

2009 CLE Provider Survey

Illinois Supreme Court Commission on Professionalism

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CLE Provider Survey

In December 2009, the Illinois Supreme Court Commission on Professionalism conducted a web-based survey of CLE providers. The purpose of the survey was to gather feedback about the Commission's application process and service, to obtain information about the use of distance learning in professional responsibility CLE, and to garner ideas for strengthening the quality of professional responsibility education in Illinois.

The CLE provider survey explored the following specific topics:

1. Categories of organizations providing CLE programs;
2. Perceptions about the Commission's course application and review process;
3. Opinions about Commission staff responses to requests from providers;
4. The prevalence and types of professional responsibility courses delivered via distance learning;
5. Levels of information requested in course evaluation and feedback forms;
6. Suggestions for how the Commission can assist providers in developing high quality professional responsibility learning experiences; and
7. General ideas and comments.

Methodology & Response

In contacting survey participants, the Commission relied on its database of information for every provider that sought professional responsibility credit for course offerings that year. In 2009, the Commission received 2,921 applications from CLE providers for professional responsibility continuing legal education courses and activities. These applications come from 635 organizations based in 42 states. 58% of the applications came from providers located outside of Illinois.

To all 635 organizations the Commission sent an email containing the link to the online survey and a request for participation. A total of 162 CLE providers completed the online survey.

Summary of Findings

1. Categories of Participating Organizations

The respondents to the survey represent twelve categories of organizations providing professional responsibility CLE. The response rates by provider type are listed in the chart below.

Rate of Responses from CLE Providers by Category	
Law Firm	34.10%
Bar Association	14.80%
CLE Nonprofit or Profit Organization	13.20%
Government Entity	11.90%
Corporation/Business Industry	11.90%
Legal Profession Association (not Bar)	6.70%
University (including Law Schools)	3.00%
Business/Trade Association	2.20%
Court- Federal/Appellate/Circuit	1.50%
Legal Aid or Advocacy Organization	0.50%
Supreme Court	
Board/Commission/Program	0.10%
Other	0.10%

2. Perception of Application and Review Process

Most (90%) of CLE providers rate the quality of the Commission’s course application and review process as either “excellent” (43%) or “good” (47%).

“I am very satisfied - quick response, good questions, and excellent technology.”

“It was good to begin with, and has improved over time.”

“We've always received a quick turnaround response from the Commission.”

“It was a little confusing at first to have to first apply to the Illinois MCLE Board and then the Commission on Professionalism for professional responsibility credit. However, the online process implemented by your organization is extremely user-friendly and efficient.”

Fifteen respondents (10%) rated the application and review process “adequate.” All fifteen were from out-of-state. Almost all objected to the requirement to the two-step application process. As some providers commented:

“The challenging part of the application process is the requirement for separate applications to MCLE and then to Commission on Professional Responsibility.”

“It is inconvenient to apply separately to the Commission for ethics accreditation. Most states only require application to the state bar.”

“Having to send the application separately after applying for MCLE program approval is a burden for out-of-state providers who deal with several bars, all of whom have different requirements.”

Only one respondent rated the quality of the application process as “poor.” This respondent objected to the MCLE Board fee structure which is not managed by the Commission on Professionalism.

“Other Commissions on MCLE in other jurisdictions don't charge as much for accreditation when a program isn't held in IL and when the provider isn't based in IL. Often times, our organization does not seek accreditation because the fees are too high.”

3. Commission Staff Responsiveness

Almost all (99%) of the CLE providers agreed that the Commission on Professionalism staff responded to their requests in a timely manner.

“You get back to us in remarkably short order. When we have questions, you do the same. Count us as big fans.”

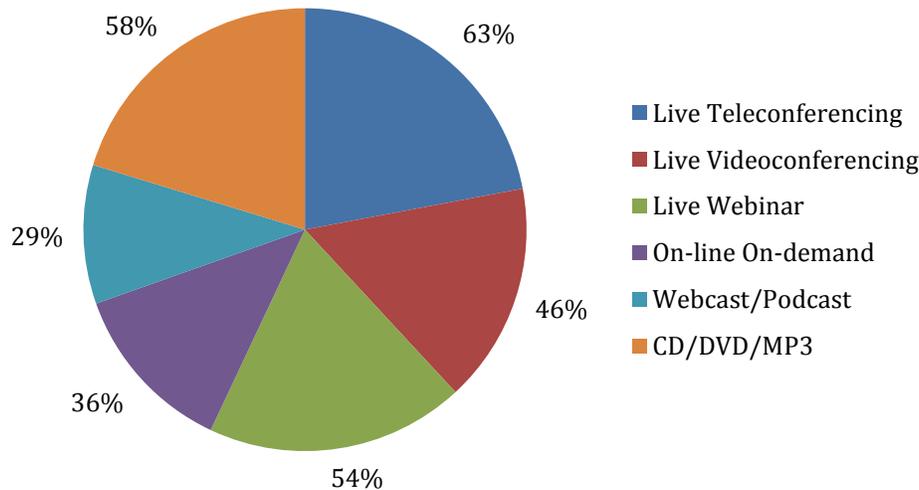
“I've had great experiences working with the staff here. Someone is always available and able to answer any questions.”

