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CONTINUING LEGAL EDUCATION  
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# PLAN & BETTER MANAGE YOUR CPD

NEW NZLS CLE ONLINE TOOL

To add further value to our CPD offering, NZLS CLE have launched an online planning and recording tool to enable you to effectively plan and maintain a record of your learning.

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- ADD COURSES TO YOUR CPD PLAN
- STORE VERIFICATION DOCUMENTS
- MANAGE EVERYTHING IN ONE PLACE

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## CPD Reflective Practice

Professor Neil Gold  
Christine Grice

February 2017

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## Introducing



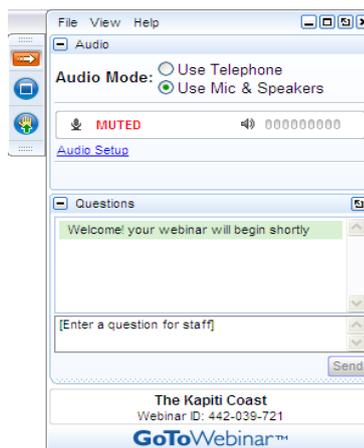
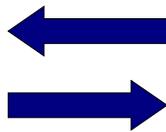
Professor Neil Gold



Christine Grice



## Webinar Toolbar



## The Rules

The CPD Rules are intended to:

- Build on and promote a culture of lifelong learning.
- Be learner-centred rather than prescriptive and encourage lawyers to take responsibility for their own individual CPD.
- Focus on outcomes.
- Be flexible enough to allow all lawyers to complete requirements regardless of their areas of practice, location and experience and to enable them to take account of their preferred learning styles.
- Be simple and not impose burdens on the NZLS or lawyers.

## The Rules

The CPD Rules apply to all lawyers.

The CPD year runs from 1 April to 31 March.

All lawyers must:

- Undertake required hours of CPD activities (usually a minimum of 10)

**These activities must be:**

- Verifiable
  - Provide for interaction/feedback
  - Planned and structured with a stated purpose and outcomes
  - Related to identified learning requirements
  - Not part of a lawyer's day to day work.
- Submit an annual declaration of compliance with the CPD rules - even if they are not providing regulated services.

This declaration can be made at any time.

## The CPDPR

All lawyers must:

- Maintain a continuous CPD plan and record (CPDPR) of these activities.

The CPDPR must include:

- Identified learning needs
  - Proposed actions to meet those needs
  - A record of completed activities
  - Reflections linked to each activity in the CPDPR
  - Documentation verifying attendance.
- CPDPR documentation must be retained for a minimum of three years.
  - More information, including a full guide and link to the CPD rules can be found on the Law Society's website: [www.lawsociety.org.nz/CPD](http://www.lawsociety.org.nz/CPD).

## New Zealand Leads

- The CPDPR is a very progressive approach.
- New Zealand is one of the CPD leaders.

## Key components

In response to feedback from the profession:

- This webinar will examine how to approach the two main components of a CPDPR – learning goals and the components of reflective practice statements.
- These will be examined using practitioner examples.

## Why we are here today

- We want to help every lawyer get more out of practising law.
- Every profession has a continuing learning obligation for its members. It's the public interest in quality professional services that brings it into existence.
- A focus on learning improves the quality of professional practice for the benefit of the practitioner **and** the client.
- *Simply put, more efficient and effective practice pays off in many ways.*

## Our learning objectives for today

- Recognise the importance of personal learning goals
  - Help practitioners write their own learning goals
  - Show them how to use specific learning goals as part of their CPDPR.
- Understand how reflective practice can help improve your practice.
- Identify what makes a good reflective statement.
- Demonstrate how to use reflection before, during and after a learning/practice experience.

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## Time is money

- Fair comment. Lawyers must put clients first.
- They put individual clients first by serving them “now”.
- They put all their clients first by doing this CPD aimed at making them more proficient.
- We’re asking lawyers to accept the value of CPD, practically “on faith” that they will be improved by it.

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## Making CPD pay off

- Get the most out of every learning experience.
- Make every experience a learning experience so that competence grows and excellence evolves persistently over time.
- Help the focus of reflection by being clear about what we want to learn – the identification of learning goals.

Experience with the CPDPR:  
a Conversation

## What practitioners are saying

- Let's hear from a few practitioners interviewed recently.

(hear a few excerpts from interviews of practitioners by the NZLS CPD Manager)

## What practitioners say

- The formalisation of CPD is, connecting practitioners – creating networks
- CPD, by its very design, in asking lawyers to engage with learning, is causing them to ask “what is the purpose of this learning”, “why am I doing this” – what’s it good for?

