



NOVA SCOTIA BARRISTERS' SOCIETY

CPD PLAN QUESTIONNAIRE, TEMPLATES AND MODELS

Ask yourself the following questions to assist in creating a CPD Plan for the year:

Do I need to acquire knowledge or skills in the following competencies:

A. ETHICS AND PROFESSIONALISM

This competency requires lawyers to possess not only knowledge of legal ethics but the skill to apply legal ethics in practice and conduct themselves with professionalism as representatives of the court and the justice system in Nova Scotia.

Do I need to learn to:

- Identify and resolve ethical issues and problems
- Engage in critical thinking about ethical issues
- Make informed and reasoned decisions about ethical issues
- Use a client conflict management system
- Identify need for independent legal advice
- Use time tracking, limitation reminder and bring forward systems
- Use systems for trust accounting, general accounting, client records and files, billing and collection
- Use practice checklists
- Cultural / intercultural competency training
- Diversity and anti-racism training
- Human rights training

I can learn these things in the following ways:

- Attend a continuing legal education course
- Participate in a legal ethics forum
- Engage in online discussion and debate
- Review the *Code of Professional Conduct*
- Attend a seminar on conflicts of interest
- Attend cultural competency education events
- Participate in an access to justice workshop
- Set up in-house training sessions with staff or others

B. SUBSTANTIVE LEGAL KNOWLEDGE

This competency requires lawyers to maintain an understanding of the core legal concepts applicable to the practice of law in Canada, including knowledge of substantive law relevant to the individual practice of each lawyer.

Do I need education in the following areas:

- Constitutional law
- Canadian Charter of Rights and Freedoms*
- Human rights principles
- Aboriginal rights
- Principles of common law
- Administration of law in Canada
- Statutory construction and interpretation
- Contract law
- Property/Real estate law – conduct real estate transactions
- Torts/Civil litigation



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- Family law
- Corporate/Commercial law
- Wills and estates
- Criminal law
- Administrative law
- Evidence law
- Rules of procedures
- Alternative dispute resolution processes
- Ability to conduct matters, draft necessary documents and conduct appropriate transactions/activities for above substantive law areas

How can I attain this knowledge?

- Attend a continuing legal education course
- Read a textbook
- Review case law
- Attend a legal conference
- Receive one-on-one instruction from a senior practitioner (not in the course of day-to-day work)
- Attend a legal refresher seminar
- Attend an updates in law seminar
- Complete collaborative law program
- Achieve mediator designation
- Write a textbook
- Present at a continuing legal education conference
- Instruct a substantive law course
- Publish a case commentary
- Attend substantive law webinars
- Become a member of your local CBA subsections and attend lunch and learns

C. ORAL AND WRITTEN COMMUNICATION, ANALYTICAL AND RESEARCH SKILLS

This competency requires lawyers to possess strong oral and written communication skills to effectively represent clients and communicate professionally and effectively, as necessary for their practices. It also requires lawyers to effectively identify issues and analyze problems on behalf of clients, as well as properly research those issues and problems to properly advise clients.

Do I need to improve or learn how to:

- Use correct grammar and spelling
- Use language suitable to the purpose of the communication and intended audience
- Elicit information from clients and others
- Explain the law in appropriate language to the audience
- Obtain instructions
- Effectively formulate and present well-reasoned and accurate legal argument, analysis, advice or submissions
- Advocate in a manner appropriate to the legal and factual context
- Negotiate in a manner appropriate to the legal and factual context
- Identify client's goals and objectives
- Identify relevant facts and legal, ethical and practical issues
- Analyze the results of research
- Identify due diligence required
- Apply the law to the legal and factual context
- Assess possible courses of action and a range of likely outcomes
- Identify and evaluate the appropriateness of alternatives for resolution of the issue or dispute
- Conduct factual research



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- Conduct legal research: identify legal issues; select relevant sources and methods; use techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues; identify, interpret and apply results of research
- Effectively communicate the results of research

How can I attain these skills:

- Attend a writing course
- Publish an article
- Read a textbook on writing and grammar
- Proofread others' writing
- Participate in Toastmasters
- Attend an advocacy course
- Learn how to use a legal research database
- Attend a logic course
- Act as a mooting judge
- Write a textbook
- Present at a continuing legal education conference
- Instruct a substantive law course
- Publish a case commentary

D. CLIENT RELATIONSHIP MANAGEMENT

This competency requires lawyers to manage client relationships and interact effectively with clients in person, online and on the telephone. This involves managing client expectations, remaining in communication with clients and balancing the needs of all clients.

Do I need to learn to:

- Manage client relationships, establish and maintain client confidence, and manage client expectations throughout the retainer
- Develop legal strategy in light of client's circumstances such as diversity, age, language, disability, socioeconomic and cultural context
- Advise client in light of client's circumstances such as diversity, age, language, disability, socioeconomic and cultural context
- Maintain client communications
- Document advice given to and instructions received from client
- Interview potential client
- Confirm who is client / who is being represented
- Confirm client's identity pursuant to applicable standards / rules
- Assess client's capacity and fitness
- Confirm who will provide instructions
- Draft retainer / engagement letter
- Discuss and set fees and retainer
- Address outstanding client concerns
- Draft exit / reporting letter

How can I gain these knowledge and skills:

- Attend a continuing legal education course
- Attend a workshop for professionals
- Read a textbook
- Attend a "know your client" session
- Attend a fraud awareness class



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- Attend a “dealing with difficult people” seminar
- Attend an interpersonal communications workshop
- Attend a conflict management program

E. PRACTICE MANAGEMENT

This competency requires lawyers to run their business practice appropriately and in compliance with all legislative requirements, to manage office staff, manage files and manage finances.

