

Future attractions: on-demand learning



HI-TECH

**LUIGI
BENETTON**

Will lawyers soon flick on their TVs at home to brush up on their skills using a Netflix-like model, the costs of which are covered by their law society membership fees?

Maybe. Certainly the technology has arrived. And, step by step, the legal community is warming to the idea of online continuing professional development (CPD).

"I took an online course on January 10, 2012 called 'Grammar and Proof-reading Skills for Lawyers and Paralegals' presented online by the Law Society of Upper Canada," recalls Susan Brown, an Ottawa-based partner with Fraser Milner Casgrain. "After I did the course, I went to the Law Society website and registered for three hours of professionalism credit for taking this course."

Lawyers at Brown's firm had also registered for online January Law Society courses, such as "Construction Lien Essentials" and "Title and Off-Title Searching."

With increasing amounts of CPD offered via the web, it may be possible for lawyers to fulfill CPD requirements without leaving the office. But should they?

The advantages

Few lawyers debate the convenience and cost-effectiveness of online CPD.

"Imagine I want to go to the 'six-minute



MARKCARPER / DREAMSTIME.COM

“
Maybe CPD of the future is properly produced materials that have been edited, so that those four-hour programs are edited down to two.

Garry Wise, Wise Law Office

update' on commercial leasing, which is generally offered in Toronto," Brown says. "I used to have to take a day out of my prac-

tice in Ottawa, make my way down to Toronto and spend the morning following the subject matter training. Now, I can turn on my computer in my office in Ottawa and get exactly the same training at my desk. I can be available to deal with issues in my practice."

You might think lawyers sidestepping travel costs would be the prime audience for CPD. Meredith Woods once thought so as well. "When we started, we anticipated that the people who would attend would be from out of town, from outside the Lower Mainland," says the manager of online education and resources for the Continuing Legal Education Society of British Columbia. "But a large percentage

of people attending Vancouver-hosted CPD are from Vancouver."

The possibilities

Since online CPD sessions are broadcast, they can be recorded as well. So it's only natural for lawyers such as Toronto-based Garry Wise of Wise Law Office to envision law societies building up video CPD libraries. "Opening access to libraries, even to the public, gives programs that lawyers work so hard to produce a longer shelf life. It might be good for attracting clients too."

Speaking as a lawyer obliged to attend sessions, Wise wants scheduling flexibility. "There were times I was scheduled to be at a program and something came up and I couldn't make it," he says. "It was a shame and a waste of money."

Schedules aren't the only elements of CPD that Wise wants to get away from. He produced an introductory video for a fall, 2011, panel he presented with three other lawyers, leveraging the advantages of edited materials over "pure" live recordings. "When I combined images and narration and snippets of live interviews, it allowed me to quickly introduce the topic," he says. "Maybe CPD of the future is properly produced materials that have been edited, so that those four-hour programs are edited down to two."

Such programs can also be paused so that lawyers can make notes, take time to consider points, perhaps discuss them with others, even step away from the computer for 10 minutes — all without missing any content.

See **Off-site** Page 22

UNIVERSITY OF OTTAWA

LEGAL COUNSEL

JOB SUMMARY:

Reporting to, and under the direction of, the Vice-President, Governance, and working in close consultation with senior administrators, the Legal Counsel, Labour Relations and Employment, provides legal services and advice to the University in the conduct of its activities as a post-secondary educational institution employer. You will be expected to advise the University on collective agreement negotiations, grievances, employment policies and agreements, pension plan, compensation, employee benefit and immigration matters and represent the University in arbitrations, human rights matters related to employment and other legal proceedings. It is also expected that you will keep current and advise the University on legislative and common law changes in the areas of employment and labour relations.

CANDIDATE REQUIREMENTS:

1. LL.B or J.D. and membership in good standing of the Law Society of Upper Canada.
2. Minimum five years of legal experience in labour and employment law; experience in the areas of post secondary education law, human rights and litigation would be an asset.
3. Strong strategic planning and problem solving skills.
4. Ability to work independently.
5. Ability to work under pressure and meet tight deadlines.
6. Strong oral and written communication skills in both English and French.

