

Law Firm Sets Pace With CLE Program

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One Michigan law firm has changed the meaning of "continuing legal education" for its attorneys, and its supporters tell Lawyers Weekly that the idea could be the wave of the future in CLE for large firms.

Miller, Canfield, Paddock and Stone, P.L.C., has created "Miller Canfield University," or "MCU," reportedly Michigan's first and only in-house education program for attorneys and legal support staff.

MCU, the brainchild of Robert E. Gilbert, former CEO of the firm, and Barbara Silkworth, the firm's marketing director, is picking up steam in only its second year. Gilbert told Lawyers Weekly that, while creating the law firm university was done "completely tongue-in-cheek," its mission was anything but.

"Lawyers are busy people and they are constantly being educated by just having to deal with the daily flow of the law," Gilbert said. "We felt it was important to educate our attorneys not only on the substantive matters but on other aspects of the practice that are not taught anywhere else."

Miller Canfield CEO Thomas Linn agreed, saying the mix of seriousness and lightheartedness has helped the program succeed.

"We have enough serious stuff going on in our daily lives that lightheartedness is useful," he commented. "We've really had a lot better in-house training and a lot better participation than we used to have. It has really elevated continuing legal education in a number of areas across the firm."

Moreover, Silkworth told Lawyers Weekly that her main reason for creating the university was to provide a forum for various types of learning.

"Although we had continuing legal education, we really didn't have a forum for teaching the other areas that lawyers and staff have to deal with, those things that law firms, historically, have never grappled with," she explained. "It's not enough to continue just your legal education. I think MCU is bringing more practicality into CLE."

Requirements

To take the university analogy one step further, Gilbert has facetiously dubbed himself chancellor, and has named Silkworth as provost.

Additionally, the university's five colleges — practice development, technology, law, practice management and economics and personal development — each has a dean. The colleges offer two semesters every year, and each college offers three to four classes per semester, so there is no shortage of material.

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Gilbert explains that initially, students — all attorneys and staff — were required to take at least one course per semester. The ante has recently been upped for associates who must now complete two courses each semester. And just as with a "real" university, the firm has an established core curriculum for all associates.

"All associates must take not less than two courses each semester which satisfy the core curriculum requirements," he commented. "Those core curriculum requirements are one of any of the courses offered by the College of Law — those are the substantive courses — and one of any of the courses offered by the College of Practice Development."

But while Gilbert admits that nothing will be done to attorneys who don't participate — other than haranguing by colleagues — the Fall 2001 course listing booklet offers a warning for any would-be slackers, saying "satisfaction of this curriculum is a prerequisite for consideration of advancement."

Linn said the firm also uses videoconferencing for many of its courses.

"We have a number of practice groups so it used to be that training rested on the shoulders of the groups," he explained. "What we've tried to do is make it a firm responsibility to do training of all sorts in various substantive areas across groups, such as litigation and business, so we can assure a common level of understanding by our attorneys across our offices and groups. We can devote more resources and get experts from various groups to share their knowledge."

Moreover, Linn said many of the programs are recorded and posted on the firm's Extranet so that people can read them from their desk.

Although Silkworth thinks "technology is a wonderful thing," she does have reservations.

"You can get a lot from a tape, but it's not the same as being there and we really encourage that," she said. "Face-to-face time with your peers is probably one of the best things you can do, especially if you're a fairly new lawyer. This is a practice development issue that most young lawyers don't recognize. A huge source of their future work could be coming from the person down the hall or in another office across the state."

The Instructors

MCU's creators acknowledge that law schools do a fine job in some regards, but that they generally fail to address many of the practical aspects of being an attorney. Thus, each one-and-a-half hour course is taught by Miller Canfield attorneys, outside counsel or clients who design courses specifically for the firm. The goal, Silkworth said, is to teach attorneys what they didn't learn in law school.

"The question becomes 'how do lawyers find out how to run a law firm if they've never been given any training?'" she said. "That's where MCU comes in."

According to Silkworth, perhaps those instructors who are the most well-received are those who foot the bills: the in-house counsel who retain the firm for a variety of matters. In fact, Silkworth said the clients have always been "very, very willing" to participate.

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"From practical experience, when a client wants something, it gets done; when the client speaks, action follows," she asserted. "When we bring in clients as panel members to talk about what they like, what they don't like, and what they expect, believe me — they are listened to."

Linn echoed these sentiments, saying that this type of education is very important for the firm's attorneys.

"We've done a series of programs where we've invited our client in-house general counsel to talk with us and give us advice about how we can better serve our clients and what we can do to improve our effectiveness," he explained.

One of those instructors — who happens to be a Miller Canfield alum — is Ryan Haywood, now in-house counsel for Owens-Illinois in Toledo. Haywood participated in one of the first panel discussions involving how to get along with clients. These panel discussions, Haywood believes, are important for all attorneys.

"As somebody who regularly retains lawyers on the outside, it's relatively important to me that folks who are doing our work understand what our goals and objectives are, and how we are trying to accomplish them," he stated. "Unlike a law firm, we've got shareholders and public agencies to report to, so I thought it was a useful exercise talking with the attorneys about what our expectations are."

Moreover, Haywood said the courses are especially useful for younger attorneys, adding that the attorneys on the panel have "a lot of empathy" for them.

"You know if you've dealt with young lawyers just coming out of law school that they don't know how to 'do' certain things," he commented. "They don't know how the relationships between themselves and their clients and the firm and the courts and public agencies all work. A lot of us have been in the same trenches so we know what it's like."

Gilbert added that while the in-house counsel panel discussion is one of the most popular and well-attended, another effective course they've received "strong reviews" about is Practice Development 101.

"We make sure we have a mix of ages and gender and so forth to talk about how they develop their practice," he said. "It's a powerful course because they know their audience, they know what they're talking about and everybody can relate to it. As moderator, I ask questions like, 'What is the most effective thing you've ever done?' and 'What would you never do again?'"

Moving Forward

Getting the "U" started didn't happen overnight. Both Gilbert and Silkworth batted the idea around for several years before it came to fruition. Gilbert said he was lucky in that he had enough "weight at the firm" as a former CEO to pull it off.



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"It took a lot of time and effort, and if I weren't in an organization like Miller Canfield, which is fairly unique, I probably would have been whipped back into 'How are your billable hours, Bob?'" he quipped. "It took somebody who had a history of senior management to get people's attention and to get the mechanism going."

