



CPLED Alberta Student Handbook 2009-2010 Program

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* Rule 59(b) –“Director’ means the Director of the CPLED program in Alberta and includes the Managing Director.” All references to “Rules” in this Handbook are referring to the Rules of the Law Society of Alberta.

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Introduction

Welcome to CPLED (Canadian Centre for Professional Legal Education)! This Handbook contains many of the rules, policies and procedures of the CPLED Program in Alberta. Please read it carefully and keep it for your reference. You are also referred to Part 2 of the Rules of the Law Society of Alberta and the Law Society of Alberta's Articling Handbook and Articling Manual.

The Law Societies of Alberta, Saskatchewan and Manitoba developed the pre-call education and testing course now known as the CPLED Program ("the Program"). Each province delivers the Program in its jurisdiction. In Alberta, the Legal Education Society of Alberta delivers the Program on behalf of the Law Society of Alberta ("the Law Society").

In addition to other Law Society requirements, Rule 60 requires students seeking admission to the Alberta Bar to successfully complete the Program which includes the following:

- Attendance;
- Participation;
- Professional behavior;
- Completion of all the Program requirements with professional and academic integrity; and
- The demonstration of competence in all requirements of the Program.

Taking the Program and Articling complement one another. During the Program, students must take responsibility for their own learning. Students do this by:

- Effectively managing and scheduling their time to ensure the demands of the Program and Articling can be met;
- Managing stress in a healthy manner;
- Reading and understanding the Rules of the Law Society of Alberta, the Law Societies Articling Handbook and Articling Manual, this Handbook and any other publications setting policies and procedures.
- Knowing when to seek help and obtaining it;
- Learning to use the various resources provided by the Law Society and CPLED.

CPLED students must be prepared to learn independently and to seek solutions from a variety of sources. Completing an assignment or competency evaluations requires a student to learn the relevant law; this may require a student to do research beyond the CPLED Materials.

1. The CPLED Program

The CPLED Program is one of the cornerstones of the qualification process in Alberta. It is based on a set of criteria that defines a competent lawyer. These are the competencies upon which a student is evaluated. The competencies are set out in CPLED's Competency Profile.

The CPLED Program is based on the student assuming the role "role-playing" of an articling law student. Students are expected to maintain this role throughout their participation in the modules. The CPLED Program emphasizes student involvement and participation within a law firm's life cycle.

The CPLED Program consists of nine modules – three face-to-face modules and six online modules. Two of the online modules have three assignments and four of the online modules have two assignments. There are fourteen voluntary assignments and nine required competency evaluations to be completed during the session.

Please provide and maintain a current and alternate address, phone number and email address to be included in your CPLED file. All changes must be made in writing and may be mailed, faxed or emailed to the CPLED Program Coordinator, Cindy Gorgichuk. The Law Society of Alberta must also be advised these changes.

2. Face-to-Face Sessions – Modules 1, 5 and 9

The face-to-face modules involve full day classes. Attendance is mandatory. Punctuality is essential. It is unprofessional to keep other students or instructors waiting, or to disrupt a class by arriving late.

Please wear business attire to class.

Please sign in each day on the attendance lists that will be posted outside the Program office or in the classroom at each location. Please ensure that your BlackBerry, cell phone and other hand held devices are turned off during the session.

You are encouraged to participate fully in class and to complete all background readings, learning exercises, assignments and competency evaluations. Involvement in other work, regardless of its nature, will not constitute adequate reason for non-attendance, failure to participate or failure to satisfactorily complete exercises or assignments. Please do not schedule work meetings,

court appearances or other firm related activities during this time. You will not be granted an excused absence for these types of matters.

The CPLED Program is intensive and demanding. Please pay full attention throughout the classes and do not harm the study environment of other students. Disruptive behaviour, non-attendance or failure to complete Program requirements can result in suspension from the CPLED Program unless the Director is satisfied there is an adequate reason (such as illness) for such conduct.

Volunteer lawyers serve as face-to-face facilitators and evaluators and are responsible for:

- Participating in plenary session or demonstrating skills;
- Leading in-person sessions for a small group of students. These sessions include a series of discussions and learning exercises; and
- Evaluating student performance during competency evaluations.

