers in the U.S. are more likely to seek employment in coastal cities than the interior, especially since the Central and Coastal respondents appear to put similar effort into their recruitment programs (Table 5b) and rate recruiting's impact as a success factor about the same (Table 8b).

¹²See footnote 1 above for definitions of these subsets of respondents.

7. Law offices that are seeking to diversify all categories of personnel, compared to offices that seek to diversify only their lawyer personnel:

- **Also cast a broader net in terms of the diversity attributes they seek**, and target the attributes of gender, disability, age, diverse career backgrounds, and language proficiency to a much greater extent (February issue, Table 3c, page 11).
- **Indicate that 50% of their existing diversity programs are over 10 years old.** This group also reports a second wave of developing or new programs that are up to 3 years old, but no programs in the 3-to-10-year age range. **By contrast, 90% of the diversity programs of the “lawyers only” respondents are 5 years old or less** (February issue, Table 1c, page 6).
- **Rate “Integrating nontraditional personnel into the firm’s leadership” and “Strengthening employees’ diversity awareness and skills” as much higher priorities, and “Competing for clients” as a much lower priority, for the program** (February issue, Table 4c, page 13).
- **Implement 39% more approaches in pursuing their diversity objectives** – on average, a total of 12.8 vs. 9.2 (February issue, Tables 5c, page 16; 6c, page 18; and 7c, page 21).
- **Have more “success factors” working in favor of diversity**, including stronger leadership commitment, higher levels of lawyer and staff support for the program, greater presence of well-regarded nontraditional personnel, and greater responsiveness to candidate and law school expectations. **By contrast, the “lawyers only” respondents more consistently rate their “Strong recruitment program” as a success factor** (this issue, Table 8c, page 19).
- **Report greater success at recruitment and integration into firm practice, but similar results in social integration, retention, and leadership diversity** (this issue, Table 9c, page 22).

Given their higher proportion of mature programs, it may be that some of the “all personnel” respondents have expanded their personnel targets over time. We say “some” because more

than half of those respondents have programs that are either in development or less than 3 years old (Table 1c).

It is striking how many more diversity characteristics this group is targeting (Table 3c), their much lower emphasis on “Competing for clients” (Table 4c), the greater number of approaches they employ (Tables 5c-7c), and the greater consistency of commitment by their leaders, lawyers, and staff to the program (Table 8c). I can only conjecture that perhaps these respondents’ leaders have a philosophical commitment to diversity in general, and that a large proportion of other personnel are in tune with the leaders’ views.

Interestingly, while the “lawyers only” respondents rate the strength of their recruiting programs higher as a *success factor* (Table 8c), their reported recruiting *results* (Table 9c) are not as good as those of the “all personnel” respondents. This would tend to confirm the view that diverse lawyers are more attracted to organizations in which all staffs are diverse (note the minority associate’s remarks quoted on page 21).

8. Program longevity appears to correlate with:

- **Greatest success at retention and practice integration of nontraditional personnel after 10 years;**
- **Greatest success at recruitment, social integration, and leadership diversity after 3-5 years.**

See Table 9d and the accompanying discussion at pages 22-23.

9. Relaxing standards in order to promote diversity appears to be counterproductive. As two respondents observed:

- “Lesson learned: Maintaining hiring standards across the board.”
- “Our biggest problem ... is ... the negative side of promotion for diversity reasons. (‘She only got the job because she’s a [fill in the blank]’; and with objective evidence supporting that conclusion.]”

Conclusion

Diversity efforts are often framed in a moral context, that it's about "doing the right thing." Certainly the legal profession, as the ultimate guardians of a just society, ought to be leading the way in "doing the right thing."

At the same time, we should not pass moral judgment on those who lag behind. Everyone's world view comes from the world they have lived in. The face of our world is changing fast, and it takes time for views to catch up. Certainly education, incentives, and other programs can help move things along; but a certain amount of patience, understanding, and dialogue is also in order.

I remember vividly a conversation years ago with a renowned trial lawyer, whom I had always observed to be fair and respectful in all his working relationships. I'd been told he refused to work with female associates. He confirmed that was true. He said the stress of being in a protracted trial with someone for whom he would have to open doors, carry bags, and provide all the other courtesies that his personal code of etiquette required toward women, was more than he wanted to deal with. Labeling such a man a bigot would have missed the mark and antagonized someone who could potentially be a powerful champion of diversity in the firm.

Quite apart from doing the right thing, there is the "business case" for diversity that some of our respondents referred to. As a practical matter, the changing demographics of our population give us no choice. Either we can do diversity well, or we can do it poorly.

The message from our survey results seems clear: Changing a workplace that is not diverse into one that is, and that functions productively and harmoniously, is a challenging long-term endeavor. The medium-term efforts are beginning to show some success, but they are not done yet.

As one respondent put it, "To succeed, you must try everything, accept failures along the way, and recognize that [success] will take time and patience. Our motto is it's a marathon, not a sprint."



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The Learning Lab: Tips & Tools for Creative Lawyer Training

(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 marag@profdev.com.)

Individual Development Plans

Individual professional development plans (IDPs or IPDPs) are a useful tool in combination with (1) a system of competencies or benchmarks which sets clear targets for development and (2) a developmentally oriented performance appraisal system that gives clear feedback on the individual's areas for improvement. See the next page for one possible IDP format.

One difficulty law firms encounter in using IDPs with associates that the supervisor, who in other settings advises and supports each subordinate on the development plan, is typically one of many and not accountable for development. But that role can alternatively be played by a mentor, professional development officer, or practice group training officer.

– Gaye Mara

Individual Professional Development Plan

Name: _____ Position: _____

DEVELOPMENTAL GOAL

Competency targeted for the current period: _____

ACTION PLAN

1. Learning Activities: Target Dates:

[Can include both formal and informal learning activities, such as:

- Coaching/ advice from supervisors, other experts
- Developmental assignments, job rotations, pro bono work
- Shadowing of, consultations with knowledgeable colleagues
- Research, reading, tapes, computer-based tutorials
- Internal/external workshops and seminars
- Academic coursework
- Firm committee work, professional or industry association activities
- Teaching others through writing or speaking]

2. Application and Reinforcement:

[How the new competency will be applied, practiced, and reinforced on the job, including:

- What the Learner will do to use and further develop the competency
- What opportunities and feedback the Firm, Department/Practice Group, and supervisors will provide]

3. Confirmation of Goal Accomplishment:

[How the Learner can confirm progress in mastering the competency, such as by:

- Accomplishment of a set of achievement milestones
- Satisfaction of a set of objective performance standards
- Achievement of measurable performance results
- Evaluation by a supervisor or other knowledgeable observer]

AGREED: Today's Date: _____ Target Completion Date: _____

[Learner]

[Advisor]

Professional Developments

Events

Upcoming spring/summer conferences, seminars, and workshops:

May

- ✿ 5/2-4/05, Atlanta, GA. **HPI Certificate Program Seminars: Analyzing Human Performance.** \$1,349/1,549. American Society for Training and Development, (800) 628-2783, www.astd.org/HPI2005. (Repeated 6/2-4 Orlando, FL; 7/11-13 Chicago, IL; 9/12-14 Atlanta, GA; 10/5-7 Alexandria, VA; 10/17-19 Chicago, IL; 11/9-11 Alexandria, VA.)
- ✿ 5/2-6/05, Washington, DC. *How to Plan, Design, and Evaluate e-Learning.* Clark Training & Consulting, (602) 230-9190, www.clarktraining.com. (Repeated in San Francisco 10/3-7)
- ✿ 5/3-4/05, New York, NY. *The 2005 Work Life Conference, "Making a Difference: Strategies for Creating Change."* \$2150/2350. The Conference Board, (212) 339-0345, www.conference-board.org/worklife.htm.
- ✿ 5/4/05, Online at 4 pm ET. *Effective Employee Orientation Programs.* Free Web seminar from Training magazine and WebEx. Enroll online at <http://webexevents.webex.com/webexevents/onstage/g.php?d=661429457&t=a>.
- ✿ 5/9-11/05, New York, NY. *Annual Diversity Conference, "The Diversity Performance Factor: Next Practices for Building Organizational and Leadership Competence for Results."* Pre-conference workshop 5/9, \$495/595; Conference 5/10-11, \$1995/2195. The Conference Board, (212) 339-0345, www.conference-board.org/diversity.htm. (Repeated in Chicago 6/7-9)
- ✿ 5/9-11/05, Washington, DC. *Accelerated Learning Training Methods Workshop.* \$1095. The Center for Accelerated Learning, (262) 248-7070, www.alcenter.com. (Repeated in Lake Geneva, NY 6/6-8 and 10/3-5, Toronto 7/11-13, San Francisco 8/3-5, Chicago 8/22-24, Denver 9/12-14, Dallas 9/26-28, Seattle 11/7-9, Phoenix 12/5-7)
- ✿ 5/10-11/05, Chicago, IL. *Consulting Skills for HR Professionals.* \$1,395. Linkage Incorporated, (781) 402-5555, www.linkageinc.com.
- ✿ 5/10-12/05, Atlanta, GA. *Employee Engagement: Building a High-Performance Workforce.* \$1799-2699. Melcrum Publishing, (866) MELCRUM or (312) 994-2468, www.melcrum.com.
- ✿ 5/10-12/05, New York, NY. *The 2005 Performance Enhancement and Management Conference.* Pre-conference seminar 5/10, "Best Practices in Web-Enabled Performance Management," \$1350/1550; Conference 5/11-12, \$1995/2195. The Conference Board, (212) 339-0345, www.conference-board.org/performance.htm.
- ✿ 5/11-12/05, San Francisco, CA. *Designing and Implementing Succession Management Systems.* \$1,395. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Boston 6/28-28, Washington, DC 8/25-26, Chicago 9/19-20)
- ✿ 5/11-13/05, Alexandria, VA. **HPI Certificate Program Seminars: Selecting and Managing Interventions.** \$1,349/1,549. American Society for Training and Development, (800) 628-2783, www.astd.org/HPI2005. (Repeated 6/27-29 Irvine, CA; 7/25-27 Atlanta, GA; 8/22-24 Chicago, IL; 9/7-9 Alexandria, VA.)
- ✿ 5/11-13/05, Atlanta, GA. *AMA's Myers-Briggs Typs Indicator (MBTI) Qualification Program.* \$1395/1595. American Management Association, (800) 262-9699, www.amanet.org. (Repeated in Washington, DC 9/19-21, San Francisco 10/24-26, New York 11/7-9)
- ✿ 5/12-13/05, Chicago, IL. *Advanced [Internal] Consulting Skills.* \$1,295. Linkage Incorporated, (781) 402-5555, www.linkageinc.com.
- ✿ 5/13/05. *Strategic Planning for Lawyers and Law Firms: Defining, Setting, and Achieving*

