

The following items turn the spotlight on developing, maintaining and enhancing lawyer competence in the face of rapid change and the implications for continuing legal education and professional development professionals.



Thank you

Earlier this year CLEAA surveyed members and friends about the issues they are facing and what they'd like to see CLEAA cover. We received feedback from every Australian state and territory and New Zealand with unanimous support of CLEAA's annual conference, the CLEAA Talk newsletter and our occasional webinars.

A consistent theme in the feedback was the benefit of bringing together people who share an interest in continuing legal education, and the rewards of spending some time on our own development.

We've all been grappling with our changing circumstances over the last 18 months, with the CLEAA community taking the lead in the continued delivery of learning for the legal profession. Now it's time for us to do it for ourselves!

To ensure the conference is guaranteed and accessible, we'll continue on the success of last year with a digital first approach (we won't let COVID won't get in our way).

**Please mark your diaries and save Friday October 15
for CLEAA's one-day conference.**

If you have an article, idea, or news you'd like to share on CLEAA Talk please send to sueella@prodonovich.com

Findings From CLEAA's 2021 Survey

Top Five Challenges:

1. Keeping learners engaged
2. Designing or developing new learning approaches
3. Keeping up to date with information affecting the legal profession (including skill areas)
4. Improving understanding of new technologies, their uses in practice and impact on learning design & delivery; and
5. Continuing to develop the skills and competencies of lawyers.

And topics you'd like to hear more on:

1. Tips and tricks to create affordable, meaningful, and engaging materials.
2. Designing education tools which can be made in-house to change up and overcome webinar fatigue.
3. Leadership skills especially challenges with emerging leaders.
4. Engaging early career lawyers in learning, and
5. Learnings from adult educators about best practices and emerging ideas.

This feedback will inform our conference committee on the content we include for 15 October and CLEAA Talk's articles.

We're always on the lookout for more to help our legal education community! If you have an article, or tips you'd like to share, or a webinar you'd like to suggest then please email Sue-Ella sueella@prodonovich.com

Anybody Out There: What's the Deal with Webcams, Anyway?



Have you ever set up a breakout room and only half the people went there? They didn't 'move' because they were no longer at their desk. But how could you know: their webcam was OFF!

Have you ever found yourself begging, even pleading, for individuals in a Zoom meeting to turn their webcam ON, but to no avail? You are left wondering, don't they care?

Have you been in a session with your webcam ON, but find yourself wondering why? After 90 minutes you were not invited to do or say anything to anyone, so why did the presenter need to see you?

Over the past months, I have noticed a growing confusion and frustration about the webcam tool in webinar platforms. When should they be ON? When should they be OFF? When do we insist?

[Jeanette Romkema, a Global Learning Partners Senior Partner, Knowledge Broker, as well as Partnerships & Network Leader busts a few myths and offers tips to consider in this article.](#)

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The Future of Leadership - Better Selection



Dr Richard Claydon published a very comprehensive discussion on toxic leadership on 22 July with the excerpt below on the components of the learning agility framework and the work being done on the prevention of domineering people being identified as high-potential future-leaders <https://www.linkedin.com/pulse/how-toxic-leader-dr-richard-claydon/>

Selection: Learning Agility

The **Learning Agility** framework is used to identify people with leadership potential. It has five components:

1. Mental Agility. Attempts to capture somebody's General Mental Ability, which has long been associated with high performance and leadership potential.

2. Results Agility. Attempts to capture, in Warren's framework, somebody's Grit and Task Mastery - the likelihood they will strive to achieve in all circumstances.

Most organisations stop there when it comes to identifying high potentials. This will leave many of the highest potentials flying underneath the radar

3. People Agility. Attempts to capture Warren's Social Intelligence and Teamwork sector - how well they can manage their interpersonal relationships. It counters a worrying trend in organisations using lower-end psychometrics of employing people possessing similar traits in the belief that these similarities, in themselves, will engender good cultures and teamwork.

4. Change Agility. Captures the degree to which people can change their tactics if the world unfolding in front of them is different from the one they expected, and the degree to which they can cope with volatility, uncertainty, complexity and ambiguity.

5. Self Agility. Is self-awareness and flexibility - the ability to understand your own emotions and actions, and temper or change them into more appropriate forms.

Taking all five into account will prevent an organisation selecting people who run the risk of becoming toxic and domineering once they rise up the leadership ladder.

Learn more about Richard's work at <https://www.eqlab.co/>

A New Legal Leadership Program from MLS



The University of Melbourne Law School (MLS) will be launching a Specialist Certificate in Legal Leadership (SCLL) program in August 2021.

