



## **Handbook**

### **2008-2009 CPLED Program Alberta First Session**

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, the Law Society of Alberta's Articling Handbook and the 2008-2009 Articling Manual.

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## Table of Contents

Introduction .....	5
1. The CPLED Program .....	6
2. Face-to-Face Modules .....	6
3. Online Modules.....	7
• Logging on	
• Email and Online Communication	
• “Netiquette”	
• Submission Protocol	
• Drop Box	
• Deadline for Submissions	
• Information Retention and Storage Policy	
• Viruses and Macros	
4. CPLED Materials and Resources .....	9
5. Professional Behaviour and Professional Integrity.....	10
• Plagiarism	
6. Rules and Policies .....	12
• Excused Absences	
• Deferrals	
• Accommodation	
• Contact Information	
• Late or incomplete submissions	
• Exchange of Information	
• Suspension from the Program	
7. Successful Completion of the CPLED Program .....	13
8. Grades .....	14
9. Remarking .....	14
10. Supplementals .....	15
11. Appeals.....	15
12. Repeating the Program.....	15
13. Questions or Concerns .....	15
14. The Assist Program .....	15
Submission Protocol .....	17
CPLED Program Agreement.....	18
Professional Integrity Policy .....	19

## Introduction

Welcome to the Canadian Centre for Professional Legal Education (CPLED). This Handbook will introduce you to some of the features of the CPLED Program and will serve as a continuing reference. You should also ensure that you have read those Rules of the Law Society of Alberta that deal with the CPLED Program.

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

In addition to other Law Society requirements, students seeking admission to the Alberta Bar must successfully complete the CPLED Program. This requires (Rule 60):

- Attendance
- Participation
- Professional behaviour
- Completion of all Program requirements with professional and academic integrity, and
- The demonstration of competence in all requirements of the Program

During the CPLED Program students must take responsibility for their own learning. Articling and the CPLED Program are meant to complement, not compete against one another. Students take 'ownership' of their own performance in the Program by:

- Effectively managing and scheduling their time to ensure the demands of articling and the Program can be met;
- Managing stress in a healthy manner
- Reading and understanding the Rules of the Law Society of Alberta and CPLED rules and policies;
- Knowing when to seek help and obtaining it; and
- Learning to use the various resources provided by the Law Society of Alberta and CPLED

The modules do not review law that would be covered in law school; students are responsible for the law. In the CPLED Program, students are expected to proactively take charge of their education. Students must be prepared to learn independently and seek solutions from a variety of sources.

During the Program, students are expected to conduct themselves as professionals.

The CPLED Program is funded by student tuition fees (55%), the Law Society of Alberta (29.5%) and the Alberta Law Foundation (15.5%).

## **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 in becoming a lawyer. 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 Program emphasizes student involvement and participation within a law firm's life cycle.

The CPLED Program consists of eight modules – three face-to-face modules and five online modules. Most modules have four units. The requirements of the Program are scheduled throughout the session. There are fifteen assignments and eight competency evaluations to be completed during the session.

Please provide and maintain a current and alternate address, phone number and, if applicable, an email address, as part of your CPLED file. All changes must be made in writing and may be mailed, faxed or emailed (AB.cpled@cpled.ca). The Law society of Alberta must also be advised of all such changes.

## **2. Face-to-Face Modules – Modules 1, 4 and 8**

The face-to-face modules involve classes for up to six and one-half hours per day. **Full-time attendance is mandatory. Please arrive on time.** 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. You may not be allowed into class, and a note may be placed on your Law society file, if you are not dressed appropriately.

Please sign in each day on the attendance lists that will be posted outside the Program office at each location. Please ensure that all cell phones and blackberries are turned off during class.

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 Program unless the Director is satisfied there is an adequate reason (such as illness) for such conduct.

Volunteer lawyers serve as face-to-face instructors or facilitators 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, 5, 6 and 7**

You will be assigned to a learning group of 11 – 13 students. Once you have a learning group number, please refer to that number in all correspondence/ emails, etc. to 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 Blackboard web site, providing feedback on assignments, and marking student assignments and competency evaluations. Please limit your communications with your LGFs to the Blackboard web site.

Each online module has three assignments 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 student.

Please do all assigned readings, participate in all learning exercises, and submit all assignments and competency evaluations in accordance with the 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 Blackboard Learning System. Your username is case sensitive. Please retain your username and password throughout the Session. **Please keep your password confidential.**

### **Email and Online Communication**

You can communicate with other students, your LGF and CPLED staff via Blackboard Mail and the Discussion Tool. The Blackboard 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 you with information of an administrative nature. Please check it regularly.

All communications with the LGFs are restricted to the Blackboard system. LGFs will not provide email addresses or telephone numbers outside the Blackboard system.

The Blackboard Mail is web-based. If you have not used a web-based email (e.g. "hotmail"), this may take some practice.

### **"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 a grade of Competency Not Yet Demonstrated on the assignment or competency evaluation.

### **The “Drop Box”**

You are required to submit your online assignments and competency evaluations to your LGF through the Blackboard system only using the drop box function on the assignment page.

### **Deadline for Submissions**

The deadline for all online assignments and competency evaluations is 12:00 noon MDT/MST on Thursdays. The drop box will close exactly at 12:00 noon. Late submissions will not be accepted and will result in a grade of Competency Not Yet Demonstrated on that assignment or 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 the correct assignment or competency evaluation. This is important because you can only submit an assignment or competency evaluation into its drop box once.