- Your Firm's Goals*. 1:45-3:45 pm ET teleconference and audio webcast "Live from the Spring Meeting." \$110-225. American Bar Association, www.abanet.org.
- ✿ 5/15-16/05, Chicago, IL. *Bottom-Line OD: A Structured Process for Improving Return on Investment*. \$1,695. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Washington, DC 6/16-17, Chicago 9/13-14.)
 - ✿ 5/15-19/05, Chicago, IL. *The 7th Annual Best of Organizational Development Summit*. Pre-summit workshops 5/15-16, \$345-1695, summit \$1545/1695. Linkage Incorporated, (781) 402-5555, www.linkageinc.com/odsummit.
 - ✿ 5/16-17/05, Washington, DC. *Designing and Implementing Leadership Development Programs*. \$1,395. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Chicago 6/14-15, San Francisco 7/21-22, Atlanta 8/16-17, Boston 9/8-9)
 - ✿ 5/16-18/05, Chicago, IL. *How to Build, Communicate and Execute a Total Rewards Program*. \$1695/1895. American Management Association, (800) 262-9699, www.amanet.org. (Repeated in New York 6/13-15 and 11/14-16, Washington, DC 9/12-14)
 - ✿ 5/16-18/05, New York, NY. *Instructional Design for Trainers*. \$1695/1895. American Management Association, (800) 262-9699, www.amanet.org. (Repeated in San Francisco 6/6-8, 11/9-11; Atlanta 9/21-23; Washington DC 10/10-12; Chicago 11/7-9; New York 12/12-14)
 - ✿ 5/17-18/05, San Francisco, CA. *Graphics for Learning: How to Plan and Select Visuals That Teach*. Clark Training & Consulting, (602) 230-9190, www.clarktraining.com. (Repeated in Washington, DC 12/13-14)
 - ✿ 5/17-19/05, New York, NY. **The Coaching Leaders Certification Program: 3-Day Core Session**. \$3995. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Atlanta 6/21-23, Chicago 8/10-12, Boston 9/20-22.)
 - ✿ 5/18-20/05, Atlanta, GA. *Training the Trainer*. \$1495/1695. American Management Association, (800) 262-9699, www.amanet.org. (Repeated in Chicago 6/13-15, 9/19-21, 12/12-14; New York 6/22-24, 9/14-16, 10/24-26, 12/5-7; Atlanta 7/27-29, 10/24-26; San Francisco 8/17-19, 11/7-9; Washington, DC 10/5-7)
 - ✿ 5/18-20/05, San Francisco, CA. *Instructional Design Institute*. VNU Learning.com, www.instructionaldesigninstitute.com. (Repeated in Seattle 7/13-15, Chicago 9/21-13, Orlando 11/30-12/2)
 - ✿ 5/19-22/05, Bethesda, MD. *Cultural Liberty: Championing Diversity, Equity and Human Rights*. Two-day workshops, \$525-845 each; four-day workshop, \$825-1500. National MultiCultural Institute, (202) 483-0700, www.nmci.org.
 - ✿ 5/22-25/05, Phoenix, AZ. *Training Directors' Forum 2005*. Pre-conference workshops 5/21-22, \$595; Conference 5/23-25, \$1245-1395; Learning Executive Summit (conference plus special events for "pre-qualified senior learning executives") 5/23-25, \$1495; Post-conference workshops 5/25, \$295. VNU Learning, www.trainingdirectorsforum.com.
 - ✿ 5/23/05. *Lateral Hiring and Integration Best Practices*. 2-3:30 pm ET audio conference. \$399/429. Institute of Management & Administration, Inc., (800) 401-5937, www.ioma.com.
 - ✿ 5/24-25/05, Chicago, IL. *Developing a Sustainable Mentoring System*. \$1,395. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Washington, DC 6/20-21, Boston 9/13-14)
 - ✿ 5/22-25/05, New Orleans, LA. *WorldatWork 50th Annual Conference and Exhibition*. WorldatWork, (877) 951-9191, www.worldatwork.org/neworleans2005.
 - ✿ 5/24-26/05, New York, NY. *The 2005 Leadership Development Conference: Ensuring Bench Strength for Sustainable, Steady Top-line Growth*. 5/24 pre-conference seminar on Succession Management, \$1350/1550; 5/25-26 conference, \$1995/2195. The Conference Board/Center for Creative Leadership, (212)

339-0345, www.conference-board.org/leadershipdev.htm. (Repeated in San Diego 6/21-23)

June

- ❁ 6/1-2/05, Scottsdale, AZ. *Building Expertise: How to Apply Learning Psychology to Instructional Design*. Clark Training & Consulting, (602) 230-9190, www.clarktraining.com. (Repeated in San Francisco 11/16-17)
- ❁ 6/1-3/05, New York, NY. *The 2005 Emerging Workforce Conference: Managing Mature and Diverse Talent*. Pre-conference seminar 6/1, \$1350/1550; Conference 6/2-3, \$1995/2195. The Conference Board, www.conference-board.org/workforce.htm, (212) 339-0345.
- ❁ 6/2-4/05, Orlando, FL. **HPI Certificate Program Seminars: Human Performance Improvement in the Workplace**. \$1,349/1,549. American Society for Training and Development, (800) 628-2783, www.astd.org/HPI2005. (Repeated 6/22-24 Alexandria, VA; 7/25-27 Atlanta, GA; 8/22-24 Chicago, IL; 10/26-28 Alexandria, VA; 11/30-12/2 Alexandria, VA; 12/5-7 Chicago IL.)
- ❁ 6/2-4/05, Orlando, FL. **HPI Certificate Program Seminars: Evaluating Performance Improvement Interventions**. \$1,349/1,549. American Society for Training and Development, (800) 628-2783, www.astd.org/HPI2005. (Repeated 8/15-17 Irvine, CA; 9/12-14 Atlanta, GA; 10/17-19 Chicago, IL; 11/14-16 Atlanta, GA.)
- ❁ 6/2-9/05, Orlando, FL. *ASTD 2005 International Conference & Exposition*. Certificate programs 6/2-4, \$695-1495; pre-conference workshops 6/3-4, \$425-1055; Conference 6/5-9, \$750-1375. American Society for Training and Development, (800) 628-2783 or (703) 683-8100, www.astd2005.astd.org.
- ❁ 6/6-7/05, New York, NY. *Retaining the Best and the Brightest*. \$1495/1695. American Management Association, (800) 262-9699, www.amanet.org. (Repeated in San Francisco 7/11-12, Atlanta 9/22-23, Chicago 10/24-25, Washington, DC 11/14-15)
- ❁ 6/8-10/05, Boston, MA. *Leadership-Level Facilitation: Delivering Dynamic Leadership Training*. \$2195. Linkage Incorporated, (781) 402-5555, www.linkageinc.com. (Repeated in Chicago 9/21-23)
- ❁ 6/9-10/05, Lake Geneva, NY. *Advanced Design Class*. Center for Accelerated Learning, (262) 248-7070, www.alcenter.com. (Repeated 10/6-7. Prerequisite: *Accelerated Learning Training Methods Workshop* – see 5/9-11 entry.)
- ❁ 6/10/05, New York, NY. *Developing Women Leaders in the Legal Profession*. 9 am-5 pm, reception 5-6 pm. \$895. Glasser Legal Works/Hildebrandt/PriceWaterhouseCoopers, (800) 308-1700, www.glasserlegalworks.com.
- ❁ 6/13-15/05, Marina del Rey, CA. *The 2005 Executive Coaching West Coast Conference: Learning from Legends*. Conference 6/13-14, \$1950/2150; post-conference seminar 6/15, \$1350/1550. The Conference Board, (212) 339-0345, www.conference-board.org/coaching.htm.
- ❁ 6/13-7/1/05, Online. *Online Institute on Performance Improvement Principles & Practices*. \$1499; enrollment limited to 20 participants. International Society for Performance Improvement, www.ispi.org; contact roger@ispi.org for more information.
- ❁ 6/15-16/05, Denver, CO. *e-Learning and the Science of Instruction*. \$799. Clark Training & Consulting, (602) 230-9190, www.clarktraining.com.
- ❁ 6/24/05, Atlanta, GA. **The Coaching Leaders Certification Program: Coaching Teams**. \$695. Linkage Incorporated, (781) 402-5555, www.linkageinc.com.
- ❁ 6/28-30/05, Monterey, CA. *2005 Learning and Performance Strategies Conference: Faster, Cheaper, Better*. \$895/1195. The Learning and Performance Institute, www.learningandperformance.com.

