

ing of the relevant literature appearing in the reading list.

The third part of the book deals with two 'contemporary' issues about CLE: mandatory CLE and in-house CLE. The well-known arguments for and against the introduction of MCLE schemes are briefly reviewed. However, in this reviewer's opinion, the most significant implications of the debate are not to be found these days in whether or not MCLE should be introduced but, given that it is in place, what are the lessons to be gained from the pros and cons for those faced with designing programs under MCLE schemes to make them effective learning experiences for those who are compelled to participate. The author touches upon these issues briefly.

The book ends somewhat up in the air with the short chapter on in-house CLE. What is perhaps lacking is a concluding chapter summarising the important contents of the book and pointing the way ahead for the reader.

In conclusion, the book is well written, well structured and, with the exceptions identified below, flows logically from topic to topic. One feature of the book is the linkages between the chapters, consisting of a short statement at the end of each chapter pointing the way ahead and similar wording in the introductory para of the succeeding chapter referring very briefly to how the chapter builds upon what preceded it.

Although there is a comprehensive bibliography at the end of the book, readers would have been further assisted by a list of the most frequently used terminology and a small section at the end of each chapter offering the author's recommendations for further reading, perhaps with page references and some commentary as to what to look out for. If the book's objective is to expose CLE professionals to the wider terrain of this literature, then some signposts for further reading would have been useful.

The author has identified all the important issues and marshalled all the relevant literature and research studies which bear upon these issues. He has succeeded in his goal of introducing his audience to what for most will be a whole new range of concepts, thinking and research about adult education, continuing professional education and CLE. This book is a 'must read' for all thinking CLE professionals.

Editor

#### REVIEW ARTICLE

##### Teaching for better learning: adult education in CLE

ALI-ABA Committee for Continuing Professional Education  
128pp

This is a very useful small book of handy hints for CLE providers and instructional designers, which should give them much encouragement to expand beyond the traditional repertoire of their offerings. Whereas Roper's objective in *Foundations for continuing legal education* was to provide an introduction to the thinking and research about CLE and its underpinning in adult education models, this is in essence a how-to book. It is quite remarkable, therefore, how snugly both publications, perchance appearing in the same year, have complemented each other.

The book is the culmination of a two-year project conducted by the American Law Institute-American Bar Association, called the Adult Learning Study, whose goal was to identify effective instructional formats for adults and place them in the context of CLE. In the preface the authors explain that the book focuses on the 'better learning' that can result when continuing legal education is based on techniques that research and experience have shown are the most effective for teaching adults. Indeed, the linkage between how lawyers learn and how best to teach them is what takes this study a step

beyond its predecessors. (p.11) However, because the book was intended as an easy-to-use manual, the discussion of underlying principles of adult education models as they apply to CLE is necessarily constrained and occupies only one chapter of 11 pages. Indeed, the total book length excluding the preface and appendices is only 53 pages. Nonetheless, there can be no doubt that the authors do draw upon these principles when offering concrete practical advice on CLE delivery formats in the subsequent chapters.

Chapter one deals with the application of adult education principles to CLE. The authors acknowledge that this information is easily accessible and that there are many examples within the legal profession that represent the application of best practice adult education principles. The chapter sets out four of the well-established characteristics of adult learners and then moves on to discuss the fact that lawyers, like other adults, manifest different preferred learning styles. There is a reasonable summary of the insights to be gained from Kolb's Learning Style Inventory. However, it is rather hard to understand what bearing psychological tests such as the Myers-Briggs Type Indicator have on isolating learning styles, as the authors seem to be suggesting. Personality characteristics should by no means be confused with learning styles.

The authors conclude that CLE professionals should routinely supplement the traditional lecture format with methods that encourage active, mindful involvement of the learners, in order to achieve teaching, rather than simple information transfer. The themes identified in the chapter are then encapsulated into six guiding principles for CLE providers: learning does not take place unless the learner is doing something to process the information; adults will be most motivated, most interested, most willing participants in a learning activity when they believe that the learning will be useful and relevant; adults

bring a lifetime of experience to any learning situation; adults are different from each other; professionals need more than just information to perform competently; and the goal of learning is change.

