

Videoconferencing: How to Set Up for Effective Presentations

Christine White

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Videoconferencing can be a wonderful tool when presenting “live” professional development programs for more than one office. It has an advantage over videotaping in that it is an interactive medium, in real time. However, if not properly handled, your program runs the risk of looking like amateur hour or, worse yet, a SNL parody, because the television screen is unforgiving.

Thinking Like a Director

Like it or not, you will have to think like a television director or stage manager: lights, scenery, sound, props, audience, actors’ movements, and even costumes. Your lawyers and your outside guests will not be thinking about the production aspect. Your job is to make everything seem seamless and not intrusive.

Videoconferencing works well when you think visually: camera angles, lighting, where the speaker sits or stands in relation to the camera; how the speaker looks at the near audience and at the remote (far) audience at the same time. Other important production aspects are noise in the room, coordination of audiovisual aids, and early delivery of the course materials to the remote offices.

In particular, you have to make sure that, before you purchase and install the equipment, you have thought through the presentation and positioning issues. My

experience has been that equipment purchasing agents generally have very little sense of those issues. As a result, law firms can end up with some common mistakes: cabling that is too short, wrong size monitors, etc.

Visualizing the Presentation

You will need to visualize how the room will be set up for various size audiences and various types of programs and meetings.

Think about the presentation from four perspectives:

- the speaker’s position before the live audience;
- the speaker’s ability to look at the remote audience throughout the presentation;
- the speaker’s ability to interact and field questions from both the live and remote audiences simultaneously; and
- the remote audience’s view of the speaker.

First, consider carefully:

- where the speaker(s) will stand or sit or move;
- can the speaker look at both the remote audience and the live audience at the same time?

Second, where will the camera be positioned?

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Third, where will the monitor be positioned?

If, for example, camera and monitor are permanent fixtures in a wall, you should avoid positioning the podium in front of the camera. This is counter-intuitive: the podium should be at the opposite end of the room from the camera and monitor. One of the worst mistakes I have seen when installing permanent (in the wall) cameras and monitors in the front of the room is that they are in the same space where the podium is. This setup forces the speaker to look straight ahead at the live audience, with his/her side or back to the camera and remote audiences.

Look carefully at the lighting in the room – both available light and outside light. You may need to brighten up one light that is directly over the speaker. You may need to install opaque shades on the one window that is directly behind the speaker.

Look at the wall directly behind the speaker. If you have art work there, make sure that light is not reflecting from the glass installed in the frame. If possible, reframe the art work with non-glare glass.

What else is on the wall behind the speaker? Unsightly electrical outlets? Cover them with black paper. Transparent glass out to the hallway? Temporarily cover it.

Look at the natural pathways in the room. You need to anticipate where latecomers will walk. They will not necessarily be aware that the camera is picking up their late entrance. Position a large object (maybe a plant or table at an odd angle) to prevent people from inadvertently walking in front of the camera and the speaker.

Choosing Equipment

If you select portable equipment, purchase a larger monitor than you think you will need. Your goal is to satisfy the viewer in the rear of the room.

Do not purchase a rollaway stand that is only desk high (30"). At this height the monitor is eye level or lower. This will cause the audience in the front of the room to block the view of the audience in the rear of the room.

If you have raw space, install additional (quads) electrical outlets (go beyond code requirements). This will give you maximum flexibility in where to locate the portable camera/monitor.

Purchase extra long cabling – again for maximum flexibility of where to locate the rollaway cart and a podium.

Working with Speakers

Work with the speakers prior to the program. They need to become familiar with the equipment and what it can and cannot do: the remote, the mute, how they look on the screen, how to project transparencies, PowerPoint, etc.

We have been conditioned, when looking at TV, to see high quality, very professional productions. Those high standards will subconsciously be expected by your audience at your firm. Your speaker's presentations need to look smooth – transitions, equipment – and your speaker himself or herself also needs to look professional. Business casual can look downright sloppy on a TV monitor. Checkered prints, loud mixed colors, large stripes will detract from the presentation.

Videoconferencing opens up new possibilities for development programs. Most professional development directors spend time developing an effective curriculum and good programming materials to support solid content. But when presenting a program in videoconferencing and other electronic formats, you need to take the extra step of ensuring that the program is an effective production, too.

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In-House Uses of Technology for Professional Development

In July we surveyed top attorney development directors¹ about technology. We wanted to find out what technology they are using, how they are using it, and what they think of it.