“Excellent response time. Staff are patient and incredibly helpful.”

4. Distance Learning

Distance learning is the delivery of continuing legal education to participants not physically in the room with the faculty. It provides access to learning when the faculty and the learners are separated by time or distance, or both.

Almost half (47%) of the CLE providers indicated that they offer professional responsibility CLE via distance learning. Live teleconferencing is used by 63% of the CLE providers and is the most prevalent method of distance learning indicated. The methods of distance learning and usage by CLE providers are indicated in the chart below. (Percentages exceed 100% because some providers use multiple delivery methods.)



5. CLE Evaluation by Participants

Providers were asked to indicate the levels of information that they requested from participants on their course evaluation forms. The choices were based on the Kirkpatrick¹ model's four levels of learning evaluation which essentially measure:

1. Reaction: what did the participant think and feel about the training?
2. Learning: did participant's knowledge or skills increase?
3. Behavior: will participant apply learning (i.e., does it transfer to practice)?
4. Results: will application of learning influence effectiveness on job?

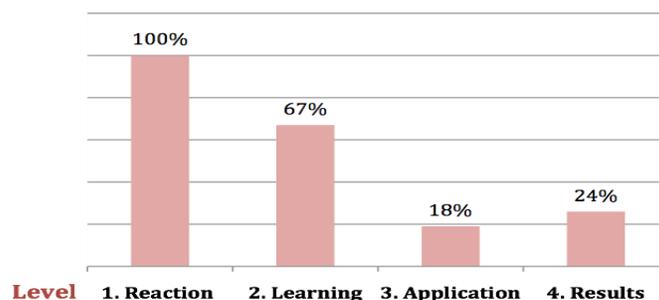
Reaction (level one) rates the participants' overall satisfaction with variables of the training such as instructor, materials, facilities, and the like. Learning (level two) and Behavior (level three) focus on evaluation of the importance and transfer of the learning. These levels indicate the true effectiveness of the continuing legal programs. Results (level four) measures the potential impact of the continuing legal education program on the participant's effectiveness on the job.

All providers (100%) assess the participants' Reaction to the continuing legal education program (i.e., their satisfaction). One-third (33%) of CLE providers indicated that they did not ask participants about Learning (i.e., if the course increased participants' knowledge or skills). Most providers are not able to demonstrate significant continuing legal education program results because they do not ask participants' perceptions about the potential transfer (or application) of their new knowledge or skill or whether the application of

¹Dr. Donald Kirkpatrick is Professor Emeritus of the University of Wisconsin and a past president of the American Society for Training and Development. He is best known for creating a highly influential model for training evaluation, consisting of four levels of learning evaluation.

learning will result in better job performance or more effectiveness on the job. Most (82%) CLE providers did not ask about the potential application of learning to Behavior (i.e., whether participants will use their new knowledge or skill), and over two-thirds (76%) did not ask participants' about the Results in relationship to performance in their practice of law (i.e., whether they think the knowledge or skills will improve their effectiveness).

Levels of Evaluation Questions Asked by CLE Providers



6. Support from Commission for Quality CLE

CLE providers were asked for their suggestions about how the Commission could assist in developing high quality professional responsibility learning experiences. Forty-seven providers responded and generated an array of ideas which are represented by the examples below.

"Develop courses that providers can deliver especially in area of civility."

"Continue to provide facilitation skills workshops for course faculty. The facilitation workshop was fantastic! Similar workshops would be great!"

"Provide hypotheticals that can be used in our courses."

"Provide information and resources for our firm to use as we develop courses."

"Provide suggestions for topics and expert faculty."

"Send email alerts when new resources are posted on website."

Providers appreciate the Commission's support.

"Thanks for your support and ideas. You're doing a tremendous job."