July

- ❁ 7/27-29/05, Annapolis, MD. *The 2005 Leadership Excellence Summit, "Ethics, Integrity & Character: Identifying & Developing Your Next Generation of Leaders."* Pre-summit

seminar 7/27, \$750-1150; summit 7/28-29, \$1395-1795. U.S. Naval Academy Foundation/The Conference Board, (212) 339-0345, www.conference-board.org/leadershipexcellence.htm.

✿ 7/28-30/05, Philadelphia, PA. *PDC Summer Conference 2005*. Professional Development Consortium, www.pdclegal.org. (Note: Conferences are open to members only. To apply for membership, go to www.pdclegal.org and click on "Membership.")

✿ 7/30-8/2/05, Washington, DC. *ACLEA 41st Annual Meeting*. Association for Continuing Legal Education, (512) 453-4340, www.aclea.org.

August

[No event announcements received.]

News

The **D.C. Minority Attorney Networking Series**, initiated by Arnold & Porter and Fried, Frank, Harris, Shriver & Jacobson and co-sponsored by a total of 21 law firms, held its inaugural meeting on March 31 at Fried, Frank. Debra L. Lee, President and COO of Black Entertainment Television, was the speaker. Future meetings are scheduled once a quarter, in June, September, and December, at the offices of sponsoring firms. The series was created "to provide minority attorneys an opportunity to focus on professional development, to network, build alliances and form relationships with peers, partners and colleagues practicing law in the DC Metro Area." Interested parties may contact Caren Ulrich Stacy at Arnold & Porter, caren_stacy@aporter.com.

Resources

Transactional Training Resource Guide. Tina Stark, transactional skills trainer and Fordham law professor, has a new web site, www.starklegaled.com. It includes a Resource Guide to available materials that can support the teaching of transactional skills to law students and law firm associates. The Guide lists commercial training materials, treatises, textbooks, and articles, and it links to other websites where you can buy the resources or get more information.



West LegalEdcenter, in partnership with business training provider NETg, now offers online training courses on demand in 10 categories of Business and Professional Skills. The offerings include some popular in-house training topics, such as Analyzing Financial Statements and time and stress management, as well as an extensive training library on software applications. www.westlegaledcenter.com (Under "Find a Program," click on "Browse for Programs Now," then select "Business & Professional Skills").



Three new books are out:

- **Complete Guide to Lateral Hiring & Integration Best Practices for Law Firm Leaders** (Institute of Management & Administration, 2005; \$249/299). An IOMA Special Report based on interviews with law firm leaders, and including 5 case studies of firms with effective lateral hiring and integration processes. (800) 401-5937 ext. 2, www.ioma.com.
- **IOMA's Complete Guide to Best Management Practices for Law Firm Leaders** (Institute of Management & Administration, 2005; \$349/399). An IOMA loose-leaf service with semi-annual updates. Its 14 chapters include a chapter on Training and Professional Development. (800) 401-5937 ext. 2, www.ioma.com.
- **Patterns & Practices: Measures of Law Firm Hiring, Leverage & Billable Hours** (NALP, March 2005; \$45/65). This NALP research report analyzes data submitted for the *NALP Directory of Legal Employers* to chart current trends in entry-level and lateral hiring and associate working hours. www.nalp.org.

Survey Results

Steve Gluckman of Distributed Insight (www.distributedinsight.com) surveyed law firms in February and March and found that, on average:

- their annual PD spending per attorney was \$1781,
- 31% of the PD budget is dedicated to non-CLE training, and
- 80% use e-learning for CLE training.

(See Gluckman's article on "Rapid E-Learning Development" at pages 9-11 of this issue.)



Again this year, *Training Magazine's* list of **2005 Top 100 employers** for workforce training and development includes no law offices, but does include legal vendors LexisNexis (no. 46, down from #38 last year) and Thomson West (70 – #69 last year). Consulting firm Booz Allen (2) and accounting firms Deloitte & Touche (6) and Ernst & Young (8) again made the top 10. (IBM was #1.) The survey report profiles the training and development programs of the top 10 winners and describes best practices in such areas as executive coaching, leadership development, and succession planning; and job shadowing, mentoring, and job rotation. (*Training*, March 2005, pages 20-71)



Five law firms did, however, make *Fortune's* list of the **100 Best Companies to Work For**. Congratulations to Alston & Bird (No. 9), Arnold & Porter (32), Perkins Coie (47), Bingham McCutchen (78), and Morrison & Foerster (91).



MCLE Watch

We have no news from or about CLE regulators this quarter.

In the February PDQ issue, we reported that three states – **Indiana, Mississippi, and Virginia** – have recently adopted rules changes that allow or expand accreditation of distance learning courses,

An **LMS Customer Satisfaction Study 2005** by Bersin & Associates rates GeoLearning as the top enterprise LMS vendor in 20 of the 26 customer-satisfaction categories measured. The survey results have been gladly posted online by GeoLearning at www.geolearning.com/results.

Miscellany

Your editor was in Vancouver in April to speak at the ISPI International Conference. We received an invitation from the hands of no less than Wonder Woman (standing at the foot of the conference center escalator, and instantly recognizable from her distinctive gold tiara, bustier, and high-heeled boots) to an April 16 event of the Work Less Party (www.WorkLessParty.org), which has dedicated itself to promoting the 32-hour work week. Participants in the event, called "The Rat Race" and held at the Vancouver Art Gallery, were asked to wear business attire. They would be provided with whiskers and a tail and asked to complete an obstacle course, including "Booth number 1 where you will have to sit through an entire power point presentation called 'Power corrupts, Power Point corrupts absolutely.'"



The ultimate all-purpose computer error message: "It's obvious from your actions that you don't know jack squat about computers or software." Alan Cooper, *About Face*.

including online courses, and that **Pennsylvania** has declared its two-year pilot distance-learning program a success.

In the upcoming August issue we will inventory which MCLE states now accredit distance learning and on what basis.

Available for free 60-day trial: The Intranet Edition of **The Capital CLE-Calendar**. Your lawyers can find distance CLE courses on their own intranet, using their web browser or the topic headings. Contact Gaye Mara, maraeg@profdev.com, (703) 719-7030, for an online demo and trial issue.

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Getting Started Latest Headlines

The Capital CLE-Calendar

February 1, 2005
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Making CLE a choice instead of a chore

[2.5]

3/3/05. *Successful Strategies in DUI Cases*. Telephone seminar. [VACLE](#). [2.0] (Replay 3/24)

DISABILITY LAW

4/19/05. *Special Needs Trusts 2005*. 1-4:15 pm ET live webcast. \$149. [PBI](#). [3.0]

EDUCATION LAW

4/13/05. *Fifth Annual School Law Institute*. Live webcast. \$499. [PLI](#).

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

2/4/05. *Back to the Drawing Board: The Final 401(k) Regulations 2005*. 1:30-2:30 pm ET live webcast. \$40/60. [WLEC/Milwaukee Bar Assn.](#) [1.0]

2/15/05. *Employee Benefits Update for 2005*. 12 noon-4 pm ET American Law Network satellite seminar. \$195. [ABA](#). [4.0] (90+ satellite viewing sites nationwide)

4/7/05. *Annual Spring Employee Benefits Law and Practice Update*. 12 noon-4 pm ET American Law Network satellite seminar and live webcast. \$179. [ALI-ABA](#). [4.0] (90+ satellite viewing sites nationwide)

5/4/05. *Pension Plan Investments 2005: Confronting Today's Issues*. Live webcast. \$1295. [PLI](#).