What we learned is that technology use for professional development is extensive and growing. In-house faculty are using more technology in the classroom. Firms are using more technology to get in-house programs out to all their offices and to store learning resources for access on demand. Professional development offices are increasingly using technology to manage their communications, information processing, and internal functioning more efficiently.

The directors' responses are discussed below. In the aggregate they give us a current snapshot of a fast-moving target and a projection of its future path. We hope, too, that the comparative data will reinforce the managers of some extensive and truly sophisticated in-house programs, and will give all professional development managers some new ideas for improving their technology use.

The Survey Respondents: Vital Statistics

The 23 responding law firms² range in size from just over 100 lawyers to just under 1,000, with an average size of 479 lawyers. In total, the responding firms represent over 11,000 lawyers and 199 offices in the U.S. (21 firms), Canada (1), and Great Britain (1).

Average staffing of the professional development (PD) function ranges from the equivalent of 1 1/3 full-time personnel at firms of under 200 lawyers to just over 7 at firms of over 600 lawyers. Across all

size categories, the average ratio of lawyers to PD staff is 201:1³ – that is, on average each PD staff member supports the development needs of over 200 lawyers (and perhaps of others in the firm as well). The average ratio is highest at firms in the 200- to 499-lawyer range, where it is 308:1, and lowest at the under-200-lawyer firms – 118:1.

While we can readily cite numerical *averages*, however, it is harder to say what is *typical*. PD staffing at individual firms is all over the lot: The smallest staff is equivalent to 3/4ths of one person, and the largest numbers 30 people. Similarly, the lawyer/PD staff ratio ranges from a high of 575:1 to a low of 28:1.

By contrast, information technology (IT) staffs at the same firms are typically much larger – on average, four times as large as the PD staffs and at some firms ten times as large or more. A few respondents said they lack access to IT support despite the size of the IT staffs in their firms, and, as might be expected, that does seem to correspond to a lower level of technology utilization in their programs. Clearly those PD directors who are technology-savvy and/or are able to build a collaborative partnership with their IT counterparts have a real leg up in implementing new technologies and in leveraging the capabilities of their own staff, whatever its size.

Technology for Teaching and Learning

The Big Picture: All of the responding firms offer traditional in-house training courses, and in most the faculty for those courses use one or more technology tools in teaching them. The overwhelming majority of the multi-office firms broadcast at least some in-

¹ Although we surveyed a few directors outside the Professional Development Consortium, all of our responses ultimately came from members of that elite international association of law office training directors.

² We received additional survey responses, including one from a public sector law office, too late to include them in this summary report.

³ We note this is a high ratio for a knowledge-based industry. According to the February 2001 *State of the Industry Report* by the American Society for Training and Development (p. 8), that ratio of “training-eligible employees per trainer” puts law firm professional development programs behind the U.S. national averages for the finance, insurance, and real estate industries (175:1) and just ahead of nondurable manufacturing (230:1).

house courses live to their other offices. The great majority of firms also maintain a collection of pre-recorded electronic resources for faculty use in teaching and for attorney self-study. The details:

1. Traditional classroom-type courses

All 23 firms offer live, classroom-based programming in house, from a low of 10 courses annually to a high of 1,500. Some respondents noted that additional programming not included in their firm-wide tallies is put on by others at the practice-group level, so these numbers don't reflect all the in-house training that is going on.

In-house faculty at 21 of the 23 firms are using one or more technology tools in their classroom teaching. Ranked on a four-point scale by frequency of use, those tools are:

1. **Presentation software** (e.g., PowerPoint) (2.70), used regularly at 13 firms and occasionally at 6 others.
2. **Overhead projectors** (1.61), used regularly at 2 firms and occasionally at 9.
3. **Video projection** (1.43), used regularly at 1 firm and occasionally at 8.
4. **ELMO document camera** (1.13), used regularly at 1 firm.
5. **Electronic whiteboards** (1.09), used occasionally at 2 firms.
6. **Intranet/internet illustrations** (1.04), used occasionally at 1 firm.

Two firms use no electronic media whatsoever in the classroom, but only paper-based handouts plus, at one, a "normal whiteboard." (Both firms use electronic technologies in other areas, however.)

According to one respondent, "Old technologies – e.g., overheads – [are] now too cumbersome and have less flexibility for multiple applications and uses."

Another expects that her firm's newly-constructed training center "will make it easier and more convenient to utilize various technological teaching tools."