"LOVE the idea about if someone's behavior is going to change based on course information and whether their knowledge has increased. I'm going to change our evaluations now... THANKS a million for the suggestion!! I say keep up the good work!!"

"You are readily available as a resource. When I have sought help, the staff worked with me promptly. Every person that I worked with provided quality assistance."

7. Other Ideas or Feedback

Finally, CLE providers were asked to share other ideas or feedback. Forty-three providers responded. The following represent the range of comments received from providers:

Distance learning is a concern to some CLE providers.

"We're concerned that distance learning, as it is allowed in Illinois, will result in a perception that CLE compliance is meaningless. While live, in person, programs may be difficult for some of the bar to comply with (distance, time constraints), we think requiring at least a portion of CLE requirements be completed in person would be an overall benefit to the profession."

"We have done one web-based professionalism program, but otherwise they have been live. Our web-based program was a small group with participation by trainees. I would think limiting the CLE that can be earned on a web based or recorded basis would be wise."

Some CLE providers suggest changes in requirements.

"There are hundreds of multi-jurisdictional practitioners who must meet professionalism requirements in more than one state and learn about varying professionalism standards and rules. Please try to refrain from adding layers of regulatory requirements that do not enhance the substance of a course."

"In addition, given the number of poor quality programs offered and the ability to "click through" a videotape (which could be years old and from a different state), I believe it is time for the Court to reconsider the ban on reading materials as credit for CLE hours. Doctors can read journals to receive part of their continuing education requirement; lawyers should be able to do the same. Or perhaps the Court should move in the opposite direction--require that at least the four professionalism hours be live and in a smaller group setting (less than fifty) to generate discussion."

"Mental health and addiction issues touch on professionalism issues over and above just those mental health and addiction issues of lawyers, themselves. I would urge consideration of both...perhaps in separate categories?"

Many CLE providers want one application seeking both general CLE and professional responsibility credit.

"Make the application simpler and coordinate with general CLE. If a certified CLE provider presents on a topic of professionalism, then have that count for professionalism credit."

"Mainly it is a problem to have to submit an application to MCLE Board and then a second application to the Commission. If a program has nothing but ethics credits, one application to the Commission should be sufficient. It is double work and quite frankly a pain in the neck. You are the only jurisdiction that does this and it is onerous."

Faculty resources are short in supply.

"The way CLE is working in Illinois right now; just about no one is paying for content. All of the fees paid by lawyers go to overhead or profits. This is putting a burden on the relatively small group of lawyers who are conversant in professionalism topics and who are being called upon all the time to serve as volunteer presenters. I don't have answers, but it does seem that this is not going to work on a long term basis."

Communication and collaboration is important and the value is recognized.

"I believe that continued inter-agency cooperation is necessary for civility programming,

"Perhaps create and maintain a list of email addresses for CLE administrators at law firms, and communicate with them frequently."

"Thanks for being so responsive. We in the community remain grateful for all to do to make this as easy for us as possible."

"My experiences with the Commission have been excellent. Staff are always prompt in their responses and diligent."

Commission Follow-up

The CLE Provider Survey results were utilized in the Commission's strategic planning process in January 2010. Resulting strategic planning action items related to the CLE Provider Survey results include:

1. Build an online library of course resources, including hypotheticals and scenarios for provider and facilitator use in their CLE courses.
2. Design a model distance learning course on civility using hypotheticals and other active learning methods such as case simulation, and facilitated discussion on application of learning.
3. Review and revise guidelines and example forms for professional responsibility education, including Course Development checklists, Participant Evaluation forms, Professional Responsibility Education Guidelines, and Facilitated Discussion guidelines.
4. Provide resources that will promote a focus on continuing legal education outcomes as they pertain to both the transfer of the learning to lawyers' practices as well as how the learning makes lawyers more effective on the job.
5. Join with MCLE Board to combine the applications for general CLE and professional responsibility CLE so that providers only complete one online application. (Discussions to determine this process began prior to the survey.)

CLE providers continue to be a valuable resource with respect to the Commission's work in the area of professional responsibility continuing legal education. CLE Rule 799(c) requires the Commission to: determine and publish criteria for monitoring, coordinating and approving professional responsibility CLE; to review and approve the content of courses and activities offered to fulfill the professional responsibility CLE requirement; and to assist CLE providers with the development of courses and activities offered to fulfill the professional responsibility CLE requirement. Ideas and feedback from CLE providers informs our approaches to these duties and strengthens our ability to constantly improve our service.