The SCLL will be taught over six months and covers two subjects – **Legal Leadership Essentials**, presented by Anthony Kearnes (pictured left), and **Management for Professionals**, presented by MLS Senior Fellow, Joel Barolsky (pictured right).

The MLS program is aimed at practising mid-career lawyers in law firms, in-house and government, rather than those in current management or leadership roles.

The course will be delivered with a hybrid approach with local students in the classroom (COVID-19 permitting) and those from abroad joining them virtually.

Ultimately, MLS will offer a Masters in Legal Leadership co-taught with the Melbourne Business School.

[Find out more about SCLL here.](#) And read Joel's article in the AFR [here.](#)

Measuring Collaboration

By Patrick St John

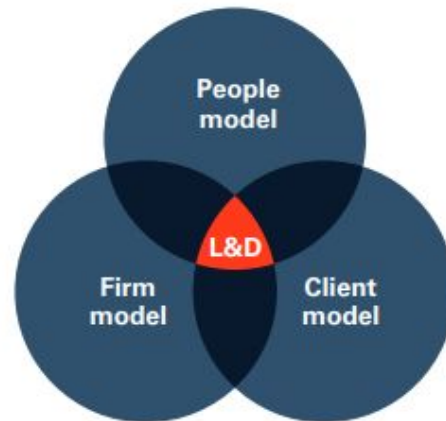


Early this year CLEAA offered members a chance to become accredited in Prof Heidi Gardiner's [Smart Collaboration Accelerator](#).

Continuing on this theme a paper from Patrick St John looks at more creative ways for measuring and rewarding partner collaboration. It's a flow-on challenge from making collaboration a key strategic goal.

[Download the paper here.](#)

Strategic L&D Approaches to Assist with Long Term Planning



In the confusion of the current environment it can be useful to revisit suggestions from pre-Covid times and the questions posed for strategic L&D. The 2018 paper prepared by Dr Nigel Spencer, University of Oxford's Said Business School and Stephen Newton, Meridien West discussed three dimensions of strategic L&D and included a section on scenario planning. Who would have guessed then about the scenarios we are working with now!

Their tip for Strategic L&D methodology: "For firms to create mind-sets in their people which enable them to remain agile and adaptable in the face of uncertain times, one important skill to build is that of exploring the different potential futures they and their strategy might inhabit. Precisely because the results of plans rarely survive contact with reality, the process of planning – in particular enabled by scenario planning – has now become a vital, strategic L&D tool for firms and their leadership teams."

Three questions for strategic L&D

1. What skill-sets and mind-sets do you need to build in order to develop effectively all three dimensions of your 'future firm'?

2. Are you maximising the strategic impact of learning activity by connecting the L&D agenda with future-focused data-sets?
3. How closely is L&D connected with your organisation's client interactions?

[You can download the full paper here](#)

Re-Framing The Senior Professionals' Role

By Sue-Ella Prodonovich, Prodonovich Advisory



Senior legal professionals often bring with them the most knowledge, widest range of experience, best contacts and most balanced view of work and the world. When you ask them to step down just because you think they're past it you're also giving up all of this.

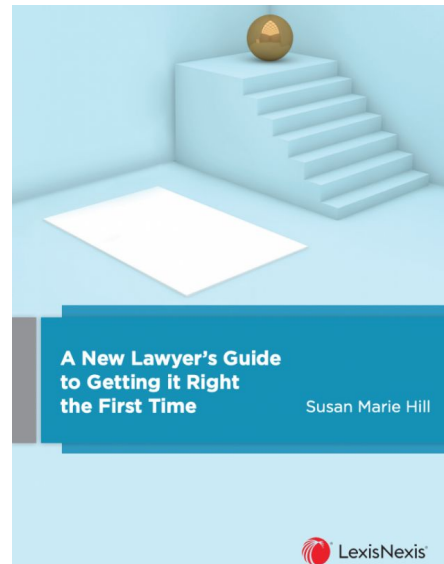
This article by CLEAA executive member, Sue-Ella Prodonovich, suggest three things firms can do to get the best out their most senior professionals:

1. stop giving them a budget they can't jump over
2. provide them with career pathways on an opt-in basis
3. check that learning and development (L&D) programs includes new skills plus on-going support for the senior pros

Sue-Ella also provides nine more creative ways of engaging senior pros.