5/26/05. *ERISA Fiduciary Responsibilities Update*. 12 noon-4 pm ET American Law Network satellite seminar and live webcast. \$179. [ALI-ABA](#). [4.0] (90+ satellite viewing sites nationwide)

EMPLOYMENT AND LABOR LAW

2/3/05. *Labor and Employment Law Update 2004: A Year in Review*. 4-7 pm ET live

Find: 401(k) Find Next Find Previous Highlight Reached end of page, continued from top

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The Capital CLE-Calendar

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Making CLE a choice instead of a chore

Bar	Reporting Period	Total Hours	Reporting Date	Special Topics, Notes
Alabama On-line courses	1 year	12	12/31	1 hr. ethics and professionalism annually. New admittees: 6 hr. AL Bar professionalism course
Alaska (voluntary) On-line courses	1 year	12	02/01	Pilot voluntary requirement continued in 2003. 1 hr. ethics. New admittees: 3 hr. AK bar ethics course
Arizona On-line courses	1 year	15	09/15	3 hrs. prof. responsibility. New admittees: AZ Bar professionalism course
Arkansas	1 year	12	06/30	1 hr. ethics
California On-line courses	3 years	25	01/31	4 hrs. ethics, 1 hr. substance abuse, 1 hr. elimination of bias.
Colorado	3 years	45	after each course	7 hrs. ethics. New eff. 1/1/05: Up to 9 hrs. credit for pro bono. New admittees: 6 hr. CO Bar professionalism course

file:///C:/Documents and Settings/Evelyn Mara/My Documents/My Webs/Cal/mcle.htm

Available for free 60-day trial: The Intranet Edition of **The Capital CLE-Calendar**. On the "MCLE" page, your lawyers can link directly from your Intranet to their State bars or CLE Boards to find pre-approved courses, check their compliance status and the current rules, and download application forms. Contact Gaye Mara, maraeg@profdev.com, (703) 719-7030, for an online demo and trial issue.

The Capital CLE Calendar

Volume 11, No. 7 ■ May 1, 2005

How to Read This Schedule: The following course schedules list, 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 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 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 of 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 www.profdev.com/courses.htm for a listing of current, local CLE courses announced after this issue went to press.

Distance Course Schedule

ADMINISTRATIVE/GOVERNMENT/ REGULATORY LAW, GENERAL

6/1/05. *Hot Topics in Illinois Government Law*. 4-7 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [2.75]

6/8/05. **Systematic Statutory Interpretation, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [1.75]

6/8/05. **Systematic Statutory Interpretation, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

7/27/05. *Fifth Annual Municipal Law Institute*. 10 am-6 pm ET live webcast. \$749. PLI.

ALTERNATIVE DISPUTE RESOLUTION/ ARBITRATION

5/18/05. *Fundamentals of Arbitration*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/21, 7/14, 8/25, 9/28, 10/26, 11/16, 12/20)

ANTITRUST/UNFAIR COMPETITION LAW

5/13/05. *Flexing Their Muscle, or Preserving Their Viability? Exclusionary Conduct and Bundling by Hospitals and Health Systems*. 10:50 am-12 noon ET teleconference and audio webcast "Live from the Antitrust in Healthcare Conference." \$75-150. ABA/AHLA. [1.1]

ARTS, ENTERTAINMENT AND SPORTS LAW

5/3/05. *Sports Arbitration: Exploring the Hidden Playing Field and the Rules That Control After the Competition Is Over*. 6-9 pm ET live webcast. \$175. WLEC/Assn. of Bar of City of NY. [2.75]

BANKING/FINANCIAL SERVICES LAW

5/19-20/05. *10th Annual Consumer Financial Services Litigation Institute*. Live webcast. \$1295. PLI.

5/19/05. **10th Annual Consumer Financial Services Litigation Institute, Part I**. 12-3:30 pm ET live webcast. \$260. WLEC/PLI. [3.25]

5/19/05. **10th Annual Consumer Financial Services Litigation Institute, Part II**. 4:45-8 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/20/05. **10th Annual Consumer Financial Services Litigation Institute, Part III**. 12-3:30 pm ET live webcast. \$260. WLEC/PLI. [3.0]

5/20/05. **10th Annual Consumer Financial Services Litigation Institute, Part IV**. 4:45-8 pm ET live webcast. \$240. WLEC/PLI. [3.0]

BANKRUPTCY LAW

5/4/05. *Bankruptcy Jurisdiction, Venue and Appeals - 2005*. 4-5 pm ET live audio-only webcast. \$60. WLEC/Celesq® AttorneysEd. [1.0]

5/10/05. *Acquisitions of Bankrupt or Financially Distressed Businesses*. 1-2 pm ET telephone seminar. \$80. NCBA. [1.0]

5/10/05. *The Bankruptcy Abuse and Consumer Protection Act of 2005: An Overview of the Recent Changes to the Bankruptcy Code*. Teleconference and live audio webcast. ABA.

5/10/05. *The New State of Bankruptcy: An Overview, a Comparison, and Tips for Moving Forward*. 11 am-12 noon ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

5/25/05. *Proposed Regulations on Insolvent Corporate Reorganizations, Tax-Free Liquidations, and Tax-Free*

Incorporations: What You Need to Know. Teleconference and live audio webcast. ABA.

5/26/05. *The Effect of Bankruptcy Legislation on Business Bankruptcy*. 1-2 pm ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

6/17/05. *Protecting Clients' Assets Within the New Bankruptcy Guidelines*. 12-1 pm ET live audio-only webcast. \$99. WLEC/NBI New York. [1.0]

BUSINESS/CORPORATE LAW AND PRACTICE

5/2-3/05. *Handling Intellectual Property Issues in Business Transactions 2005*. Live webcast. \$1295. PLI.

5/3/05. *The Well Adjusted M&A Deal: Post-Closing Purchase Price Adjustments*. 1-2:30 pm ET teleconference and live audio webcast. \$115-175. ABA. [1.5]

5/6/05. *The PCAOB Speaks in 2005*. Live webcast. \$895. PLI.

5/10/05. *Financial Statements: Finding the Red Flags*. 1-3 pm ET live webcast. \$120. WLEC/Chicago Bar Assn. [1.75]

5/10/05. *Nonparties at the Party: CIDs, Subpoenas, and Other Nonparty Discovery in Merger Investigations*. 1-2:30 pm ET teleconference and live audio webcast. \$85-150. ABA. [1.5]

5/11/05. *What All Business Lawyers and Litigators Must Know About Delaware Law Developments*. Live webcast. \$1295. PLI.

5/11/05. **What All Business Lawyers & Litigators Must Know About Delaware Law Developments, Part I**. 9 am-12 noon ET live webcast. \$220. WLEC/PLI. [2.75]

5/11/05. **What All Business Lawyers & Litigators Must Know About Delaware Law Developments, Part II**. 1:45-4:30 pm ET live webcast. \$200. WLEC/PLI. [2.5]

5/12/05. *Burden of Representing Financially-Challenged Companies*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/8, 7/29, 8/24, 9/6, 10/5, 11/28, 12/28)

5/17/05. *Administration of Family Limited Partnerships*. 1-2 pm ET telephone seminar. \$80. NCBA. [1.0]

5/19/05. *Due Diligence and Disclosure Schedules in M&A Transactions*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

5/19-20/05. *The Pocket MBA for Lawyers 2005: Understanding the Investment Banker's Role*. 9 am-5 pm (-3:30 pm Day 2) ET live webcast. \$1295. PLI.

5/23/05. *Protecting Business Assets Through Effective Lawyering*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/27, 7/11, 8/18, 9/7, 10/18, 11/7, 12/12)

5/24/05. *Ensuring Cost Recovery: A Critical Look at Cooper Indus. v. Aviall*. 2-3 pm ET live audio-only webcast. \$60. WLEC/NBI. [1.0]

5/31/05. *Corporate Counsel Forum 2005: What You Need to Know About Corporate Liability and Government Enforcement Post Sarbanes-Oxley*. Live webcast. \$1295. PLI.

5/31/05. **Corporate Counsel Forum 2005: What You Need to Know About Corporate Liability and Government Enforcement Post Sarbanes-Oxley, Part I**. 9 am-12:30 pm live webcast. \$260. WLEC/PLI. [3.25]

5/31/05. **Corporate Counsel Forum 2005: What You Need to Know About Corporate Liability and Government Enforcement Post Sarbanes-Oxley, Part II**. 1:30-5 pm live webcast. \$260. WLEC/PLI. [3.25]

6/1/05. **MBA Concepts for Lawyers 2005, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/1/05. **MBA Concepts for Lawyers 2005, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/3/05. *What Every Business Lawyer Needs to Know About Outsourcing*. 12-3:15 pm ET live webcast. \$180. WLEC/California CEB. [3.0]

6/6/05. *Advanced Doing Deals 2005: Dealmaking in the New Transactional Marketplace*. Live webcast. \$1495. PLI.