Do I need to learn to:

- Manage time, including prioritizing and managing tasks, and tracking deadlines
- Delegate tasks and provide appropriate supervision
- Manage files, including opening/closing files, checklist development, file storage/destruction
- Manage finances, including trust accounting
- Manage professional responsibilities, including ethical, licensing and other professional responsibilities
- Learn about information management and protection of privacy
- Learn about electronic information management

How might I learn this:

- Develop a succession plan for emergency planning purposes and / or retirement
- Attend a session on trust accounting requirements
- Attend a course on effective time management practices
- Read a textbook on time management skills
- Work with a practice management coach to improve overall practice management skills
- Attend information sessions on storing data in the Cloud
- Take a seminar on best practices for social media
- Attend a session on privacy legislation and protecting client data
- Learn about employee engagement and effective employee management
- Attend a financial intelligence class
- Learn to use a budgeting tool
- Review resources from ARMA International (formerly known as the Association of Records Managers and Administrators) and AIIM (Association for Information and Image Management)
- Attend a conflict management program
- Attend a working with others program
- Attend a seminar in alternate service delivery or non-traditional billing practices

F. WELLNESS

This competency requires lawyers to maintain awareness of their mental and physical health and wellness, and identify ways to maintain a healthy practice.

Have I mastered:

- Healthy eating habits
- Healthy sleep habits
- Ability to identify appropriate work/life balance
- Exercise practices
- Mental health awareness
- Financial wellness
- Stress reduction techniques



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Ways I might improve:

- Regular physical activity
- Engage a personal trainer
- Engage a life coach
- Attend a healthy eating seminar
- Attend a cooking course focused on healthy eating
- Regular meditation
- Annual physical exam
- Quit smoking
- Reduce alcohol consumption
- Improve sleep patterns
- Attend a sleep clinic
- Schedule regular vacations
- Plan regular time with family and friends
- Schedule “down time”
- Unplug from electronic devices regularly
- Run or bike to work
- Take regular lunch breaks
- Visit with a counsellor
- Implement recommendations, in your workplace, from the National Standard of Canada for Psychological Health and Safety in the Workplace
- Take an anger management course
- Attend a stress management class
- Sign up for financial management lessons
- Identify substance abuse support services
- Complete self assessments and other courses offered through the Lawyers Assistance Program (LAP)

G. OTHER

This category is for anything not captured in the previous competencies that will be of benefit to your practice. As each practice and each practitioner is unique, this category allows for the addition of activities specific to your needs that will maintain, develop or improve your competence. As this is your CPD Plan, this area allows you to further personalize your development activities.

Once you've answered these questions, you need to create a plan that shows what you've decided to concentrate on. You can enter your information into either of the blank templates provided below or use the document of your choice.

Following the blank templates are samples of how you might complete the plans. The examples used were for a lawyer who works in the areas of family law and wills and estates. The lawyer is looking to move into mediation, wishes to keep up to date on family law issues, and learn more about marketing and risk management.

As you can see, the two sample plans are quite different but both meet the requirement.



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PROFESSIONAL DEVELOPMENT PLAN

During the next 12 months, I plan to attend/participate in the following professional development:

Title	Date	Area covered	Hours	Completion date

I plan to attend/participate in the following professional development in the future:

Title	Date	Area covered	Hours	Completion date

Dated

Signature



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PROFESSIONAL DEVELOPMENT PLAN

Knowledge, skill, attitude or value to be developed	Priority	Preferred development method	Detail and justification of this activity



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PROFESSIONAL DEVELOPMENT PLAN

During the next 12 months, I plan to attend/participate in the following professional development:

Title	Date	Area covered	Hours	Completion date
2016 NSBS Annual Meeting	June 2016			
CBA Annual Family Law Conference	November 2016			
Business Development/Marketing	ASAP	Cross-selling/general marketing		
Read the <i>Journal on Family Law</i>	Quarterly		4 hours	
Review new case law related to family matters	As they arise		8 hours (estimate)	
Risk Management course	ASAP	How to avoid and deal with risk		
Lecture on wills and estates (revision of presentation and presenting)	March 7, 2016	General information re: wills & estates	3 hours	

I plan to attend/participate in the following professional development in the future:

Title	Date	Area Covered	Hours	Completion Date
Mediation training	Within the next 2-3 years	Basic training		

Dated

Signature



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PROFESSIONAL DEVELOPMENT PLAN

Knowledge, skill, attitude or value to be developed	Priority	Preferred development method	Detail and justification of this activity
Specific update on law, legal knowledge or legal procedure	Low	Course	An area of the business that my firm is looking to grow is mediation. I wish to pursue mediation training, want to keep up to date on current issues and learn more about collaborative law.
Ethics, attitudes and values	High	Course	We have had a number of issues arise that relate to risk management. I would like to find a seminar/course related to avoiding and dealing with risk.
Commercial awareness (including business development and marketing)	Medium	Course	The firm wishes to create new business and all fee-earners are to increase the fees that we bring in each year. A course on business development and cross-selling would be useful.
Specific update on law, legal knowledge or legal procedure	Medium	Lecturing	I have been conducting wills & estates seminars in conjunction with the local library. I will need to spend some preparation time ensuring that my presentation (and handouts) are up to date.
Specific update on law, legal knowledge or legal procedure	Medium	Private study	I find the <i>Family Law Journal</i> extremely useful for keeping abreast of issues in my area of law. I will read this each quarter.