

LAW SOCIETY OF ALBERTA

Evaluation of the Continuing Professional
Development Program

Summary Report

October 31, 2012

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Background

The Law Society of Alberta (LSA) adopted the first mandatory Continuing Professional Development (CPD) Program in Canada, for all active lawyers in Alberta (2008). Unique in the Canadian legal system, this self-directed learning model contrasts with the mandatory hours or credits approach adopted by the other law societies across the country. The LSA's CPD Program requires Alberta's lawyers take personal responsibility in annually designing a CPD Plan in compliance with the Rule, retain the document on file for five years, and be able to provide a copy to the LSA upon request. In this context, any learning activity that is relevant to a lawyer's needs, interests, and responsibilities is considered as self-assessed and legitimate professional development (PD).

The goal of the CPD Program is to contribute to a culture of continuous development and learning within Alberta's legal profession. The anticipated longer term outcome is increased competency and improved conduct among lawyers practicing in Alberta. Short term desired outcomes include 100% lawyer compliance; lawyer satisfaction with the CPD Program method and mechanics; and, early indications of changing continuing legal education behaviours among Alberta lawyers. To achieve these impacts the CPD Program, by design, has been responsive to evaluation learnings¹ and has evolved since inception.

In 2012 Charis Management Consulting Inc. (Charis) was retained to design and conduct an impact evaluation of the CPD Program, which is the subject of this report. The evaluation was guided by a data collection process involving: (a) the development of an evaluation framework; (b) a review of LSA administrative data; (c) a CPD Plan review; (d) an online survey with LSA membership; (e) key informant interviews with LSA decision makers and members; and, (f) a focus group with PD leads at large law firms.

Findings

The mixed method approach to this evaluation yielded rich qualitative and quantitative data. Taken together, the results revealed important trends and themes regarding the impact of the CPD Program. The high level evaluation questions that informed the evaluation are below, followed by the results derived from a synthesis of all the lines of evidence.

Inputs/Resources: Are current LSA inputs/resources sufficient to realize the desired impact of the CPD Program?

Across the lines of evidence, participants have indicated the processes are in place to realize the desired impact of the CPD Program. Respondents understand the CPD Program and its goals and are responsive

¹ This impact evaluation is the fourth undertaken since CPD Program inception. The first was the Charis process/formative evaluation (2009), followed by two in-house evaluations (2011, 2012).

to the declaration and CPD Plan development requirements. Results indicate that utilization of the CPD Plan template improves the quality of the plan. Both key informant decision makers and focus group participants affirm the need to develop resources and improve processes to ensure the CPD Program's viability.

- Administrative data discloses LSA activities in support of the CPD Program; LSA staff are managing a steady flow of telephone and email requests for information;
- Key informants and focus group participants affirmed the CPD Program is well aligned with its goals and principals and that the program is successful;
- Survey respondents are aware of the CPD Program's fundamental principles (79%) and fundamental goals (93%);
- LSA members who used the optional CPD Plan template produced better quality plans than those who used their own document or one provided by their firm (e.g., 100% addressed all 4 Standards; 67% addressed all evaluation questions); and,
- Fifty percent of decision maker key informants and all of the focus group participants indicated a need to attend to matters of resource allocation.

Key Activities: Are current CPD Program strategies and activities effective to support achievement of the Program's intended impact and outcomes?

Respondents have affirmed that the strategies and activities of the CPD Program are effective. A recurrent key concern lies in CPD Program accountability. Addressing this factor will increase overall confidence in the CPD Program among stakeholders. The process will require careful design to ensure that the needs of all stakeholders are addressed.

- Administrative data (e.g., 99.5% compliance rate), key informants and focus group participants reported the success of the CPD Program's strategies;
- Data affirmed the LSA's communication strategies are effective (e.g., more lawyers are declaring prior to the deadline, resulting in fewer transgressor letters being sent);
- Survey respondents indicate satisfaction with supports provided by the LSA (57%) and affirm the CPD Program contributes to their PD (58%);
- Focus group results indicate the CPD Program is appropriate for lawyers across the range of legal experience;
- Evidence indicates the effectiveness of the CPD Plan template
 - Key informants and focus group request provision of best practice templates, across the range of legal experience;
- Evidence indicates lack of accountability as a core challenge to the CPD Program;
 - For those respondents (survey and key informants) who preferred a 12 hour mandated program, the main reason was its perceived accountability measure.

Impact/Initial Outcomes: What are the early impacts and outcomes of the Program, in terms of LSA member: acceptance/support of CPD, satisfaction, compliance, plan implementation, evaluation of the CPD Plan and goals?