Facilitators use their practice experience to develop and evaluate the skills of the students.

3. Online Modules – Modules 2, 3, 4, 6, 7 and 8

You will be assigned to a learning group of approximately eleven students. Once you have a learning group number, please refer to that number in all correspondence with CPLED staff.

Each learning group is assigned an online learning group facilitator (“LGF”). The LGFs are lawyers who guide students to find answers, and help them acquire the competencies they need to be successful in the practice of law. They interact with students in their learning group by responding to their discussion or email questions on the Desire2Learn web site, providing feedback on assignments, and marking student competency evaluations. Please limit your communications with your LGFs to the Desire2Learn web site.

Two of the online modules have three assignments and one competency evaluation. The other four modules have two assignment and one competency evaluation. Each online unit has instructions, background readings and a learning exercise or discussion. Please follow the instructions, assimilate the information and facts, and complete the assignment or competency evaluation. Facilitators will assess and evaluate the level of competency demonstrated by

the student based on assessment criteria provided to both the facilitator and the student.

Please do all assigned readings, participate in all learning exercises, and submit all assignments and competency evaluations in accordance with the CPLED Program instructions, Submission Protocol, and the Program Schedule.

Logging on

You will be provided with a username and password to access the online portions of the CPLED Program's Desire2Learn learning system. Your username is case sensitive. Please retain your username and password throughout the Session.

Email and Online Communication

You can communicate with other students, your LGF and CPLED staff via Desire2Learn Mail and the Discussion Tool. The Desire2Learn program is a user-friendly, web-based learning delivery system designed to enable students to manage their own learning.

The purpose of the Discussion Tool is to provide messaging opportunities to all of the CPLED students. Check it regularly for any messages from CPLED, your LGF or other students. Within the Discussion Tool there is a Bulletin Board that CPLED staff will use to provide information of an administrative nature. Please check it regularly.

All communication with the LGFs is restricted to the Desire2Learn system unless the LGF indicates otherwise.

The Desire2Learn Mail is web-based, similar to hotmail.

“Netiquette”

Take extra care when communicating online. Electronic communication, like any other form of communication should always be polite and professional.

Submission Protocol

You must follow the Submission Protocol (attached) when saving and submitting assignments and competency evaluations. Failure to comply with the Submission Protocol may result in an assignment or competency evaluation not being accepted and a grade of Competency Not Yet Demonstrated on the competency evaluation.

The “Dropbox”

You are required to submit your online assignments and competency evaluations to your LGF through the Desire2Learn system by using the Dropbox function.

Deadline for Submissions

The deadline for all online assignments and competency evaluations is 4:00 pm MDT/MST on Thursdays. The Dropbox will close exactly at 4:00 P.M. Late submissions will not be accepted and will result in a grade of Competency Not Yet Demonstrated for the competency evaluation. It is your responsibility to ensure that you submit your work before the deadline.

Please make sure that you submit your final version of your answer for the assignment or competency evaluation. This is important because you can only submit an answer for an assignment or competency evaluation once.

Information Retention and Storage Policy

You are required to ensure that you retain a backup of your work in case of a system failure. There will be no extensions to submission dates granted due to the loss of data.

Viruses and Macros

As part of the system requirements for participation in CPLED, you must have and maintain an up-to-date virus scanner. It is your responsibility to ensure you maintain this critical software. Work that is submitted and contains a virus or macro will not be accepted or marked.

4. CPLED Materials and Resources

Face-to-Face Modules

You received a CPLED binder together with the Module 1 Student Materials. Module 5 and 9 Student Materials will be emailed to you at a later date. You may also wish to keep the Program Schedule, this Handbook, the Law Society materials and any other materials you receive during the CPLED Program in the binder.

CPLED’s Desire2Learn site also contains Resource Materials, learning exercises, other materials and links to other sites.

Online Modules

For each unit (assignment or competency evaluation) in each learning module, you will be required to access Resource Materials, as well as background readings, learning exercises, fact scenarios and client information.