Most valuable application: When we asked the PD directors at the end of the survey questionnaire to

identify what they considered the "most valuable" technology applications for professional development, five of them listed PowerPoint. But, despite the generally high ratings and positive comments, two PD directors questioned its usefulness:

- "I find electronic presentations (like Powerpoint) to be net negatives to the learning process... I tend to discourage Powerpoint presentations."
- "Actually, we would like to rely less on Powerpoint and more on live demonstrations and videotape vignettes."

2. Live distance courses

Live distance programming is seen by multi-office firms as a time- and cost-effective means of engaging the entire firm in regular training and knowledge-sharing. Such courses are put on by 19 of the 23 survey respondents, and two more are making plans to implement them (the remaining two are in single-office firms). The respondents put on anywhere from 10 to 500 such courses a year. At four firms, identical numbers for classroom and distance programming indicate that every classroom-based course is also broadcast to the firm's other offices as a distance course.

The respondents perceive many advantages to live distance programming over live or taped on-site courses:

- *Enhanced participation and inter-office relations, and a consistent firm-wide message:* "Allows us to offer more courses to more people more often." "[We can] include more people, get [a] consistent message and information across, ... feel more like 'one firm,' create relationship[s] between offices, put faces/voices with names." "Larger audiences reached at one time." "Advantage - more offices involved." "[H]elps to keep our entire firm up to date as to what is taking place in each office. It decreased the feeling of alienation that many satellite offices of large law firms face."
- *Knowledge-sharing opportunities:* "Access to content expertise at a variety of locations and lower cost to deliver that expertise. Also helps us create collaborations across a variety of our practice groups and attorneys within those groups."

- *A safer learning environment*: “[With] anonymity, the safety to ask questions.”
- *Cost and time savings*: “[The] economic benefits for a geographically diverse firm are substantial.” “Cost effective.” “Flexibility for learning whenever schedule permits.” “Cost savings.”

But they also see some negatives:

- *Reduced interaction and involvement*. “Clearly there is a loss of intimacy and rapport with the presenter and other participants.” “Just ‘distance.’ It makes it very difficult for the instructor to connect with all audiences.” “[D]istance programming doesn’t have the same impact/effect as classroom-based programs.” “[R]emote offices don’t participate as much; remote locations might feel left out or distant from ‘home base.’” “Inclusion – medium is generally not very effective.” “Difficulty interacting with teacher.” “Hard to hear questions, pick up on questions asked in live audience, TV is distracting to the message, hard for remote folks to see what is going on (especially when using white boards).” “Less interactive than it could be.” “Participation ... is difficult ... with interactive classes, i.e. trial practice programs.” “Disadvantages - missing the expected benefits of seeing and responding immediately to your audience’s reaction(s), of the immediacy of the interactions and triggering of thoughts as a result.”
- *Lack of customization/personalization*: “Disadvantages: limited learning, not as responsive to individual needs; less personal.” “Encourages remote offices to want to create their ‘own’ training sessions to cover ‘their’ way of doing things.”
- *Instructional quality, faculty skill deficits*: “Much of what I have seen resembles a textbook on-line; does the learning take place or will people go through the motions to say they completed the instruction?” “Faculty [are] still getting used to this type of training and could improve their presentation if they had more ‘train the trainer’ sessions to teach faculty how to effectively do long distance training.”

- *Technology deficits*: “[Q]uestion and answer periods can be less than fulfilling because of ... equipment/connections.” “Technology glitches (i.e., loss of video and audio).” “[The] technology isn’t quite advanced enough to be flawless and can lead to problems, time delays, etc.” “Disadvantage - technology not perfect.”

- *Increased staff burden*: “[The] preparation of multi-office programs is somewhat more complicated.” “Possibly difficult to administer from a central location.”
- *Cost*. “[I] hear that it is more cost effective, but I am not sold.”

The media our survey respondents use most to deliver their distance programming are:

1. **Videoconferencing** (3.00), used regularly at 13 firms and occasionally at 3 others.
2. **Telephone conferencing** (2.79), used regularly at 12 firms, occasionally at 2.⁴
3. **Simultaneous PowerPoint broadcast** (e.g., with E/pop) (1.21), used with video- and/or audio-conferencing by 2 firms, 1 regularly and 1 occasionally.
4. **On-line multimedia programming** (e.g., with WebEx) (1.05), used occasionally by 1 firm.

Getting little or no use are satellite downlinks of external seminars and on-line text-based seminars. One respondent mentioned in the comments section of the questionnaire using Microsoft Net Meeting for video- and audio-conferencing.