6/8/05. *Representing the Seller of a Family Business*. 1-2 pm ET "BLT Live" teleconference and live audio webcast. \$55-125. ABA. [1.0]

6/9-10/05. *The Pocket MBA for Lawyers 2005: Crunching the Numbers Exercises in Present Value, Capital Structure and Valuation*. 9 am-5 pm ET live webcast. \$1295. PLI.

6/15/05. *Audit Committee Workshop 2005: What Audit Committee Members and Lawyers Who Advise Them Need to Know Now*. Live webcast. \$1495. PLI.

6/16-17/05. *Corporate Compliance Institute 2005*. Live webcast. \$1395. PLI.

6/21/05. *Internal Investigations and Disclosure Issues in the Wake of Sarbanes-Oxley*. Teleconference and live audio webcast. ABA/ABA Intl. Law Section.

6/29/05. *General Practitioners' Update -- Transactional 05*. 8:30 am ET live webcast. \$139. PBI. [3.0]

6/29/05. *Minnesota Corporate Law Update*. 11 am-12 noon ET live audio-only webcast. \$75. WLEC/NBI Minnesota. [1.0]

8/29-30/05. *Structuring, Negotiating and Implementing Strategic Alliances 2005*. 9 am-5 pm (-12:30 pm Day 2) ET live webcast. \$1395. PLI.

9/15/05. *Third Annual Directors' Institute on Corporate Governance*. Live webcast. \$1995. PLI.

10/24-25/05. *The Outsourcing Revolution 2005: Protecting Critical Business Functions*. Live webcast. \$1395. PLI.

CAREER AND PERSONAL DEVELOPMENT

6/8/05. *Road to the Bench*. 1-3 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [1.75]

CIVIL RIGHTS/CONSTITUTIONAL/HUMAN RIGHTS LAW

5/31/05. **The Constitution in the Rehnquist Court, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

5/31/05. **The Constitution in the Rehnquist Court, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/2/05. **War, National Security, and the Constitution: The Constitution after September 11, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/2/05. **War, National Security, and the Constitution: The Constitution after September 11, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/6/05. *Sixth Annual Institute on Privacy Law: Data Protection -- The Convergence of Privacy and Security*. Live webcast. \$1295. PLI.

10/27/05. *22nd Annual Section 1983 Civil Rights Litigation*. Live webcast. \$995. PLI.

CLIENT DEVELOPMENT/CLIENT RELATIONS

5/2/05. *Hi-Tech Law Firm Marketing: Basic Principles, New Developments, and Ethical Limitations*. 4-6 pm ET live webcast. \$80/120. WLEC/Chicago Bar Assn. [1.75]

COMMERCIAL LAW

6/16/05. *The Adlaw Series: Basics in Deceptive and Misleading Advertising*. 4-5 pm ET live audio-only webcast. \$60. WLEC/Ceasq® AttorneysEd. [1.0]

COMPUTER APPLICATIONS AND SKILLS/COMPUTER AND INTERNET LAW

5/18/05. *Tanenbaum on Technology Law: Breaking News in Electronic Discovery - 2005*. 12-1 pm ET live audio-only webcast. \$60. WLEC/Ceasq® AttorneysEd. [1.0]

5/20/05. *Electronic Discovery Needn't Be Shocking*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/28, 7/13, 8/9, 9/26, 10/13, 11/17, 12/22)

6/10/05. *Computer Forensics: Missing Pieces, Digital DNA*. Live webcast. \$290/340. NCBA. [6.0, 1.0 ethics]

CONSUMER PROTECTION/PRODUCT LIABILITY LAW

5/5/05. *Protecting Your Clients' Motor Vehicle Purchases*. 12-2 pm ET telephone seminar. \$129. VACLE. [2.0]

CRIMINAL LAW

5/19/05. *Federal Money Laundering Laws*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/7, 7/15, 8/17, 9/14, 10/20, 11/9, 12/15)

DIVERSITY/ELIMINATION OF BIAS

5/18/05. *Understanding the Impact of Recent Findings on Disparate Claims in Age Discrimination: A Review of Smith vs. City of Jackson, MS*. 12-1 pm ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

ELECTION LAW

6/9/05. *Election Reform 2005, Part I*. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/9/05. *Election Reform 2005, Part II*. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

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

5/4/05. *Pension Plan Investments 2005: Confronting Today's Issues*. Live webcast. \$1295. PLI.

5/4/05. *Pension Plan Investments 2005: Confronting Today's Issues, Part I*. 9 am-12:30 pm ET live webcast. \$260. WLEC/PLI. [3.25]

5/4/05. *Pension Plan Investments 2005: Confronting Today's Issues, Part II*. 1:30-5:15 pm ET live webcast. \$280. WLEC/PLI. [3.5]

5/26/05. *ERISA Fiduciary Responsibility Issues Update*. 12 noon-4 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [4.0] (70+ satellite viewing sites nationwide)

7/7/05. *Understanding ERISA 2005: An Introduction to Basic Employee Retirement Benefits*. 9 am-5 pm (-12 noon Day 2) ET live webcast. \$995. PLI.

EMPLOYMENT AND LABOR LAW

5/4/05. *Leave of Absence Update*. Teleconference and live audio webcast. ABA.

5/4/05. *Pay for Performance*. 12 noon-1:30 pm ET teleconference and live audio webcast. \$85-150. ABA. [1.5]

5/16/05. *Managing Absent Employees So It Doesn't Make You Absent-Minded*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/16, 7/7, 8/8, 9/12, 10/10, 11/22, 12/19)

5/18/05. *Understanding the Impact of Recent Findings on Disparate Claims in Age Discrimination: A Review of Smith vs. City of Jackson, MS*. 12-1 pm ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

5/24/05. *Discovery Practice in Employment Litigation*. 1-2 pm ET telephone seminar. \$80. NCBA. [1.0]

6/8/05. *Employee Discharge and Documentation Update*. 1-2 pm ET live teleconference. \$129. Lorman Education Services, (888) 678-5565 or (715) 833-3940, E-mail ceinfo@lorman.com, Web <http://www.lorman.com>. [1.0, 2.0 CPE]

6/27/05. *Litigating Employment Discrimination and Sexual Harassment Claims 2005*. Live webcast. \$995. PLI.

9/29-30/05. *34th Annual Institute on Employment Law*. Live webcast. \$995. PLI.

ENERGY LAW

9/20/05. *EBA/CTN Joint Satellite Broadcast*. Energy Bar Association, <http://www.eba-net.org>.

ENVIRONMENTAL LAW

6/21/05. *The New York State Brownfield Cleanup Program: Latest Developments and Practical Approaches*. 12-1 pm ET live audio-only webcast. \$60. WLEC/Celesq@ AttorneysEd. [1.0]

ESTATES/TRUSTS/PROBATE LAW

5/3/05. *Asset Protection for the Elderly: Saving the Work of a Lifetime from Depletion*. 1-2 pm ET telephone seminar. \$80. NCBA. [1.0]

5/3/05. *Selection of Fiduciaries -- Who, What, When, Where and How 2005*. 1:30-2:30 pm ET live webcast. \$60. WLEC/Milwaukee Bar Assn. [1.0]

5/11/05. *Planning for Incapacity: Practical Legal, Medical and Benefit Considerations for the Middle Class*. 10 am-1:15 pm ET live webcast. \$180. WLEC/Clarion Legal. [3.0]

6/2/05. *Advanced Estate Planning Practice Update*. 12 noon-3:15 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [3.0] (70+ satellite viewing sites nationwide)

6/3/05. ***Trends in International Estate Planning and Offshore Trusts 2005, Part I***. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/3/05. ***Trends in International Estate Planning and Offshore Trusts 2005, Part II***. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/16/05. *Asset Protection Planning Update*. 12 noon-4 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [4.0] (70+ satellite viewing sites nationwide)

10/27/05. *36th Annual Estate Planning Institute*. Live webcast. \$795. PLI.