Applications, accompanied by up-to-date curriculum vitae, should be submitted no later than **5 p.m., Friday, May 25th, 2012**, to the following address:

Chantal Sabourin
Manager, Administrative Services
Offices of the President and Vice-Presidents
E-mail: chantal.sabourin@uottawa.ca

Université d'Ottawa

conseiller juridique

RÉSUMÉ DES FONCTIONS

Sous la direction de la Vice-rectrice à la gouvernance, dont il relève, et travaillant en étroite collaboration avec la haute administration, le conseiller juridique, relations de travail et emploi, fournit à l'Université des conseils et des services juridiques pour la conduite de ses activités en tant qu'établissement d'enseignement postsecondaire. Vous serez appelé à conseiller l'Université en matière de négociations de conventions collectives, de griefs, de politiques et ententes en matière d'emploi, de fonds de pension et de compensation, d'avantages sociaux, d'immigration ainsi que de représenter l'Université en arbitrage, dans des affaires de droits de la personne dans le contexte du travail ainsi que dans d'autres processus judiciaires. Vous serez aussi appelé à demeurer informé afin d'aviser l'Université des changements législatifs et à la common law en matière des relations de travail et de l'emploi.

EXIGENCES

1. Titulaire d'un baccalauréat en droit (LL.B. ou J.D.) et membre en règle du Barreau du Haut-Canada.
2. Un minimum de cinq années d'expérience en droit du travail et de l'emploi; expériences en matière de droit de l'éducation au niveau postsecondaire, de droits de la personne ainsi que de litiges seraient un atout.
3. Excellentes aptitudes pour la planification stratégique et la résolution de problèmes.
4. Capacité de travailler en toute autonomie.
5. Capacité de travailler sous pression et de respecter des échéanciers serrés.
6. Grande aptitude à communiquer oralement et par écrit, en français et en anglais.

Les candidatures, accompagnées d'un curriculum vitae à jour, doivent être posées au plus tard le **vendredi 25 mai 2012, à 17 h**, et adressées à:

Chantal Sabourin
Chef des services administratifs
Cabinets du recteur et des vice-recteurs
Courriel: chantal.sabourin@uOttawa.ca

BUSINESS & CAREERS

Development without leaving the office

Off-site

Continued From Page 21

Lawyers on Wise's wavelength might want to check out British Columbia's CLE-TV. "You can buy a subscription to an archive of all our sessions since we started recording them," says Woods of CLE-TV. "You can get CPD credit if you watch with other people present.

"We're leaning toward creating online-only products," she says. "CLE-TV was designed as online-only. It is intended to be more interactive, to make people feel like they're there with the presenter. The presenter doesn't

look at people in the room. The presenter is with the online audience. Presenters take questions directly from the online chat feature."

Video subscription systems might tie in to law society CPD registration systems so that completion of courses offered by the society can be automatically noted by the society.

Given the ever-increasing popularity of mobile video devices, such as smartphones and tablets, CPD providers may need to adopt mobile-friendly technology. For instance, it may have to abandon the popular Flash format since Adobe Inc. discon-

tinued support for Flash on mobile devices in 2011.

The drawbacks

Professional development isn't just about learning. Lawyers can attend events to practice public speaking, mentor younger lawyers and catch up with their colleagues.

"The collegiality, the contact between lawyers, you can't reproduce that online," Brown points out.

Technology snafus, while becoming rarer, have not yet been eradicated. When they crop up, having in-house tech support makes a difference. "In smaller

offices, I think you have to have people with an interest and a comfort level with technology," Brown suggests.

Tracking attendance at online events can be tricky. One possible solution: having attendees complete and submit e-learning "coursework" that could serve as proof of attendance as well as of comprehension.

Wise would like to see CPD programs delivered by the Law Society included in the society's membership fees. "If the Law Society is serious — and I know it is — about ensuring that lawyers are as up-to-date as possible, in knowledge in their core

areas and in general knowledge, then rather than creating cost impediments, a library of video materials should be made available to the profession on an on-demand basis.

"I might not watch all four hours of a program. But my knowledge overall would be broadened by that kind of access, since I would be far more inclined to go beyond my core areas.

"I can see charging for live events. Once videos have been in the archives for a reasonable period of time, they should be made free to the profession.