Several PD directors said that telephone conferencing alone reduces course effectiveness. As one put it, “It is very difficult for participants who are connected only by telephone to feel part of the program. Telephone conferencing also severely limits the visual techniques that can be used in teaching.”

Most valuable application: Eleven respondents put videoconferencing at or near the top of their list of

⁴Some firms both video- and teleconference the same programs because of the differing technology in the branch offices.

“most valuable” applications for professional development. Even so, they find it problematic. As with distance learning in general, the PD directors mentioned technology breakdowns, lack of personal interaction, and difficulty in seeing, hearing, and participating. One said that videoconferencing “beats telephone conference[s] since they can see and be seen, yet they still feel like second class citizens.” (For combatting that feeling, we liked one firm’s practice of rotating the “host” office for its videoconferences.)

It appears, however, that firms’ use of videoconferencing is rising. Two respondents are about to implement it for the first time, and others are extending it to additional branch offices, sometimes in place of telephone conferencing.

It also appears that the personal computer -- already networked across the firms, accessible from home or travel, and with steadily improving multimedia capabilities -- is poised to become the vehicle of choice for all distance programming, including videoconferencing:

- “[We expect]Increased use of Web-based programs. ...[T]here are additional advantages in terms of ‘just-in-time’ usage, tracking and accountability.”
- “We’re using WebEx a lot since the beginning of the year.”
- “Would like to explore the possibility of offering CLE courses on-line.”
- “We are interested in exploring e-learning tools, on-line collaboration tools and knowledge sharing tools. Almost everything will have an on-line intranet or extranet structure in the next few months to a year. We are moving in that direction quickly.”
- “We are ... looking into being able to web-stream training sessions on our intranet.”
- “Online streaming video with interactive capability will make a large difference in the way we deliver our training.”
- “While videoconferencing is an excellent medium, I have heard of firms using real time media, etc., which would provide attorneys with so much flexibility in addition to access to information, that I would like to investigate this possibility eventually.”

3. Technology-based learning resources

An organized inventory of pre-recorded learning resources in electronic form (tapes, CD-ROMs, computer-based materials) is maintained by 20 of the 23 firms.

On average, in-house faculty make somewhat more use of these resources for teaching than the lawyers do for self-study. (The self-study gap is especially marked at the firms based in non-MCLE jurisdictions; see sidebar about the apparent influence of MCLE on professional development activity). We are surprised that CD-ROMs don’t yet seem to have made much of an inroad, although several respondents expect to move in that direction.

The top media at present are:

1. **Videotapes** (3.35), which make up a significant portion of 16 firms’ resource collections and a smaller portion at 3 others.
2. **Text documents** on the firm’s computer network (2.15), significant at 6 firms and available at 6 others.
3. **Audiotapes** (1.95), significant at 4 firms and available at 7.
4. **Intranet documents** with graphics and hyperlinks (1.70), significant at 3 firms and somewhat available at 7 more.
5. **CD-ROMs** (1.30), a small part of 6 firms’ collections.
6. **External web-based courses** (1.20), a major component of 1 firm’s resource inventory and available at 2 others.
7. **Floppy disks** (1.15), the majority of 1 firm’s collection.

One respondent mentioned PLI as the firm’s primary resource for web-based courses. One respondent plans to add more audiotapes because they are “very popular among attorneys,” while another has “collected a few audiotapes ... but they have never been borrowed.” Another finds videotapes “rarely used.”

Most valuable applications: Respondents cited the following resources as being “most valuable” applications for professional development:

- “The knowledge management document library”
- “CD-Rom tools for topics that cross practice areas and are necessary at different times in one’s career – ex., accounting principles.”
- “Online storage and access of CLE content”
- “Audio-tapes allow attorneys to meet CLE requirements.”

As with videoconferencing, while videotapes are currently the leading medium, the firms are looking toward putting more resources on line and in particular on their intranets:

- “More resources online.” “[Would like to] Improve resource leverage and individual attorney access by making more materials available online.”
- “[Would like] On demand ‘streaming’ of shows/presentations.” “We will be getting videostreaming.”
- “We are just starting to move our archived training courses from videotape to online CD Roms. It will make it easier for our attorneys to access needed information real time.”
- “More use of intranet-based delivery – including video, audio, and text.” “Using the intranet as a resource will ... grow.” “Intranet activity will increase dramatically as soon as our Intranet is up and running in August 2001.” “Would like to have the video replay of training sessions accessible over the intranet.”