[You can read her article here.](#)

New Release: A New Lawyer's Guide to Getting it Right The First Time



Drawing upon more than 30 years' experience as a specialist lawyer, **Susan Marie Hill** draws on her experience and proven coaching techniques for her new book. As Susan noted: "It seemed to me that, although professional development courses had come a long way since 1986, when it came to supervising and training new lawyers in really bottom-line daily tasks, some things hadn't changed very much at all.

Senior lawyers are either too busy, or if they do have time they focus on the more 'black letter law' aspects – they amend the draft, correct the errors, reformat the brief etc. They usually can't remember what it was like to literally not know how to do anything, and so their explanations are pitched at a level that assumes an underlying layer of understanding on behalf of a new graduate.

But new lawyers don't have that, because they've got no experience. And new lawyers don't know that they don't know. They make mistakes. They don't like to ask. They don't even realise a lot of the time that they're going about things the wrong way. Then they get stressed which means more errors, more stress and that cycle takes hold.

A few years ago, I qualified as a coach. And that's when I realised that the underlying 'lawyer's logic' that supports the higher level 'black letter law' tasks, was also a skillset that that could be modelled, learnt and replicated.

In [A New Lawyers Guide to Getting it Right the First Time](#), I selected what seemed to me to be the typical tasks that a new lawyer would be undertaking in their first year in practice. Then I broke those down into practical, step-by-step processes so that they were easy to understand and follow.

It's very hands on. Each chapter deals with a typical task. I took the approach that nothing is too basic to explain. Which is why it hits on skills that often get overlooked, even though they're actually an essential part of every lawyer's toolkit.

I also included a self-assessment quiz at the end of each chapter so that they can monitor their own progress (and who doesn't love doing one of those quizzes!)

The book is not intended as a substitute for one-on-one training and supervision, but it's a great supplement. Plus it gives new lawyers the benefit of being able to understand what to expect on a practical, every day level, to inform themselves about the skills that they'll need and to prepare themselves in advance."

The Continuing Competence Debate

News from our friends in the UK:

Lawyers should have to take online tests every 10 years to prove that they remain competent in their specialist fields, Sarah Chambers, chair of the Legal Services Consumer Panel (LSCP), said yesterday.

Meanwhile, research by the Legal Services Board (LSB) has also revealed strong public backing for a tougher approach to continuing competence across the profession.

Chris Nichols, the director of policy and regulation at the LSB, said the survey of just over 1,000 members of the public, to be published in full next month, showed that **79% thought there should be more specific rules for checking the competence of lawyers** throughout their careers.

[Download the article here.](#)

Guidance for CPD Providers on Ethics Education

The Victorian Legal Services Board + Commission has developed a guide for CPD providers highlighting ways they can incorporate ethics principles and issues in non-Ethics CPD stream topics, to underline the importance of legal ethics education across all areas of legal practice.

The guide also contains information for providers on how to strengthen legal ethics education within the Ethics CPD stream through greater use of interactive, scenario-based learning.

[Download the Guide here](#)

Employment Opportunities



The Judicial College of Victoria is in the midst of an exciting period of growth and transformation, and they're building internal capability to support the judiciary into the future.

The College of Victoria has three positions available in their Education department.

Their new opportunities include three range of roles in education being:

1. **Director, Judicial Education**
2. **Content Developer, Judicial Education**
3. **Legal Research Officer, Projects**

[You can find out more here.](#)



Leading learning in changing times
Friday Oct 15

2021 CLEAA Conference



Planning for this year's CLEAA conference is well underway with our committee and with additional help from three members. Thank you so much Heather, Kim and Tamara!

- ♥ **Heather Hibberd**, Chief Risk Manager, Legal Practitioners' Liability Committee (Melbourne)
- ♥ **Dr Kim Vella**, Kim Vella Consulting (Canberra)
- ♥ **Tamara McCombe**, Level 27 Chambers (Brisbane)

Members of CLEAA's Executive

Jacquelyn Simon, LegalWise (President)

Una Doyle, Judicial Commission of NSW (Vice President)

Andrea Foot, Leaf Logic

Kellie Hamilton, Law Institute of Victoria

Michael McNamara, Flinders University

Bronwyn Pott, Rankin Ellison Lawyers

Sue-Ella Prodonovich, Prodonovich Advisory

CLEAA Membership FY22

CLEAA's membership is now \$90AUD for 12 months from signup.

[You can join here!](#)

Membership is open to anyone with an interest in professional development and continuing education in the legal sector.

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You don't need to wait for CLEAA Talk - we post news to our website <https://cleaa.asn.au/>

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