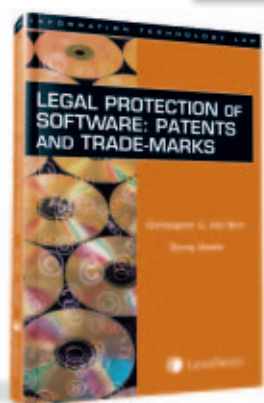
"That would be the Law Society walking the walk." ■

Butterworths®

Legal Protection of Software – Patents and Trade-marks

Christopher C. Van Barr & Sunny Handa

\$69 + tax
240 Pages
Softcover | January 2012
ISBN: 9780433443384



This compact guidebook is the latest edition in the *Information Technology Law* series by veteran information technology legal expert Dr. Sunny Handa (this edition co-authored with Christopher C. Van Barr). Patents and trade-marks, as they relate to software, constitute an increasingly important area of law, and it is rare to find a book that delves so deeply and thoroughly into this subject. Written in plain English, with legal concepts and phrases clearly explained, this book is necessary reading for anyone in the business of protecting, creating or writing software, or anyone who represents those who do.

Book Features

- Provides a unique synthesis of two areas of IP law – patents and trade-marks – as they apply to software protection
- Discusses a myriad of issues involved in patenting or trademarking software, both in Canada and internationally (the U.S., U.K., Europe and Japan)
- Provides a thorough analysis of the statutory framework, case law, and application of international conventions and treaties, as they relate to trade-marks and patents for software
- This book is the first in a two-part series on software IP. The second book discusses copyrights for software and will be published in 2012

Order Today! Take advantage of the 30-Day Risk-Free[†] Examination. Visit www.lexisnexis.ca/bookstore or call 1-800-668-6481

 LexisNexis®

† Pre-payment required for first-time purchasers.

Price and other details are subject to change without notice. We pay shipping and handling if payment accompanies order.

LexisNexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc., used under licence. Butterworths is a registered trademark of Reed Elsevier (U.K.) Limited and its affiliated companies. Other products or services may be trademarks or registered trademarks of their respective companies. © 2012 LexisNexis Canada Inc. All rights reserved.



JUDICIAL VACANCY ONTARIO COURT OF JUSTICE KENORA

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a judicial position in Kenora.

The duties of this appointment involve presiding over criminal and family law matters, with an emphasis on criminal law. This appointment also involves extensive travel within the Judicial Districts of Kenora, Rainy River and Thunder Bay and could involve travel beyond the regional boundaries as assigned by the Regional Senior Justice and/or the Chief Justice.

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

All candidates must apply either by submitting 14 copies of the **current** (Nov 2011) completed Judicial Candidate Information Form in the first instance or by a short letter (14 copies) if the current form has been submitted within the **previous 12 months**. **Should you wish to change any information in your application, you must send in 14 copies of a fully revised Judicial Candidate Information Form.**

If you wish to apply and need a current Judicial Candidate Information Form, or if you would like further information, please contact:

Judicial Appointments Advisory Committee
Tel: (416) 326-4060. Fax: (416) 212-7316
Website: www.ontariocourts.ca/ocj/jaac/

All applications, either sent by courier, mail or hand delivery, **must** be sent to:

Judicial Appointments Advisory Committee
c/o Ministry of Government Services Mail Delivery
77 Wellesley Street West, Room M2B-88
Macdonald Block, Queen's Park
Toronto, Ontario, M7A 1N3

Applications must be on the current prescribed form and must be **TYPEWRITTEN** or **COMPUTER GENERATED** and **RECEIVED BY 4:30 p.m. on Friday, May 25, 2012**. **CANDIDATES ARE REQUIRED TO PROVIDE 14 COPIES OF THEIR APPLICATION FORM OR LETTER**. A Fax copy will be accepted only if 14 copies of the application or letter are sent concurrently by overnight courier. Applications received after this date **WILL NOT** be considered.

The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.

THE LAWYERS WEEKLY



Visit us online at
www.lawyersweekly.ca

 LexisNexis®

 LexisNexis®

Visit *The Lawyers Weekly* online at www.lawyersweekly.ca