Please note that the CPLED materials are provided to you as a starting point to assist you in preparing your answers for the assignments and competency evaluations. You will have to determine for yourself (based on your own knowledge and comfort level) whether you need to do additional research or find supplementary materials. The assignments and competency evaluations are not a test of your knowledge of the materials or the materials themselves.

5. Professional Behaviour and Professional Integrity

The CPLED Program is part of the Law Society's admission program. The CPLED Program is one of the cornerstones of the qualification process in Alberta and depends on the integrity of each student.

It is expected that all communication between individuals will be professional and courteous at all times. If a student is found to have sent abusive or threatening messages, CPLED Alberta may suspend a student's access to the CPLED Program without prior notice and notify that student's principal accordingly.

Please maintain the highest standards of integrity in meeting the CPLED Program requirements, including full compliance with CPLED's Professional Integrity Policy. Review the CPLED Program Agreement (a copy is attached) that you signed and submitted. The Professional Integrity Policy is attached to the CPLED Program Agreement.

Students must complete all CPLED Program requirements with professional and academic integrity as set out in the Policy.

If you have any doubt about whether there may be an issue regarding any particular conduct, you should contact a CPLED staff member. It is always better to err on the side of caution with respect to ethical matters.

The Director will review apparent breaches of professional and academic integrity and may take appropriate action including, without limitation, expulsion from the CPLED Program. The matter may also be referred to the Executive Director of the Law Society, who may take any action available under the Rules of the Law Society.

Plagiarism: The Issue

Two of the basic tenets of the legal profession are trust and integrity. An overriding adherence to ethics of the highest caliber must be inherent in all activities in which lawyers and law students are engaged. The concept of ethics is more than a set of rules to memorize; ethics is a set of guiding principles that

must be applied at all times and in all situations. Students who participate in plagiarism activities, whether intentionally or unintentionally, are failing to meet the high standards the legal profession demands. The penalty for this academic offence will be the same regardless of whether or not the act was intentional or unintentional.

“Accidental plagiarism” does not exist as it takes a deliberate effort to copy materials. Any sharing of files or use of another’s material without proper acknowledgment, regardless of content, is plagiarism. It is very important that CPLED students fully understand what constitutes plagiarism. It is your responsibility to understand the rules. If you have any questions regarding this, or any other issue relevant to your studies, ask your principal or a member of the CPLED staff to provide answers.

Theft of another student’s tasks, assignments or competency evaluations is considered not only a breach of CPLED’s Professional Integrity Policy and the CPLED Program Agreement, but also a breach of the standard of ethics, behavior and conduct dictated by the *Code of Professional Conduct*. Theft of another student’s work constitutes a serious breach of ethics and tarnishes the image of the Law Society of Alberta, the CPLED Program, its students and the image of the entire legal profession.

If, under any circumstance, it is suspected that a CPLED student has used another student’s, individual’s or organization’s words, ideas, images or data without properly crediting that source, a full review will be conducted. If indeed, that student is found to have plagiarized, the Managing Director may take any of the actions contemplated by the Rules of the Law Society.

You should ensure that you review and understand CPLED’s Professional Integrity Policy and Rules 60 and 61 of the Law Society of Alberta.

6. Rules and Policies

Excused Absences

Absences may only be excused with prior approval of the Managing Director. The Director’s decision is final (Rule 64.1(2) (a)). To obtain prior approval to be absent from any part of the Program, send a letter or email to the Director explaining when you are requesting to be absent as well as the reason for the absence.

Deferrals

You must apply to the Managing Director in advance for a deferral of an assignment or competency evaluation. A deferral is available for medical or serious personal circumstances, and must be documented in writing within seven days of the date of the assignment or competency evaluation for which the deferral is sought. Further information is contained in the Law Society's Articling Handbook.

Accommodation

CPLED is committed to ensuring that students with disabilities are accommodated, while maintaining the integrity of the CPLED Program and materials. Any accommodation requested must not compromise the public interest in ensuring that lawyers are qualified to provide competent legal services. For further information contact CPLED Alberta or review the material at <http://www.cpled.ca/>.