ETHICS AND PROFESSIONALISM/SUBSTANCE ABUSE

5/5/05. *Common Sense Ethics -- Histories & Mysteries*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/23, 7/22, 8/30, 9/29, 10/31, 11/29, 12/13, 12/26)

5/9/05. *Justice in the Jury Room*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/30, 8/4, 9/1, 10/3, 10/17, 11/1, 12/1, 12/23, 12/31)

5/10/05. *The High Price of High Billables*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/20, 7/6, 8/31, 9/22, 10/12, 11/2, 12/30)

5/11/05. *Malpractice Prevention Primer: When Bad Things Happen to Good Lawyers*. 12 noon-1:30 pm ET teleconference and live audio webcast. \$85-150. ABA. [1.5]

5/11/05. *The Tangled Webs of Impaired Lawyers*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/29, 7/28, 8/26, 9/26 4-6 pm, 10/28, 11/30, 12/27)

5/13/05. *What Puts Government Lawyers in a Class by Themselves?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/9, 7/25, 8/10, 9/8, 10/24, 11/21, 12/5)

5/25/05. *Coping with Sexual Predators Within the Profession*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics/proflsm] (Repeated 6/10, 7/26, 8/11, 9/23, 10/14, 11/18, 12/6)

5/31/05. *Sanctions and the Goldilocks Test -- Too Soft, Too Hard, or Just Right?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/15, 7/5, 8/5, 9/21, 10/4, 11/14, 12/2)

6/3/05. *Ethics Update*. 12 noon-4 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [4.0] (70+ satellite viewing sites nationwide)

6/4/05. *The Latest Word on Regulation of Professional Conduct: Rules, Statutes and Cases 2005*. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/14/05. *Fostering Integrity: Ensuring Corporate Ethics 2005*. 11 am-12 noon ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

6/14/05. *Everyday Ethics: The Real World Dilemmas They Didn't Teach About in Law School 2005*. 2-3 pm ET live audio-only webcast. \$99. WLEC/NBI. [1.0]

6/14/05. *Building an Ethical Foundation for Your Practice in Minnesota*. 5-6 pm ET live audio-only webcast. \$75. WLEC/NBI Minnesota. [1.0]

6/16/05. *Avoiding Attorney Malpractice*. 4-7 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [2.75]

6/16/05. *Ethics for Healthcare Attorneys*. Teleconference and live audio webcast. ABA/ABA Health Law Section.

6/29/05. *Solve Ethical Challenges in Your Day-to-Day Practice in Minnesota*. 2:30-3:30 pm ET live audio-only webcast. \$75. WLEC/NBI Minnesota. [1.0]

8/10/05. *Ethics for Commercial Litigators 2005*. Live webcast. \$299. PLI.

8/10/05. *Ethics for Law Firm Practitioners: Managing Attorney Trust Accounts and Recordkeeping*. Live webcast. \$299. PLI.

8/11/05. *Ethics for Transactional Lawyers 2005*. Live webcast. \$299. PLI.

12/19/05. *Staying Out of Trouble: What Every Attorney Must Know About Ethics 2005*. Live webcast. \$595. PLI.

FAMILY LAW

5/3/05. *New Challenges for the Valuation and Division of Stock Options in Divorce*. 12 noon-1:30 pm ET teleconference and live audio webcast. \$85-150. ABA. [1.5]

5/5/05. **Child Support Tele-Talk: Criminal Practice**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

5/10/05. *The Power of Choice -- Rethinking the Historic Litigation Approach to Divorce*. 12-1 pm ET live audio-only webcast. \$60. WLEC/Celesq® AttorneysEd. [1.0] (Repeated 6/7)

5/19/05. **Child Support Tele-Talk: OCSE Strategic Plan Implementation**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

5/23/05. *Contested Guardianships*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

6/9/05. **Child Support Tele-Talk: New Paternity Hot Topics in 2005 (UPA, Disestablishment, Interstate)**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

9/15/05. **Child Support Tele-Talk: New Legislation**. 2-4 pm ET telephone seminar. NCSEA.

10/6/05. **Child Support Tele-Talk: International (TBD)**. 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

10/20/05. **Child Support Tele-Talk: Undistributed Collections Update**. 2-4 pm ET telephone seminar. NCSEA.

11/17/05. **Child Support Tele-Talk: Best Practices: Hospital-Based Paternity**. 2-4 pm ET telephone seminar. NCSEA.

12/8/05. **Child Support Tele-Talk: Ethics for Attorneys**. 2-4 pm ET telephone seminar. NCSEA.

12/16/05. *Adoption Law Institute 2005*. Live webcast. \$499. PLI.

FOOD AND DRUG/MEDICAL DEVICE/BIOLOGICS LAW

5/4/05. *Combating Counterfeit Drugs: Keep Illegal Knock-Offs from Knocking Off Your Earnings*. 1:30-3 pm ET audioconference. \$345. MPI/FDA News.

7/26/05. *FDA Medical Device Reporting Requirements, "Pitfalls," and Enforcement Issues*. 1-2:30 pm ET teleconference. AHLA.

GENERAL LAW/MULTIPLE TOPICS

Monthly. See dozens of online seminars on various topics announced at the beginning of each month by CLEO.

GENETICS/BIOTECHNOLOGY LAW

9/6/05. *Biotechnology Law 2005*. Live webcast. \$1295. PLI.

GOVERNMENT CONTRACTS LAW

5/25/05. *Acquisition and Deployment of Anti-Terrorism Technology: The Intersection of Procurement and the SAFETY Act*. Teleconference and live audio webcast. ABA.

GOVERNMENT LAWYER PROGRAMMING

5/13/05. *What Puts Government Lawyers in a Class by Themselves?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/9, 7/25, 8/10, 9/8, 10/24, 11/21, 12/5)

HEALTH CARE/MEDICAL LAW/PROVIDER REPRESENTATION

5/3/05. **Interoperable Electronic Health Records 5-Part Teleconference Series: Part V: Contracting**. 1-2:30 pm ET teleconference. \$130-225. AHLA.

5/6/05. *Enforcing HIPAA Administrative Simplification: Learn the Rule Now, Before It's Too Late!* 1-2:30 pm ET teleconference. \$130-225. AHLA.

5/10/05. *Executive and Physician Compensation in a Post-Enron, Post-Sarbanes Oxley World*. 1-2:30 pm ET teleconference. \$130-225. AHLA.

5/12/05. *Legal Issues with Physician Relationships*. Teleconference and live audio webcast. ABA/ABA Health Law Section.

5/13/05. *Flexing Their Muscle, or Preserving Their Viability? Exclusionary Conduct and Bundling by Hospitals and Health Systems*. 10:50 am-12 noon ET teleconference and audio webcast "Live from the Antitrust in Healthcare Conference." \$75-150. ABA/AHLA. [1.1]

5/24/05. *Medical Malpractice and Tort Reform*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

5/24/05. *Strategies for Pursuing Permanent Residence for Foreign National Physicians and Nurses* 1-2:30 pm ET teleconference. \$130-225. AHLA.

5/26/05. *Update for Practitioners Advising Health Care Organizations*. 1-2 pm ET telephone seminar. \$80. NCBA. [1.0]

6/9/05. *Punitive Damages in Nursing Home Cases*. 2-4 pm ET teleseminar. \$139/159. ATLA.

6/14/05. *Hospital Liability*. 2-4 pm ET teleseminar. \$139/159. ATLA.

6/16/05. *Ethics for Healthcare Attorneys*. Teleconference and live audio webcast. ABA/ABA Health Law Section.

IMMIGRATION LAW

5/3/05. *AILA Web Conference Training: "PERM: How SWAs Determine Prevailing Wage; Problem Solving on the Electronic Filing System*. 2-3:30 pm ET teleconference. \$50. AILA.

5/5/05. *Exchange Visitors and the Return Requirement: Myths and Realities*. 2-3:30 pm ET teleconference. \$95/125. AILA.

5/10/05. *The L-1 Visa for Newer Practitioners: Privileges, Advantages and Limitations*. 2-3:30 pm ET teleconference. \$95/125. AILA.

5/17/05. *What Do Golf Pros, Olympic Skaters, and Professional Karaoke Singers Coming to America Have in Common? O and P Visas*. 2-3:30 pm ET teleconference. \$95/125. AILA.

5/24/05. *Open Forum: Discussion of PERM and Related Issues*. 2-3:30 pm ET teleconference. \$95/125. AILA.

6/7/05. *Retention and Loss of U.S. Citizenship in Connection with Dual Nationality*. 2-3:30 pm ET teleconference. \$95/125. AILA.

6/14/05. *Good Remedies for New Practitioners: What to Do When You Win Your Removal Case*. 2-3:30 pm ET teleconference. \$95/125. AILA.

7/12/05. *DOL Update on PERM and O*Net*. 2-3:30 pm ET teleconference. \$95/125. AILA.

7/19/05. *What to Do When Your Client Has a Hit: Understanding Immigration Related Security Checks for Newer Practitioners*. 2-3:30 pm ET teleconference. \$95/125. AILA.

7/26/05. *Complex Issues in Asylum, Withholding and CAT*. 2-3:30 pm ET teleconference. \$95/125. AILA.

11/17-18/05. *38th Annual Immigration and Naturalization Institute*. Live webcast. \$795. PLI.