Even in the midst of all these high-tech plans, however, several respondents note that their lawyers clearly prefer live training sessions. “Most of our attorneys participate in the actual seminars/classes when they are presented. Those who view the stored media are usually the individuals who missed the live presentation.” “[These media] are less useful when programs (live) are so interactive.”

Technology for Managing Information and Communications

Besides using technology to facilitate teaching and learning, our respondents are increasingly using it to support other types of developmental activities and resources and to facilitate their external communications and internal management. They plan to do even more of that in the future.

1. Lawyer Development

The PD directors who responded to our survey are moving many of the supporting functions for training on line, along with other activities in support of lawyer development. The following tasks are listed in rank order of the extent to which the survey respondents perform them on line, on a 4-point scale ranging from “1 - Not at all” to “4 - Exclusively”:

1. **Publish in-house training calendar** (2.74) 7 firms publish their training schedules on line “exclusively,” 6 do it “primarily,” and 7 “partially.”
2. **Collect and compile associate evaluations** (2.65) This process is conducted on line “exclusively” at 6 firms, “primarily” at 7, and “partially” at 6.
3. **Store and index work product/model document files** (2.61) On line at 3 firms “exclusively,” 10 “primarily,” 8 “partially.”
4. **Publish directory of in-house self-study resources** (2.26) On line at 5 firms “exclusively,” 4 “primarily,” 6 “partially.”
5. **Track work assignments** (2.22) On line at 2 firms “exclusively,” 7 “primarily,” 8 “partially.”
6. **Publish calendar of external CLE courses** (2.17) 4 firms maintain this calendar on line “exclusively,” 3 “primarily,” 9 “partially.”
7. **Collect and compile upward evaluations** (1.83) 3 firms conduct the process on line “exclusively,” 2 “primarily,” 6 “partially.”
8. **Publish directory of in-house experts** (1.70) On line at 3 firms “exclusively,” 7 “partially.”
9. **Track progress toward Developmental Goals/Milestones** (1.57) On line at 1 firm “exclusively,” 2 “primarily,” 6 “partially.”

Respondents' comments indicate that here, as with teaching applications, the movement is toward more technology use:

- "Calendars for internal & external CLE, as well as CLE tracking will be integrated into our intranet next year. Professional development competencies will also be tracked and tied to associate evaluations and upward reviews."
- "All of these will move toward 'Primarily' over the next 24 months." "Would like to move many of the above to the 'primarily' or 'exclusively' category."
- "The firm is developing a program for new associates which will enable them (and us) to track their educational progress, letting them know which courses they have completed and reminding them about courses they still need to take."
- "I am working on on-line work assignment tracking, but am not there yet."
- "[Would like better] work product availability. Currently involved in moving evaluation system on-line."

2. Administration of Professional Development

In contrast to direct lawyer development activities, the survey respondents report less use of on-line technology in support of program administration. Here is the lineup:

1. **Conduct and compile course registrations** (2.48) 5 firms do this "exclusively" on line, 6 "primarily," and 7 "partially"
2. **Store and index past course materials** (2.22) 2 "exclusively," 7 "primarily," 8 "partially"
3. **Track lawyers' CLE credits** (2.09) 6 "exclusively," 1 "primarily," 5 "partially"
4. **Collect and compile course evaluations** (1.83) 2 "exclusively," 3 "primarily," 7 "partially"
5. (tie) **Deliver current course materials** (1.78) 1 "exclusively," 2 "primarily," 11 "partially"
6. (tie) **Prepare annual CLE reports** (1.78) 3 "exclusively," 2 "primarily," 3 "partially"

7. **Conduct training needs assessments** (1.70) 2 "primarily," 12 "partially"
8. **Prepare CLE credit applications** (1.48) 1 "exclusively," 3 "primarily," 2 "partially"

Concerning on-line delivery of course materials, one respondent notes that "Electronic delivery ... has proved to be less popular/convenient for our lawyers, due to the volume and size of our course materials."

Most valuable applications:

- "Program announcements, program calendars, program materials, self-study resources, MCLE tracking databases, course evaluations."
- "Online storage and accessing of CLE content, registration and evaluation data, real-time data collection."
- "For practical/logistical reasons, our individual lawyer CLE tracking program is indispensable."

Here again, the intention, or at least the hope, is to move more functions on line in the future:

- "Other than [needs assessment], these will all move toward 'Primarily [on line]'" "All moving to electronic"
- "We expect to increase our use of our course reservation system beginning in Fall 2001."
- "I am ... focusing on maximizing our firm's intranet to enhance communication and data tracking."
- "[I would like to use technology] more to alleviate manual administration."
- "[I would like a] Multi-jurisdictional MCLE database operated by attorneys or their secretaries to lessen admin work of PD group.... [also a] Database that permits ... advertisement of courses, ... allows for automatic registration, spits out MCLE certificates and feeds that info somehow into the MCLE tracking database."