### **Information Retention and Storage Policy**

You are required to ensure that you retain a backup of your work in case of 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 Learner Materials. You will receive the Module 4 and 8 Learner Materials 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 Program in the binder.

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

## Online Modules

For each unit in each 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 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 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 may suspend access to the CPLED Program without prior notice and notify the student's principal.

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 on the reverse of the CPLED Program Agreement.

**Students must complete all Program requirements with professional and academic integrity.** Except where expressly permitted, you may not receive assistance with program assignments or competency evaluations. Improper collaboration or plagiarized work is completely unacceptable and will be rejected.

The contents of all assignments and competency evaluations are confidential. You must not solicit, procure, receive or disclose any confidential material about the assignments or competency evaluation before enrolment, during or after completion of the CPLED Program. This includes client files, assignment and competency evaluation instructions, draft and final submitted assignments and competency evaluations, and feedback received from LGFs.

You may discuss the general law, background materials, precedents, and learning exercises in this Program with other students or your principal. If you are unsure about the directions in an assignment or competency evaluation and need guidance, you may always ask your LGF or the CPLED Director to clarify what is expected of you. If you need to borrow a general precedent from another student, it is acceptable to ask for one and it is acceptable to lend one.

**When completing assignments and competency evaluations, you are expected to use your original thoughts to develop your own answers and to hand in your own work. You MAY NOT do any of the following:**

- **collaborate with anyone, in any manner, for the purpose of creating, developing or modifying your answer to an assignment or competency evaluation,**
- **assist another student with his or her assignment or competency evaluation,**
- **ask anyone for feedback of any kind on your assignment or competency evaluation before you submit it to CPLED or after,**
- **provide feedback to another student on his or her assignment or competency evaluation, or**
- **discuss the feedback received from an LGF with anyone.**

If you have any doubt about whether or not there may be an issue regarding any particular conduct, you should ask the Director. 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 Program. The matter may also be referred to the Executive Director of the Law Society. The Director 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. However, 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 the 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 and if you have any questions regarding this, or any other issue relevant to your studies, ask your principal or 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, behaviour, 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 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 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 Deputy Director explaining when you are requesting to be absent as well as the reason for the absence.

### **Deferrals**

You must apply to the 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 or look at [www.cpled.ca](http://www.cpled.ca).

### **Contact Information**

Please provide and maintain a current and alternate address, phone number and, if applicable, an email address, as part of your CPLED file. All changes must be made in writing and may be mailed, faxed or emailed ([AB.cpled@cpled.ca](mailto:AB.cpled@cpled.ca)).

### **Late or incomplete submissions**

Unless the Director has granted a deferral, an assignment or competency evaluation submitted after its deadline will receive a grade of Competency Not Yet Demonstrated. Similarly, an incomplete submission will receive a grade of Competency Not Yet Demonstrated.

### **Exchange of information**

The 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 (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 Program**

The 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 Program requires a grade of Competency Demonstrated on all assignments and competency evaluations. A student who does not meet the requirements of the CPLED Program must repeat the Program.

## 8. Grades

Possible grades are:

- Competency Demonstrated – the student has satisfied the assessment criteria for the assignment or competency evaluation
- Competency Not Yet Demonstrated - the student has not demonstrated the minimum acceptable level of competency on the assignment or competency evaluation
- Deferred – the student has been granted a deferral of the assignment or competency evaluation by the Director
- Incomplete – only available to be granted by the Director after the fact and only in the most exceptional circumstances

The grade on your assignment or competency evaluation will be posted on the Blackboard website

## Receiving Feedback

You will receive feedback by email or through the drop box from your LGF on all assignments. You will receive feedback on assignments within one week of the submission deadline, unless your grade on an assignment is Competency Not Yet Demonstrated. In that case, you will receive your feedback from your LGF by 5:00 PM on the Monday following the submission deadline. You may then re-do the assignment, and submit your answer in the normal way by 12:00 noon MDT/MST on the following Thursday.

Please note that although you will receive feedback on all assignments, **you will not receive feedback on competency evaluations.** 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 assignment (including a re-done assignment) or 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 each assignment or competency evaluation to be remarked. **The fee is \$75.00 plus GST (\$78.75) and is payable to the Legal Education Society of Alberta.** Application for a remarking must be made in writing and received in CPLED’s office, together with the fee, within seven days of the date the grade is issued by CPLED.

## **10. Supplementals**

A student who has not demonstrated competence in an assignment or competency evaluations 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.

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

## **11. Appeals**

A student may appeal only:

- a requirement to repeat the entire CPLED Program
- a suspension or expulsion from the CPLED Program
- a denial of admission to the CPLED Program; or
- 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 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 invites you to offer constructive written comments and criticism about the Program. You are also encouraged to take any questions or concerns at any time to Trevor Clarke or Pam Gill.

## **14. The Assist Program**

The Assist Program 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 Program's outside service provider, Sykes Assistance Services, respond to all calls. The person seeking the treatment or assistance is not identified to the Law Society.

The number to call from anywhere in Alberta is **1-800-461-8908**.



## 2007-2008 CPLED 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.
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\_competency\_evaluation\_  
Examples:  
Smith\_Jane\_M2\_U2  
Smith\_Jane\_Competency\_Evaluation\_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 CPLED'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 may receive a grade of Competency Not Yet Demonstrated.



**CPLED Program  
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(780) 420-1987

1-800-282-3900 (within Alberta)

**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 an assignment, 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.