Across the evidence, participants in the data collection indicate general acceptance and support of the CPD Program, compliance with the declaration, and CPD Plan implementation. They further indicate a growing capacity to self-evaluate. This process is supported by the PD systems larger firms have in place, as reported by focus group participants. This growing capacity is a key indicator of future CPD Program success.

- Data indicates LSA members accept the CPD Program, comply with the mandate (99.5%), and identify PD activities for the current year in their CPD Plans (100%);
- Focus group participants indicated high satisfaction with the CPD Program and were in consensus that lawyers understand its principles;
- Survey data shows lawyers follow through on their planned learning activities (91%) and a third of these members spent over 50 hours, while 90% spent more than 15 hours, over the last twelve months, on these activities;
- CPD Plan review data shows 36% of lawyers addressed the evaluation questions outlined by the LSA in 2012 and survey data indicates members regularly monitor (51%) and evaluate (64%) the progress they are making on their CPD Plans;
- Less than 50% of survey respondents feel they are more intentional about PD as a result of the CPD Program. Key informants and focus group participants identified the core role of internal drivers as central to member responsiveness to their professional learning needs.

Impact/Initial Outcomes: How satisfied are collaborators and partners with the Program?

- Most participants in the evaluation observed they had little data or information to address this question;
- Decision maker key informants affirmed more needs to be done to disseminate information among CPD Program collaborators and partners;
- Focus group participants affirmed their firms as key collaborators that empower the CPD Program through their PD systems (e.g., close the accountability loop);
- Focus group participants identified the public as a key partner and suggested the integration of competencies into the CPD Program would increase public confidence; and,
- Focus group participants identified the value of regular general population surveys as a way to garner data on public confidence.

Intermediate Outcomes: What are the longer term impacts and outcomes produced in terms of Alberta lawyer competencies and practice?

The overall acceptance and compliance with the CPD Program, the design of CPD Plans and hours invested into PD, along with a solid core of lawyers engaging in a self-reflective process, bodes well for the longer term impacts on competency and practice.

- Survey respondents assess the CPD Program as contributing to their PD (57%);
- Survey respondents agree the CPD Plan facilitates improving their continuous learning and enhances their competency (54%);
- Member key informants report on the time invested into developing their CPD Plans and their increased capacity for self-reflection;
- Most member key informants affirmed the CPD Program makes a difference in the way they deliver legal services;
- Focus group participants observed increased capacity among lawyers as a result of the CPD Program;
- Survey respondents were less likely to agree the CPD Program has increased their competence as a lawyer (41%) or improved their delivery of services to clients (37%); and,
- Survey respondents, unlike key informants and focus group participants, are not supportive of increased CPD Plan monitoring (59%) or of increased accountability (63%).

Intermediate Outcomes: What are the longer term impacts with stakeholders in Alberta and across Canada, in terms of Program credibility?

- Respondents report not knowing and/or are not aware of LSA activities to engage stakeholders in Alberta or across Canada;
- Decision maker key informants did not perceive any change in how other jurisdictions view the CPD Program; and,
- Focus group participants were in consensus with the concern that the LSA is under pressure to adopt a mandated hour program.

Recommendations

Eleven recommendations were offered to the LSA under the headings of input/resources, activities, and impacts. The recommendations suggest that the LSA:

- Concerning Inputs/Resources:
 - Increase the resources provided to support lawyers in the development of their CPD Plans;

- Increase resources of staff time and funding to develop CPD planning tools and competencies to be integrated into the CPD Program;
- Encourage lawyers to submit CPD Plans to foreground examples of best practice and to build capacity for evaluative thinking; and,
- Consider embedding the CPD Alberta website content into the LSA website to build association and create synergies.
- Concerning Activities:
 - Develop an effective accountability strategy for the CPD Program by engaging stakeholders from across the range of large and small firms, and independent practices;
 - Consider providing incentives to declare online, to decrease the number of paper based declarations;
 - Consider implementing a regular, short survey with Albertans to develop a data set on public confidence in the legal profession;
 - Disseminate the results of this evaluation among the LSA members and other stakeholders, to foreground the value of continuous improvement and the data that supports CPD Program transitions;
 - Continue to disseminate information about the CPD Program to ensure wide based understanding of the foundation concepts and processes among the membership; and,
 - Design a knowledge transfer/translation strategy to increase awareness about the CPD Program among stakeholders.
- Impacts:
 - Develop a communication strategy that addresses the need to prove to the public that the profession is competent and well regulated. Address the perception that the CPD Program is irrelevant to lawyers who take their own PD seriously. As well, address the perception that PD programs are only of value to lawyers who are struggling with their practice.
 - Consider developing a competency profile that addresses the quality of legal services provided to clients and integrate into the CPD Plan template. Include both substantive and non-substantive matters, for example ethics, communicating with clients, practice management, and human resource issues management, for self and workplace.