Chapter two lists and examines the strengths and weaknesses of six different 'formats of better learning' which the authors espouse as valuable in CLE delivery. This is where this small book get down to the nitty-gritty. The six formats are: the lecture; skills workshops; intensive learning-by-doing workshops; video vignettes; participant-generated problems; and residential programs. Each section is prefaced by a point-form summary of the advantages of the method under discussion. For example, the advantages of video vignettes are identified as 'an engaging, lively format for capturing the learner's attention' and 'can be used as prompts for discussion and learning by any group size'; participant-generated problems as 'opportunities for lawyers to address serious or complex issues which they are facing in their own practices' and 'insights into problem-solving strategies from experts and their peers'. Each of the six learning formats is then dissected under various headings, such as appropriate topics, program components, faculty, facilities, equipment, staff and materials, and tips for effective programming, all with practical points of advice provided.

Perhaps beyond the scope of this short book, nonetheless the value of the guidance to CLE providers would have been rammed home if some attempt had been made to give examples of the materials which could be developed by following the advice given. This omission, to this reviewer's mind, is a shortcoming to this book. It seems a shame that the output of a study of two years' duration could not be a more substantial publication getting down to this sort of level of detail, which would have been of immeasurable benefit to its audience, the CLE professional. Howev-

er, it is worth noting that appendix B contains a fairly comprehensive list of instructional techniques taken from another source which further supplement those six under discussion, but again no practical examples are given.

The third chapter contains a very brief resume of the impact of emerging technologies on the delivery of CLE and poses 'eight questions worth asking' by CLE providers before deciding upon their use.

The final chapter canvasses some of the elements of good program design and delivery within the CLE context. Here the advice is very pertinent and is summarised under the following ten categories: know the participants; acknowledge differences in skills levels; use space wisely; use time wisely; use faculty wisely; focus your planning meetings; vary the format; use audio-visuals; take advantage of others' experience and expertise; and take advantage of adult learning expertise.

The appendices contain a list of suggested readings in adult learning and CLE (including, most interestingly, Christopher Roper's *Foundations for continuing legal education*), the glossary of instructional techniques, ALI-ABA's policies for non-traditional CLE formats and the results from surveys of CLE providers and in-house CLE professionals conducted for the study.

This book can be recommended to the CLE professional as a useful addition to the slim body of literature on the design and delivery of CLE programs, whether for commercial offering or for in-house provision. Most readers will find in it material which will cause them to reflect upon their own practices and how they might be improved in the light of the guidance given in this book. Some may be inspired to stretch beyond the standard lecture format to explore non-traditional methods of delivery. However, in this reviewer's opinion, the book's attraction would have been greatly enhanced if practical examples of the advice on

improved CLE practice at work could have been furnished to reader.

Editor

## INDIVIDUAL SUBJECTS / AREAS OF LAW

### Studying modern corporations law in context

D Kingsford Smith

33 *Law Teacher* 2, 1999, pp 196-217

This article argues that the 'law in context' approach provides a good intellectual framework for blending elements from the variety of types of research being done on corporations and financial markets. It allows policy appraisal to co-exist with theory and doctrinal analysis with interdisciplinary insights. It invites a variety of approaches to teaching and learning, many of which put paid to the legend that corporations law is dull and 'black letter'. The law in context approach to studying corporations and financial markets reminds us that the project of understanding and criticising rules is the central task of a university legal training and a resource for the learned profession of which we are part.

The author describes how a traditional introductory undergraduate company law course and advanced financial regulation options are enriched by context. Simulations are used in the first half of the company law course to mimic the routines and practices of corporate life. This game playing reproduces some of the complexities and nuances of corporate decision making. In advanced options simulations are used in only one topic and information about the institutions and operation of the market under study is provided in market visits and presentations by regulators and market professionals. This gives the law under study a dynamic aspect, as well as information about its institutional or transactional context.

Complexity, unfamiliarity, overload, and continual change in the law are