Contact Information

Please provide and maintain a current and alternate address, phone number and email address to be included in your CPLED file. All changes must be made in writing and may be sent to the CPLED Program Coordinator, Cindy Gorgichuk. The Law Society of Alberta should also be advised of all such changes.

Late or Incomplete Submissions

Unless the Managing Director has granted a deferral, answers for assignments and competency evaluations will not be accepted after the indicated deadline. An answer for a competency evaluation that is submitted after the deadline will receive a grade of Competency Not Yet Demonstrated.

Exchange of Information

The Managing Director may collect and use the personal information of students for the purpose of preventing, detecting, sanctioning or reporting any breach of the requirements of professional behaviour, professional integrity and academic integrity.

Information, including personal information about students, may be exchanged between the Law Society and CPLED Alberta (including those who administer the CPLED Program in Alberta) where the exchange of that information is made for the purpose of monitoring student performance, assisting in the operation of the CPLED Program or governing the articling process (Rule 63.2(2)).

Suspension from the CPLED Program

The Managing Director may expel a student from the CPLED Program and take such action as is appropriate, including referral to the Executive Director of the Law Society of Alberta (Rule 61). There is a right of appeal of the Director's decision (Rule 64.1).

7. Successful Completion of the CPLED Program

Successfully meeting the requirements of the CPLED Program requires a grade of Competency Demonstrated on all competency evaluations. A student who does not meet the requirements of the CPLED Program must repeat the entire Program.

8. Grades

Possible grades are:

- Competency Demonstrated – the student has satisfied the assessment criteria for the competency evaluation;
- Competency Not Yet Demonstrated - the student has not demonstrated the minimum acceptable level of competency on the competency evaluation;
- Deferred – the student has been granted a deferral of the competency evaluation by the Director;
- Incomplete – only available to be granted by the Managing Director after the deadline for submission of an answer for a competency evaluation and will be graded only in the most exceptional circumstances.

The grade on your competency evaluation will be posted on the Desire2Learn website.

Receiving Feedback

You will receive feedback by email or through the Dropbox from your LGF on all assignments. You will receive feedback on assignments from your LGF by 5:00 PM on the Tuesday following the submission deadline.

Please note that although you will receive feedback on all assignments, the only feedback you will receive for the competency evaluations is the copy of your Marking Sheet. Assignments serve as learning activities to allow you to develop your competency. Competency evaluations serve as evaluation tools for the Law Society of Alberta to determine your competency.

9. Remarking

If you receive a grade of “Competency Not Yet Demonstrated” on any competency evaluation, you are entitled to apply for a paid remarking. Application for a remarking is to be made to the Director, accompanied by payment of a non-refundable re-marking fee for the competency evaluation to be remarked. **The fee is \$78.75 (including GST) and is payable to the Legal Education Society of Alberta.** Application for a remarking must be made in writing and be received in CPLED’s office, together with the fee, within seven days of the date the grade is issued by CPLED or when indicated by the Managing Director.

10. Supplementals

A student who has not demonstrated competence on a competency evaluation is entitled to a supplemental subject to the limitations in Law Society Rule 63(1).

A student who exceeds the maximum number of grades of “Competency Not Yet Demonstrated” will be required to repeat the Program. The maximum is 3.

A student must demonstrate competency in all supplementals in order to successfully complete the CPLED Program.

11. Appeals

A student may appeal only if:

- A requirement to repeat the entire CPLED Program;
- A suspension or expulsion from the CPLED Program;
- A denial of admission to the CPLED Program;
- An inability to repeat the CPLED Program due to the number of past attempts, where the student has made no more than two attempts.

For further information, see Part 2 of the Rules of the Law Society.

Other than set out above, there is no appeal of any decision of the Director or in respect of the marking of assignments or competency evaluations. See Rule 64.1(2).

12. Repeating the Program

For information about repeating the CPLED Program, refer to the Rules of the Law Society.

13. Questions or Concerns

CPLED Alberta invites you to offer constructive written comments and criticism about the CPLED Program. You are also encouraged to take any questions or concerns at any time to Pam Gill or Christine Staley.