## Further information on creating groups

- Here's a reference that our participants may find useful on the topic of learning in groups

[http://msue.anr.msu.edu/news/diverse\\_learning\\_environments\\_benefit\\_students](http://msue.anr.msu.edu/news/diverse_learning_environments_benefit_students)

## Learning together

- When did you last interact with a practitioner for CPD?
- What were the benefits of this interaction?
- Why do you feel it is important to have a diverse approach to your learning interactions?
- How do you use networking opportunities to enhance your CPD?

## What practitioners say

- Reflecting has helped identify lawyers' learning needs
  - what to learn next, where the gaps or next learning steps are.
- Then can identify where to go to get help.
- CPD only really began when practitioners think about learning needs.

## What practitioners say

- Take time to think about learning, and why.
- Also now thinking about who is affected by what and how work is done and how that affects perceptions of others.
- Practitioners uncover the gaps to being smarter in the way to approach their clients.

## Summary: Practitioner Comments

- The formalisation of CPD is, connecting practitioners – creating networks.
- CPD, by its very design, in asking lawyers to engage with learning, is causing them to ask “what is the purpose of this learning”, “why am I doing this” – what’s it good for?
- One practitioner said she was taking time to think about how she did it, and why.

## Summary: Practitioner Comments

- This lawyer is thinking about who is affected by what and how she does her work and how she’ll be perceived.
- Reflecting has helped identify current and future learning needs.
- *As one person said: “My CPD only really began when I suddenly had to think about what **my** needs were.”*
- Practitioners are uncovering ways in being smarter in the way they approach clients.

## Journey as essential as destination

When the session ends, when the work is done it's time to recall the process and what was gained.

### And

During the session, while doing the work, thinking about the learning builds more knowledge and know-how.

## Take steps to promote your learning

Research tells us that diversifying your approach to learning can be hugely rewarding and beneficial from a business context. This includes who you interact with.

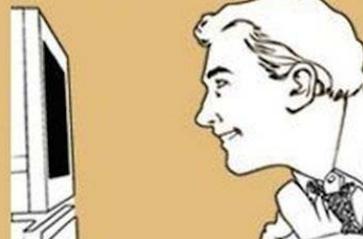
You may consider forming a study group in your organisation or local area for your next CPD activity. This is easier than you think to do – you can view the support materials for this on our website [www.lawsociety.org.nz/cpd](http://www.lawsociety.org.nz/cpd).

## Setting Learning Goals

**“If you want to make God laugh, tell him about your plans.”**

Woody Allen

I'm very busy doing things I don't  
need to do in  
order to avoid  
doing anything I'm  
actually supposed  
to be doing.



## Considering learning areas

- What area of legal practice?
- Knowledge?
- Skill?
- Practice management?
- Professional responsibility and ethics?

## Other considerations

- What does my career need?
- What do I need or want to learn? Why?
- Do my learning needs align with my organisation's goals?
- Any other considerations?

## A helpful resource?

Planning is a fluid and iterative process. A resource that has helped structure my planning is:

*A 10 step guide to complete your own CPDPR* which can be downloaded from [www.lawsociety.org.nz/cpd](http://www.lawsociety.org.nz/cpd)

It provides a detailed step by step guide to the process of planning.

## Defining learning outcomes

Starting with questioning the state of my learning from last year.

- What did I do well (or not at all)?
- What did I not do?
- What do I need to change (that I have not already adjusted)?

## Areas of focus – Christine Grice

1. Te Reo and Tikanga Māori
2. Corporate governance
3. Core skills – writing, adjudication/decision making/mediation and negotiation techniques

But also – ongoing work required on:

*Regulatory developments and best practice*

*General legal developments*

## Defining learning outcomes

1. Te Reo and Tikanga Māori

What are the key things I hope to learn?

- Specific and very clear.
- One thing at a time – not the entire subject matter.
- Something you would like do better, even to “master”.

## Reflections from 2016

Introductory Te Reo and Tikanga Māori course

Learning objectives (amongst others):

- Form simple sentences to describe parts of your face and body.
- Deliver my mihi using correct pronunciation.
- Discuss protocol on the marae.
- Recite a karakia correctly.
- Recognise the cultural value inherent within different whakataua and recite one.

## Reflections from 2016

Introductory Te Reo and Tikanga Māori course

Learning reflections (amongst others):

- More confident with delivering my mihi but not fluently and not yet confident to use Te Reo beyond this.
- Better understanding of values and culture from a Māori perspective.

## What needs improvement?

What do I need to know and be able to do?