General Technology-Related Issues

Some of the most fascinating comments in the survey came out in this section. For starters, a couple of observations about technology in the legal setting:

- “When reading the evaluations from each seminar, I have noticed that the higher the rating, the more technological equipment was used. Attorneys are fascinated by these technological advancements. We now have seminars teaching our attorneys how to operate these very items.”
- “Law firms seem to be far behind the corporate world as it relates to technology. Access to the latest technology is limited, and we tend to under-utilize our current technology capabilities. Many ‘technology’ vendors have started to offer services targeted at the legal profession (ie, on-line CLE courses and tracking), but their experience seems very limited.”

Two of the respondents are in new positions, building a program from the ground up with all the opportunities and challenges that entails:

- “The firm’s professional development program is, in many ways, in its infancy. The advantage being that introducing new methodologies and technologies does not have to include managing ‘change’ since there was never any ‘other’/‘old’ way of doing something. The challenge is the magnitude of building the program in the face of all the available technology and ensuring you get the right one.”
- “Not much has been done. Looking forward to working with our IS group on knowledge management; with our HR dept. on evaluations; with our practice groups to develop training courses and benchmarks and with IS to then track individual performance; and with our library and practice groups to acquire training materials.”

Asked what technology applications are “most valuable,” one director of an extraordinarily extensive program replied, “All that we use is, as it makes us more efficient.”

And looking ahead, another commented, “We are trying to be forward thinking and ‘smart’ about our technology use. Fortunately we have an incredible information services staff that really keeps its eyes open to developments that can benefit the way we practice as well as the way we educate ourselves internally. We launched a knowledge management initiative in the recent past and we are critically looking at all of our processes and moving toward technological advances and automation. Getting organized and culling through so much information is the challenge. Spending time on analyzing systems, culture and user needs is critical to the success of any major ‘change’ and we are being sensitive to that.”

Looking Ahead

The available technology options are staggering and, as one director said, “ensuring you get the right one” is a formidable challenge. Moreover, as another pointed out, law offices tend to under-utilize the technology capabilities they already have. In other words, we may be looking at new technology without realizing that what we have now will do the job.

Fortunately, it appears that the tools for delivering education and training and for managing the professional development program are all converging in the computer. So perhaps eventually only a single hardware system will be necessary instead of multiple, side-by-side systems and equipment with their own separate dollar costs, learning curves, and maintenance and upgrade requirements. A single major software system as well – the intranet – seems to be emerging as an organizing device and storage/delivery medium for most professional development applications.

Even so, there are still many options, and the cost of a bad choice is high. Our survey respondents’ experiences and recommendations indicate that having a clear idea of the results you want to accomplish, and good communications with a top-notch IT staff that can help you evaluate the tools for accomplishing it – both those out on the market and those already in your firm -- are the best guarantee of a good outcome.

– Gaye Mara

The Possible Impact of Mandatory CLE

Two professional development directors said in their survey responses that lack of CLE credit for technology-delivered learning hinders their use of technology. So we decided to take a look at the possible influence of differing MCLE requirements on the programs of our survey respondents.

We reclassified the responding firms into three categories based on the MCLE requirements in their headquarters jurisdictions:

1. *The “pro-inhouse, pro-technology” MCLE regimes:* 11 firms based in MCLE jurisdictions where in-house training is eligible for credit on roughly equal terms with outside CLE, *and* where either participatory or self-study credit is available for private review of technology-based resources (such as tapes or on-line courses).
2. *The “other” MCLE regimes:* 4 firms based in MCLE jurisdictions that restrict credit for in-house training (for example, by giving credit only for programs that are open to outside lawyers) and that give no credit for private use of technology-based learning resources.
3. *The non-MCLE regimes:* 8 firms in jurisdictions with no CLE requirements at all.

When we reran the survey data using these categories, some interesting patterns emerged:

- The firms in Group 1 – the “pro-inhouse, pro-technology” MCLE regimes -- are doing significantly more live programming than the firms in either of the other two groups. Group 1 firms do 33% more classroom-based

programming than Group 2 firms, and 61% more than Group 3 firms. The discrepancy for live *distance* programming (for example, live videoconferences) is even greater: Group 1 firms do 47% more distance programming than Group 2 firms, and 144% more than the firms in Group 3.⁵ This would seem to indicate that a favorable MCLE climate strongly promotes law firm training, and that even a less favorable MCLE climate is more conducive to training than no MCLE at all.