INJURY AND TORT LAW

5/3/05. *Personal Injury Case Evaluation and Intake -- Make Your Accountant and Malpractice Insurer Happy*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/14, 7/21, 8/23, 9/20, 10/25, 11/15, 12/14)

5/17/05. *Demonstrative Evidence in Your Personal Injury Trial -- When, What, Why, and How Much?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/3, 7/8, 8/12, 9/9, 10/11, 11/3, 12/7)

5/26/05. *Hot Topics in Traffic and DUI Law*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

INSURANCE LAW

5/16/05. *Business Interruption Insurance After September 11th: What You Need to Know About Your Company or Client's Coverage*. 1-2 pm ET live webcast. \$129. WLEC/PLI. [1.0]

5/25/05. *The Changing Face of Insurance Relationships: Brokers and Policyholders, State and Federal Regulation, Defendants, Companies and Counsel, and What These Changes Mean to You*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

INTELLECTUAL PROPERTY/PATENT/COPYRIGHT/TRADEMARK LAW

5/2/05. *Handling Intellectual Property Issues in Business Transactions 2005: Part I*. 12-3:30 pm ET live webcast. \$260. WLEC/PLI. [3.25]

5/2/05. *Handling Intellectual Property Issues in Business Transactions 2005: Part II*. 4:45-8 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/2-3/05. *Handling Intellectual Property Issues in Business Transactions 2005*. Live webcast. \$1295. PLI.

5/3/05. **Handling Intellectual Property Issues in Business Transactions 2005: Part III**. 12-3:15 pm ET live webcast. \$129. WLEC/PLI. [3.0]

5/3/05. **Handling Intellectual Property Issues in Business Transactions 2005: Part IV**. 4:30-7:45 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/4/05. *Combating Counterfeit Drugs: Keep Illegal Knock-Offs from Knocking Off Your Earnings*. 1:30-3 pm ET audioconference. \$345. MPI/FDA News.

5/10/05. *Current Developments in Copyright Law 2005*. 6-9 pm ET live webcast. \$175. WLEC/Assn. of Bar of City of NY. [2.75]

6/1/05. **Understanding the Current State of the Law in Trademarks, Copyright and Related Areas of Intellectual Property 2005, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/1/05. **Understanding the Current State of the Law in Trademarks, Copyright and Related Areas of Intellectual Property 2005, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/10/05. **Patents for the Business Lawyer, Part I**. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/10/05. **Patents for the Business Lawyer, Part II**. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/29/05. *Patent and High Technology Licensing 2005*. Live webcast. \$1295. PLI.

7/6/05. *Prior Art 2005: Understanding Patent Law Section 102*. 9 am-5 pm ET live webcast. \$1295. PLI.

7/13/05. *How to Prepare and Conduct Markman Hearings 2005*. 9 am-5 pm ET live webcast. \$1295. PLI.

10/6-7/05. *11th Annual Institute on Intellectual Property Law*. Live webcast. \$1295. PLI.

12/12-13/05. *Understanding the Intellectual Property License 2005*. Live webcast. \$1395. PLI.

INTERNATIONAL LAW AND TRADE

5/12/05. *Foreign Issuers and the U.S. Securities Laws 2005: Strategies for the Changing Regulatory Environment*. Live webcast. \$1495. PLI.

5/19/05. *Listen Up Everybody. Renew Your Passports. We're Going Overseas. Part III*. 9:30 am-12:30 pm ET live webcast. \$190/230. NCBA. [3.0]

5/24/05. **Foreign Corrupt Practices Act Series: Recent Developments in FCPA Enforcement: The Enforcement Agencies Speak**. 11:30 am-1 pm ET teleconference and live audio webcast. \$300-600 series, \$60-150 each session. ABA/ABA Intl. Law Section. [1.5 each session]

6/7/05. **Foreign Corrupt Practices Act Series: Compliance Trends**. 11:30 am-1 pm ET teleconference and live audio webcast. \$300-600 series, \$60-150 each session. ABA/ABA Intl. Law Section. [1.5 each session]

6/14/05. **Foreign Corrupt Practices Act Series: Dealing with Corruption Issues in Commercial Transactions**. 11:30 am-1 pm ET teleconference and live audio webcast. \$300-600 series, \$60-150 each session. ABA/ABA Intl. Law Section. [1.5 each session]

6/21/05. **Foreign Corrupt Practices Act Series: Internal Investigations and Disclosure Issues in the Wake of Sarbanes-Oxley**. 11:30 am-1 pm ET teleconference and live audio webcast. \$300-600 series, \$60-150 each session. ABA/ABA Intl. Law Section. [1.5 each session]

6/28/05. **Foreign Corrupt Practices Act Series: FCPA: Year in Review**. 11:30 am-1 pm ET teleconference and live audio webcast. \$300-600 series, \$60-150 each session. ABA/ABA Intl. Law Section. [1.5 each session]

LAW OFFICE/LAW PRACTICE MANAGEMENT

5/9/05. *Hanging Out Your Shingle: What You Should Know Before You Go Into Solo or a Small Practice*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

5/10/05. *The High Price of High Billables*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/20, 7/6, 8/31, 9/22, 10/12, 11/2, 12/30)

5/13/05. *Developing Relationships at Epcot Walt Disney World Resort One Guest at a Time*. 12 noon-1 pm ET teleconference and audio webcast "Live from the Spring Meeting." \$110-225. ABA. [1.0]

5/13/05. *Strategic Planning for Lawyers and Law Firms: Defining, Setting, and Achieving Your Firm's Goals*. 1:45-3:45 pm ET teleconference and audio webcast "Live from the Spring Meeting." \$110-225. ABA. [1.0]

5/23/05. *Lateral Hiring and Integration Best Practices*. 2-3:30 pm ET audio conference. \$399/429. IOMA.

LITIGATION/TRIAL AND APPELLATE ADVOCACY

[See also various substantive law topics for specialized litigation courses.]

5/3/05. *Attorneys SLAPP Back: Lawyers and the Special Motion to Strike*. 3:30-4:30 pm ET live webcast. \$60. WLEC/Beverly Hills Bar Assn. [1.0]

5/9/05. *Justice in the Jury Room*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0 ethics] (Repeated 6/30, 8/4, 9/1, 10/3, 10/17, 11/1, 12/1, 12/23, 12/31)

5/10/05. *Fibromyalgia Cases*. 2-4 pm ET teleseminar. \$139/159. ATLA.

5/10/05. *Privilege and the Expert: Building a Successful Attorney-Expert Relationship*. Teleconference and live audio webcast. ABA.

5/10/05. *The Rise and Fall of Civility in the Courtroom and the Discovery Process: Views from the Judiciary, the Bar Association and the Trenches*. 1:30-2:30 pm ET live webcast. \$60. WLEC/Milwaukee Bar Assn. [1.0]

5/16/05. *Deconstructing the Oral Argument: Reality CLE*. 1:30-3:30 pm ET live webcast. \$60. WLEC/Milwaukee Bar Assn. [1.75]

5/17/05. **Mauet's Evidence Series: Impeachment and Rehabilitation**. 1-2 pm ET live audio-only webcast. \$75. WLEC/Professional Education Group, Inc. [1.0]

5/18/05. *Civil Litigation Before Trial*. Live webcast. \$299. PLI.

5/18/05. *Civil Litigation Before Trial*. 12-3:15 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/18/05. *Law and Motion Practice*. Live webcast. \$299. PLI.

5/18/05. *Law and Motion Practice*. 4:45-8 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/18/05. *McElhaney on Litigation: Strategy and the Language of Persuasion*. 1-2 pm ET ABA Connection teleconference. \$9.75/110. ABA. [1.0] (Advance reading)

5/24/05. *Junk Science or Scientific Evidence?* 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/13, 7/27, 8/19, 9/19, 10/7, 11/4, 12/29)

5/24/05. *Selecting and Working with Your Expert Team*. 2-4 pm ET teleseminar. \$139/159. ATLA.

5/24/05. *Using a Financial Expert in Litigation*. 12-2:15 pm ET live webcast. \$135. WLEC/Cleveland Bar Assn. [2.0]

5/25/05. *Appellate Practice 2005: Essential Skills Update*. 1-3:45 pm ET live webcast. \$135. WLEC/Cleveland Bar Assn. [2.5]

5/27/05. *DaVinci Code of Scientific Evidence*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/6, 7/12, 8/15, 9/16, 10/6, 11/11, 12/9)

6/4/05. *Dealing with Bias in the Courtroom 2005*. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/8/05. *Maximizing the Use of Experts*. Live webcast. \$299. PLI.

6/8/05. *Direct and Cross-Examination of Experts*. Live webcast. \$299. PLI.

6/14/05. *Preparing and Analyzing Damage Models in Litigation*. 12-2:15 pm ET live webcast. \$135. WLEC/Cleveland Bar Assn. [2.0]

6/15/05. *Post-Trial Motions*. 4-7 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [2.75]

6/21/05. **Mauet's Evidence Series: Exhibits and the Original Documents Rule**. 1-2 pm ET live audio-only webcast. \$75. WLEC/Professional Education Group, Inc. [1.0]

6/28/05. *Persuasion*. 2-4 pm ET teleseminar. \$139/159. ATLA.

6/29/05. *General Practitioners' Update -- Litigation 05*. 1-4:15 pm ET live webcast. \$139. PBI. [3.0, 1.0 ethics]

7/20/05. *Fundamentals of PA Civil Practice and Procedure 2005*. 9 am ET live webcast. \$139. PBI. [4.0, 1.0 ethics]

7/28-29/05. *Class Action Litigation: Prosecution and Defense Strategies Post-CAFA 2005*. 9 am-5 pm (- 12:30 pm Day 2) ET live webcast. \$995. PLI.