- To *be able* to...
- To *demonstrate*...
- To *apply*...
- To *analyse*...
- To *implement*...

Why is it important to learn this?

## Establishing my learning intentions

What do I need to know and be able to do?

- Deliver a fluent mihi at meetings and any gatherings.
- Participate in a variety of gatherings and know how to apply the relevant protocol.
- Acquire a basic understanding of Te Reo and incorporate it into welcomes, greetings and other situations – mediations and formal presentations, including written correspondence.

## Looking for learning opportunities

- Planned, and have clear purposeful outcome.
- Clear alignment with my learning need(s).
- Provide interaction and feedback.
- Verifiable.
- Not part of my daily work.

## Identify learning opportunities

Activity Details & Reflection

[Te Reo Maori - intro 3](#)

Community education -

14/02/2017

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Reflections & Future Learning Needs  
TBC

- Put aside formal time per week to do course work (homework)
- Like to form a study group to meet 1/month

## Establishing my learning outcomes

How will I know if I've met my learning needs?

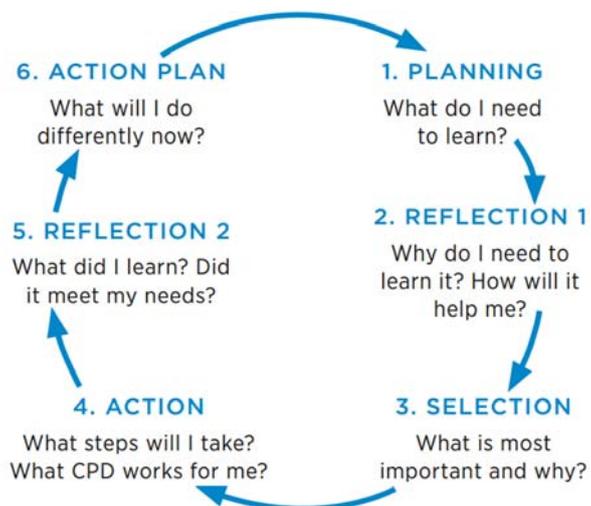
- I will use my mihi at appropriate gatherings.
- I actively incorporate Te Reo in welcomes, greetings and other situations – mediations and formal presentations.
- I will use Te Reo more frequently in my formal written communications.

## Considering success criteria

How will I know if I've been successful?

- Reflecting on my learning will confirm if I've met my learning intentions.
- Look for evidence of changes in my practice.
- Use this to change my plan if appropriate.

## Reflection and planning cycle



## 2. Corporate Governance

What do I do well?

- General knowledge of corporate law and practice
- Ethics and professional responsibilities of directors
- Skills on promoting functionality of boards and group decision making

## Learning cycles

Some learning is ongoing:

- To maintain skill levels.
- To keep up to date with changes.

Some learning is future focused:

- Investing in areas of learning not yet having an impact.

### Activity Details & Reflection

#### [Cyber Menace live streaming](#)

NZLS Kensington Swa -

16/08/2016

Reflections & Future Learning Needs  
This was Cyber crime a real risk for my organisation. Continuously need to monitor the requirements. Understand in more depth the legal framework. Useful addition to my knowledge on this area but need to keep eye out for more training in this area.

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## Areas needing attention

- General law – keep up to date with developments in the law.
  - *Identified Corporate Governance Intensive in June 2017- 6 hours.*
- Particular emerging issues eg: AML
  - *Last year it was cyber law*
  - *This year online learning on AML.*
- Skills: board dynamics; conflict resolution; negotiation; leadership; strategy and planning
  - *Likely self directed but looking for conference.*

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## Making room for self-directed study

Learning objectives and propose actions	Activity details and reflection	Verification	CPD Hours
Corporate governance:  Update  - on latest cases and legislation or proposed legislation;  - presentation skills and writing on director liability in emerging areas.	Self directed:  Reflection:  Record the cases and articles I read and do a summary;  Consider ways of sharing this information with others in the area.	Not needed but as a personal discipline record the reading.	NA.  (personal aim is 36 hours)

## Aligning your learning

Having an outward focus to your learning can help with identifying and reflecting on your learning goals.

Consider

- How your learning aligns with my business goals or work requirements?
- What impact your learning may have on others?
- Who else might benefit from this knowledge?

## When to reflect

Reflection is best done immediately after your learning activity.

While your written reflections as part of your CPDPR need to be your own, reflecting on learning can be completed by discussing your learning with others.

**Tip:** For embedding learning consider

- Revisiting your learning the next day, one week later and one month after that.