- The firms in Group 1 also more consistently maintain an inventory of pre-recorded learning resources – tapes, CD-ROMs, etc. – for attorney use than the firms in either of the other two groups, although here the gap is not as dramatic: 100% of the Group 1 firms maintain such a resource collection, vs. 75% of the firms in each of Group 2 and Group 3.
- Curiously, where pre-recorded resources are provided, how often individual lawyers use them appears to be roughly similar in Group 1 (2.27 on a 4-point frequency scale) and Group 2 (2.33) firms, while usage is less in Group 3 firms (1.50). This leads us to wonder whether the mere existence of a CLE requirement encourages the lawyers themselves to engage in more learning activity, whether or not credit is available for it.

Our survey sample is too small to draw any firm conclusions, but the implications are fascinating.

⁵For the live programming data, to avoid skewing the results we left out one Group 1 firm that is doing over eight times as much in-house programming, and five times as much distance programming, as any other firm. If that firm's data were included in the averages, the live programming gap between Group 1 firms and the rest would be even wider.



(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.)

What Can You Do with an Intranet?

The short answer to the above question is, Just about anything. Intranets present an unprecedented opportunity for professional development. For the first time, we can have a one-stop information source, one that is accessible to everyone in the office 24 hours a day and that is always up to date.

Besides reducing the need to produce and deliver bundles of paper (but, sadly, never entirely eliminating it), web-based information can do things that paper-based information cannot. For example:

- If you don't know where it is or what it's called, web-based information can be found by a search engine.
- Web-based information can be layered -- allowing, for instance, the experienced practitioner to skim the surface of a model document to refresh herself on the proper format, and the novice to dip below the surface by linking to additional information, guidance, and resources as needed to learn how to prepare it.
- Web-based information can be linked to other, related information in and outside the firm. Clicking on a citation, for example, can produce the document being cited.
- Web-based information can be enhanced with graphics, sound, and video, depending on the capabilities of your system and what's appropriate to the content.
- Web-based information can be active, and interactive, rather than static: it can generate an e-mail message to an administrator or a subject matter expert, collect information on a form and submit it, generate data and reports, walk the user through a decision process, and respond to decisions the user makes.
- Web-based information can be accessible on demand to all authorized individuals and inaccessible to all others.

Things to consider putting on your intranet:

1. Your in-house training calendar, with links to registration forms, course agendas, course materials, faculty biographies, and directions to meeting sites.
2. An external CLE calendar, with links to provider web sites and, perhaps, a prominent link to your policy on course approvals and reimbursements.
3. Directories of (a) the firm's collection of educational materials (course manuals, books, tapes, CD-ROMs) with links to the materials that are accessible on-line, and (b) the firm's subject-matter experts with links to their biographies and contact information and, perhaps, a pop-up e-mail form.
4. A training and CLE database that will track attorneys' participation and compliance status and prepare CLE Board reports.
5. Your training needs assessment survey form.
6. Evaluation forms: for in-house seminars and workshops, for associate performance evaluations, for upward (supervisor) evaluations.
7. Secure databases that will allow you to monitor the progress and results of the needs assessment and evaluations.
8. "Intelligent" model document and work product files, with hyperlinked annotations, instructions, and related resources.
9. A work assignment data base tracking individual assignments and their current status and, perhaps, lawyers' progress toward designated practice milestones.
10. Support for "communities of practice" -- people who share unique information and learning needs, especially if those people are in different offices -- to help them connect and collaborate, such as chat

rooms, newsgroups, listservs, and resource collections.

11. A “What’s New” section to announce new developments and link to new materials.

Anything that can be done on the Internet can be done on an intranet. So visit other web sites (for example, of CLE providers, law schools, and other law firms) for ideas on how you’d like to organize your professional development site and how you’d like it to look and operate within the firm’s style and format conventions. If your firm’s intranet is already well populated, look at the pages there for ideas, too, and for resources to link to your pages.

Most important of all, develop good communications and a strong working relationship with your firm Webmaster, who is the best advisor on what’s doable on the firm’s network and what’s the best way to do it. Strategize together about how you will staff not only the creation of your site but its on-going maintenance. This is one of those cases where less is more – don’t put up anything that isn’t truly valuable or that will not be feasible to keep absolutely current, or people will quickly lose interest in your site. Start small and build gradually on your successes.