MEDIATION/NEGOTIATION SKILLS AND PRACTICE

5/4/05. *Major Issues in Mediation*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 6/2, 7/19, 8/16, 9/13, 10/19, 11/8, 12/8)

MILITARY LAW/VETERANS ADVOCACY

6/6/05. *War Crimes: Substantive Law 2005*. 9:30 am-1 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

6/6/05. *War Crimes: Procedural Law 2005*. 2-5:30 pm ET live webcast. \$165. WLEC/U. Minn. Law School. [3.25]

NEW LAWYER PROGRAMMING

6/1/05. *Summer Associate Basic Training Seminar*. 1-3 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [1.75]

NOT-FOR-PROFIT ORGANIZATIONS

5/26/05. *The ABC's of Nonprofits*. Teleconference and live audio webcast. ABA.

10/26/05. *Advising Nonprofit Organizations 2005*. Live webcast. \$299. PLI.

REAL ESTATE/LAND USE/HOUSING/REAL PROPERTY LAW

5/4/05. *Residential Real Estate Closings: The Basics and Beyond*. 3-7 pm ET live webcast. \$240. WLEC/Chicago Bar Assn. [3.75]

5/24/05. *The Newest Developments in Real Estate Practice -- A Concise Update of Case Law and Legislative Law*. 12-2 pm ET telephone seminar. \$129. VACLE. [2.0] (Replay 6/1)

6/2/05. *Commercial Real Estate Finance 101*. 4-7 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [2.75]

6/6-10/05. **Intellectual Property Series: Patents (6/6), Trademarks (6/7), Trade Secrets and Confidentiality (6/8), Copyrights (6/9), Pulling It All Together: IP Strategy and Contracting (6/10)**. 12-2 pm ET telephone seminars. \$299 series; \$119 each session. VACLE. [10.0 series, 2.0 each session]

6/14/05. *The Attorney-Client Privilege and the Work Product Doctrine*. 12-2 pm ET telephone seminar. \$129. VACLE. [2.0] (Replay 7/7)

6/15/05. *The NEW Virginia Uniform Trust Code*. 12-2 pm ET telephone seminar. \$129. VACLE. [2.0] (Replay 6/21)

6/15/05. *Real Estate Financing Strategies*. 1-2 pm ET ABA Connection teleconference. \$9.75/110. ABA. [1.0] (Advance reading)

10/19/05. *Title Insurance 2005: Mastering Critical Issues Facing Buyers, Sellers & Lenders*. Live webcast. \$795. PLI.

SECURITIES LAW

5/10/05. *Dura Pharmaceuticals: The Supreme Court Raises the Bar for Shareholder Class Actions*. 1-2 pm ET live audio-only webcast. \$60. WLEC/Celesq® AttorneysEd. [1.0]

5/12/05. *Foreign Issuers and the U.S. Securities Laws 2005: Strategies for the Changing Regulatory Environment*. Live webcast. \$1495. PLI.

5/12/05. **Foreign Issuers and the U.S. Securities Laws 2005: Strategies for the Changing Regulatory Environment, Part I**. 9 am-12:30 pm ET live webcast. \$240. WLEC/PLI. [3.25]

5/12/05. **Foreign Issuers and the U.S. Securities Laws 2005: Strategies for the Changing Regulatory Environment, Part II**. 1:45-5 pm ET live webcast. \$240. WLEC/PLI. [3.0]

5/20/05. *Current Issues in Private Equity Investing*. 9 am-12:30 pm ET live webcast. \$175. WLEC/Assn. of Bar of City of NY. [3.25]

5/25/05. *It's Getting Personal: Individual Liability in Securities Fraud Cases and the Availability of Insurance and Indemnification*. 4-5 pm ET live audio-only webcast. \$60. WLEC/Celesq® AttorneysEd. [1.0]

8/17/05. *Securities Arbitration 2005: Telling Your Story*. 9 am-5 pm ET live webcast. \$795. PLI.

9/8/05. *Securities Litigation and Enforcement Institute 2005*. Live webcast. \$1395. PLI.

9/14/05. *Coping with Broker/Dealer Regulation and Enforcement 2005*. Live webcast. \$1495. PLI.

10/17-18/05. *Swaps and Other Derivatives in 2005*. Live webcast. \$2095. PLI.

11/2-3/05. *37th Annual Institute on Securities Regulation and Pre-Conference Briefing*. Live webcast. \$795 Pre-Conference Briefing, \$1795 Institute, \$2390 both. PLI.

11/9/05. *How to Prepare an Initial Public Offering*. Live webcast. \$1295. PLI.

12/1-2/05. *New Developments in Securitization 2005*. Live webcast. \$1495. PLI.

12/5/05. *Understanding the Securities Laws 2005*. Live webcast. \$1295. PLI.

SECURITY AND TERRORISM ISSUES

5/25/05. *Acquisition and Deployment of Anti-Terrorism Technology: The Intersection of Procurement and the SAFETY Act*. Teleconference and live audio webcast. ABA.

6/15/05. *IT and Networking Security Teleconference*. 2-3:30 pm ET teleconference. MPI.

TAX LAW

5/3/05. *Asset Protection Strategies*. 4-7 pm ET live webcast. \$180. WLEC/Chicago Bar Assn. [2.75]

5/5/05. *Wisconsin Tax Update 2005*. 1:30-2:30 pm ET live webcast. \$60. WLEC/Milwaukee Bar Assn. [1.0]

5/12/05. **Taxation of Financial Products and Derivatives: Understanding the Products and the Tax Rules That Apply: Special Tax Rules That Apply to Foreign Currency Transactions, Key Tax Rules That Generally Apply to Investors, and More (Part III)**. 12-1:30 pm ET live webcast. \$90. WLEC/Celesq@AttorneysEd Center.

5/16/05. *Tax Controversies: Negotiating and Resolving Disputes with the IRS*. 6-9 pm ET live webcast. \$175. WLEC/Assn. of Bar of City of NY. [2.75]

5/19/05. *Current Property Tax and Cost Segregation Issues 2005*. 1:30-2:30 pm ET live webcast. \$60. WLEC/Milwaukee Bar Assn. [1.0]

5/19/05. **Engel on Asset Protection, Part III: Level II Planning/International Movement of Funds, the Professional Practice, & the Passive Investment Company; Custody and Management of Funds in the**

Planning Structure. 12-1 pm ET live audio-only webcast. \$60. WLEC/Celesq@AttorneysEd. [1.0]

5/25/05. *Proposed Regulations on Insolvent Corporate Reorganizations, Tax-Free Liquidations, and Tax-Free Incorporations: What You Need to Know*. Teleconference and live audio webcast. ABA.

6/9/05. *Overview of Federal Taxation of Corporate Reorganizations, Acquisitions, and Spin-Offs*. 1-3 pm ET live webcast. \$165. WLEC/Chicago Bar Assn. [1.75]

7/21/05. **Engel on Asset Protection, Part IV: Litigation Cometh: Analysis of Actual Challenges and Results (Reported and Unreported Cases); Contempt of Court Principals and Application to Asset Protection Planning**. 12-1 pm ET live audio-only webcast. \$60. WLEC/Celesq@AttorneysEd. [1.0]

WRITING/DRAFTING SKILLS

5/5/05. *Advanced Writing and Editing for Lawyers: Beyond "Tips" to Fundamental Principles*. 12 noon-3:15 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [3.0] (70+ satellite viewing sites nationwide)

Distance Course Providers

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

ABA.** American Bar Association, Center for Continuing Legal Education, 321 N. Clark Street, Chicago, IL 60610, (312) 988-6210, 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, Web <http://www.atla.org>.

CLEO.** CLE Online, P.O. Box 80947, Austin, TX 78708, (512) 778-5665, Fax (512) 223-0562, E-mail 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, Web <http://www.fdpi.org>.

IOMA. Institute of Management & Administration, Inc., 3 Park Avenue, 30th Floor, New York, NY 10016-5902, (800) 401-5937, Web <http://www.ioma.com>.

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.** Lexis Nexis® Mealey Publications and Conference Group, 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>.

NCBA.** North Carolina Bar Association, Continuing Legal Education, 8000 Weston Parkway, Cary, NC 27513, (919) 677-8745 or (800) 228-3402, E-mail askCeLE@ncbar.org, Web <http://www.ncbar.org>.

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@sso.org, Web <http://www.ncsea.org>.

PBI.** Pennsylvania Bar Institute, 5080 Ritter Road, Mechanicsburg, PA 17055, (717) 796-0804 or (800) 932-4637, Fax (717) 796-2348, E-mail info@pbi.org, Web <http://www.pbi.org>.

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@trtcle.com, Web <http://www.trtcle.com>.

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

WLEC.** West LegalEdcenter, Eagan, MN, Web <http://westlegaledcenter.com>.