14. Alberta Lawyers' Assistant Society (Assist)

Assist is designed to provide assistance, counselling or referral to all Alberta lawyers, students-at-law and their close family members for all manner of personal problems including, but not limited to, stress, burnout, depression, marital issues, financial issues, chemical dependencies and other addiction issues.

Services are available 24 hours a day, 7 days a week. Professional counsellors, employed by the Assist Program's outside service provider, respond to all calls. The person seeking the treatment or assistance is not identified to the Law Society or the CPLED Program. Assist is strictly confidential.

The number to call from anywhere in Alberta is 1-877-498-6898.



2009-2010 CPLD Program Submission Protocol



Students must comply with the following requirements when submitting online assignments and competency evaluations:

1. Save your assignment or competency evaluation in Word (.doc) or in Rich Text Format (.rtf)
2. Use Arial or Times New Roman font (Do not use Arial Narrow).
3. Use a minimum 11-point font.
4. Use 1.5 line spacing.
5. Make all four margins at least one inch.
6. Use the following file-naming protocol:
Assignments: Last name_First name_Module#_Unit#
Competency Evaluations: Last name_First name_CE _#
Examples:
Smith_Jane_M2_U1
Smith_Jane_CE_6
7. Put a header on each page that is the same as the file name assigned to the assignment or competency evaluation. Use a minimum eight-point font for the header.
8. Number the pages.
9. Put citations in the text of your assignment or competency evaluation, not in a footnote or endnote.
10. Do not exceed the maximum number of pages set for the assignment or competency evaluation.
11. **Spell check** your assignment or competency evaluation.
12. Comply with CPLD's Professional Integrity Policy.
13. Submit the assignment or competency evaluation before the deadline.
14. Submit the assignment or competency evaluation into the drop box as an attachment on the appropriate assignment page.

Assignments or competency evaluations that do not follow this protocol may be deemed not submitted and the Competency Evaluation may receive a grade of Competency Not Yet Demonstrated.



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CPLED Program Agreement

In consideration of the Canadian Centre for Professional Legal Education (“CPLED”) accepting my registration in Alberta’s CPLED Program, I, _____, agree to the following terms and conditions:

1. I will be bound by CPLED’s Professional Integrity Policy (attached hereto).
2. All work I submit to CPLED will be my own original work.
3. I am responsible for any work I produce as a result of working in a CPLED module.
4. I am responsible for storing my work in a secure manner.
5. I will not lend, give or sell my CPLED work or materials to any other students, prospective students or individuals. If I am found to have participated in another student’s plagiarism, I may be subject to disciplinary action by CPLED or the Law Society of Alberta.
6. I will give credit or properly cite any materials I have used during my research or have incorporated into my work.
7. The material in CPLED is proprietary. Use of the module contents and materials is for my use only.
8. Plagiarism is not tolerated by CPLED and may result in investigation, suspension, failure in the program and disciplinary action by CPLED, or referral to the Law Society of Alberta for investigation and disciplinary action.

Signature of Student

Date

PROFESSIONAL INTEGRITY POLICY

Students must complete all assignments, competency evaluations and examinations with professional integrity. All assignments, competency evaluations and examinations must be the **student's own original work**. Examples of violation of this policy on professional integrity include:

1. Copying, paraphrasing or plagiarizing all or any part of a current or former student's assignments, competency evaluations or examinations in form, in content, or with only minimal changes.
2. Incorporating all or any part of an assignment, competency evaluation or examination prepared by current or former students, or using "model" answers.
3. Obtaining or ascertaining the content of an assignment, competency evaluation or examination before the content is officially available.
4. Revealing or providing the content of a competency evaluation or examination to any other person.
5. Representing or attempting to represent oneself as another student, or having or attempting to have oneself represented by another on any assignment, competency evaluation or examination.
6. Representing another's substantial editorial or compositional assistance on an assignment, competency evaluation or examination as a student's own work.

Other similar activities may also be a breach of this policy. The onus is on the student to seek clarification from the Director concerning any activity that could violate this policy.

Plagiarism or any form of cheating will not be tolerated.

The Director may take such action under this policy as appears appropriate, including investigation, forfeiture of marks, suspension, failure in the program, or referral to the Law Society.