– Gaye Mara

Note: Dottie Palazzo’s series on creating a CLE tracking system will resume in the November issue.

Professional Developments

Events

The fall months are loaded with conferences on technology and learning. Three major ones:

- ⇒ September 30-October 3 in Los Angeles: *Online Learning Magazine’s 4th Annual OnLine Learning 2001 Conference and Exposition*. \$795-995, plus optional one- and two-day pre-conference workshops. Get more information at www.onlinelearningconference.com or 888-693-7178.
- ⇒ October 9-12 in Charlotte: *ASTD TechKnowledge Conference and Exposition*. \$585-935, plus optional half- and full-day pre-conference workshops. Contact the American Society for Training and Development, www.astd.org or 800-683-8100.
- ⇒ November 12-15 in Boston: *Linkage, Inc.’s 6th Annual Chief Learning Office Summit on Knowledge Management and Organizational Learning*. \$1395/1495, plus optional half-day pre-summit workshops. Contact www.linkageinc.com/conferences/hr/clo or 781-862-3157.

On October 21-23, Harvard Law School’s Program on Negotiation is offering a three-day course in Cambridge for organizational training directors on *Teaching Negotiation in the Organization*. Tuition is \$2250 and covers program

materials and most meals. The course will be repeated twice in 2002, on April 7-9 and October 27-29. Contact Anne Daniels, Center for Management Research, (781) 239-1111, or visit www.pon.harvard.edu.

Resources

ALI-ABA has reorganized and beefed up its web site (www.ali-aba.org) and has released its first on-line CLE courses. So now all of the Big Three – ABA, ALI-ABA, and PLI – offer web-based CLE courses (mostly pre-recorded).

Katie O’Rourke, new Training and Volunteer Coordinator for the D.C. Bar Pro Bono Program, alerted us to a new pro bono web site.

CorporateProBono.Org brings interested lawyers together with pro bono projects and resources – and with each other for mentoring and collaborating – at its web site of the same address. CPBO targets in-house counsel interested in pro bono service, but accepts law firm practitioners into its network as well.

George Washington University Law School has instituted an L.L.M. program in Intellectual Property and also a Law and Technology web site. Check out both at www.law.gwu.edu/tech/. The site also links to research guides prepared by the library’s intellectual property research specialist and hosts a calendar of law and technology-related events in the Washington, D.C. area.

MCLE Watch

To pick up quick CLE credit from some states in a pinch: Numerous bars have started offering pre-approved, pre-recorded on-line CLE courses from their web sites or those of their affiliated CLE providers, including **Alaska, Arizona, California, Florida, Missouri, New York, North Carolina, Ohio, Texas, Virginia** (through Virginia CLE), and **Washington**.

Alabama is proposing to increase its annual CLE requirement from 12 hours to 15, including 1 hour of ethics or professionalism. It also proposes to allow CLE approval for interactive online courses (www.alabar.org).

California's MCLE Evaluation Commission has recommended increasing the 3-year CLE requirement to 30 hours effective February 1, 2005, and eliminating the 1-hour substance abuse requirement and all exemptions. It also suggests that the Bar investigate how taped and Internet courses might be made interactive and, if that proves to be practical and cost effective, requiring interactivity for approval. Their report, which is well and thoughtfully written, is on line at www.calbar.org.

New York has posted its new pro bono CLE rule (www.courts.state.ny.us/probonocred.html). It provides that up to 6 hours of CLE credit in a two-year reporting period can be earned by performing pro bono legal services pursuant to assignment by a court or for an approved pro bono CLE provider. The rule is effective June 1, 2001, and applies to pro bono services performed since January 1, 2000.

North Carolina has proposed amending its CLE requirement to include "one hour of CLE education on substance abuse and debilitating mental conditions." (As noted above, California's MCLE Commission just recommended a similar requirement for elimination.)

Effective in 2002, **Oregon** will require 9 hours of professional responsibility in each 3-year reporting period and will implement a January 31 reporting deadline.

Karen Spicer, who ably guided the **Pennsylvania** CLE Board to its current "lawyer-friendly" approach, is retiring.

The **Virginia** Bar, after receiving comments on its proposed change of the CLE compliance period to correspond with the calendar year, has revised the proposal. On June 14 the Bar Council recommended an October 31 compliance deadline and a December 15 reporting deadline to the State Supreme Court. Assuming the Court approves, there will be a transition period between July 1, 2001 and October 31, 2002, during which 15 hours of CLE will be required instead of the usual 12.