## Learning outcomes

How will I know if I've met my learning needs?

- I will be confident in the application of the latest corporate governance law.
- I will have applied my up-to-date knowledge on decision-making and group dynamics.
- I will have a detailed knowledge of what is coming in AML and how it will impact on governance of the legal profession.

### 3. Building Skills

What do I need to focus on and why?

- Writing and decision making
- Dispute resolution
- Unconscious bias

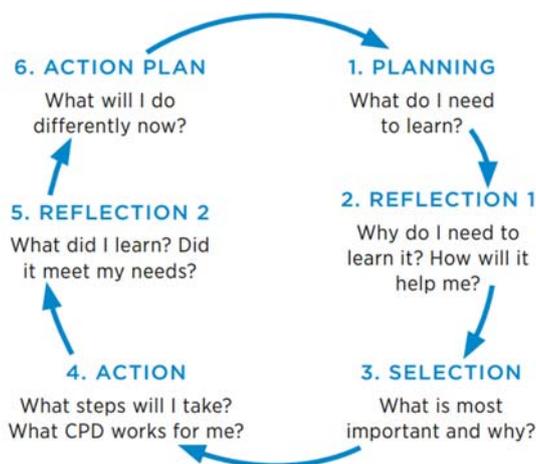
Session: 28/02/17 - Unconscious Bias in the Workplace - Webinar  
Your Computer

Reflections & Future Learning Needs  
After this webinar you will be able to:

- \* Understand how biases are formed.
- \* Understand the megatrends impacting your workplace.
- \* Begin to see the importance of addressing your own biases.
- \* Implement practical suggestions on how to identify and address biases in your workplace.

Reflection on Learning  
(a work in progress)

## Planning and Learning Cycle



## Reflection: what it is

- To think objectively, analytically and critically about what one is (1) about to do, (2) is doing or (3) has done in order to gain insight into how law is practised in a particular instance, that is, how knowledge, theory, skills etc. are used to achieve a result
- To use the results of the reflective process to challenge existing practices, concepts, theories; increase knowledge; and improve practice.

## Reflection: when to do it

- Reflection frequently begins in context of an actual legal practice “moment” to compare “a theory”, etc. - what was learned in an CPD session - with what is occurring in practice
  - Reflection *in* action.
- Reflection also occurs after the fact to determine how to do better next time
  - Reflection *on* action.

## Reflection: when to do it

- Reflection should also occur prior to engaging in a practice activity – eg, more generally, how areas of practice can be enhanced by CPD session; more specifically, how what was learned in a CPD session might be used in an upcoming legal transaction, etc.
  - Reflection *before* action

Through reflection, “wisdom” and experience are developed that, in turn, enhance performance

## Considering success criteria – *Revisited*

How will I know if I've been successful?

- Reflecting on my learning will confirm if I've met my learning intentions.
- Look for evidence of changes in my practice.
- Use this to change my plan if appropriate.

## 2. Corporate Governance – *Revisited*

What do I do well?

- General knowledge of corporate law and practice.
- Ethics and professional responsibilities of directors.
- Skills on promoting functionality of boards and group decision making.

## Opportunities for reflection

- Reflection as an individual
  - Asking questions (of self and/or of mentor/instructor)
  - Practising, using new knowledge and skills, in a safe environment
  - Receiving feedback (from mentor/instructor) on performance, on implementation of new knowledge/skills.
- Reflection as a group
  - Good-spirited discussion among group members of theories, legal doctrine, procedure, skills, practice, etc
  - Debriefing performance, etc.

CPD

Reflective Practice - Plenary

## Recap - learning objectives

- Recognise the importance of personal learning goals
  - Help practitioners write their own learning goals
  - Show them how to use specific learning goals as part of their CPDPR.
- Understand how reflective practice can help improve your practice.
- Identify what makes a good reflective statement.
- Demonstrate how to use reflection before, during and after a learning/practice experience.

## Questions





## CPD Reflective Practice – Question Time

For unanswered questions or any support contact: [Ken.Trass@lawsociety.org.nz](mailto:Ken.Trass@lawsociety.org.nz)  
or view our extensive FAQs at [www.lawsociety.org.nz/cpd](http://www.lawsociety.org.nz/cpd)

## Thank You



Professor Neil Gold



Christine Grice



## Archive Access

- This webinar has been recorded.
- To access the archived copy you will need to logon to 'MyCPD'. Instructions on how to do this will be emailed to you shortly.
- This email will also have a link to an online evaluation form, please take a moment to fill this in as we use the feedback we get to enhance future webinars.



## CPD Reflective Practice

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Christine Grice

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