dents learn from work in their field, and thereby increase their appreciation of its academic value. They will focus on the student's experience and goals because the professor appreciates that the learning goals of fieldwork programs are individualised. They will respect the complexity of lawyering skills and values and of legal concepts, as experienced in context.

CONTINUING EDUCATION

REVIEW ARTICLE

Foundations for continuing legal education: a guide to research, theories and ideas underlying continuing education for lawyers
C Roper
Centre for Legal Education, 1999
214pp

The objective of Christopher Roper's recent book is an extremely ambitious one. It is stated simply in the preface as *to encourage those involved in CLE, in whatever way, to examine critically their practice and theory, and to develop frameworks for acting on and understanding their work.* (p.x) Roper recognises that too much of the activity of CLE professionals is based on instinct, when there is a body of well established theory and research which can provide them with a surer footing when designing and delivering their programs. His goal is to make the literature more accessible to CLE practitioners by surveying the most important writings about relevant theories, concepts and ideas, as well as the reports of the most significant research, and reducing them into the compass of this one book.

Accordingly, the book does not profess to be a how-to-do-it manual. It does not contain helpful hints, practical suggestions, guidelines or precedents as to how CLE practitioners should set about their daily work. There are no practical examples of how the theory and research can be translated into action. Had the author proceeded to this important next stage, then it must be admitted that the book would have been of even more use to the CLE professional. But this is what he has deliberately chosen not to do. As a consequence, this is a book for thought and reflection, for gaining an understanding of the guiding principles underlying best CLE practice or, as he brands it, *the intellectual framework on which CLE rests* (p.ix).

The chapters in the book are assigned to three parts: 1 - Theoretical issues; 2 - Practical implications; and 3 - Contemporary issues. Chapter 1 sets the scene by bedding CLE in the wider concepts of adult education, continuing professional education and development, lifelong learning and human resource development. Chapter 2 provides a very thorough distillation of the salient adult learning theories, including the characteristics of the adult learner, how adults learn and, especially important in the realm of voluntary CLE, the reasons why adults choose to participate or not to participate in learning activities. It is no mean feat to be able to map successfully the main features of the very extensive body of adult learning literature within the scope of a chapter of only 25 pages.

In chapter 3 the author transposes these adult learning theories into the world of the lawyer as a member of a profession. As a preliminary step, he examines what the literature has to say about the characteristics of a profession and asks, when the learner is a professional, what does this mean for education and training. There is a brief discussion on the nature of professional knowledge and the features distinguishing the novice from the expert practitioner, followed by a very short summary of the theories of how professional expertise is acquired and what research has revealed about the pattern of CLE participation and deterrents to participation.

The focus in chapter 4 moves from the professional in the generic sense to the lawyer as one category of professional. It discusses the world of work of the lawyer by examining the characteristics of lawyering and legal practice. Several empirical studies into what lawyers do in their practices are reported from the United States and Australia. This is followed by a consideration of seven separate models, identified from the literature, which attempt to categorise the attributes of legal practice, as well as a discussion of the practice settings in which lawyers work. Finally, the author sets out the results of the limited research on participation and non-participation in CLE.

The first chapter in the second part of the book which is concerned with the practical implications (chapter 5) looks at all the dimensions of the competecy debate: what competence means generally, as well as lawyer competence specifically; the distinction between competence and performance; how to measure competence; and competency-base training. This is an extremely useful summary of a very complex area which should be of paramount importance to all CLE profesionals. Chapter 6 examines the contents of what is taught in CLE programs under the familiar headings of knowledge, skills and attitudes.

In this reviewer's opinion, chapters 7 to 9 are the most important in the book to the work of the CLE practitioner, because they open up the vast literature on instructional design and program development, through all the well recognised stages from needs assessment to evaluation. These are the best examples of areas where CLE professionals tend to act by instinct, as the author identified when stating the goal for this book, neglecting to observe that there is a wealth of practical guidance to be found in the literature that will assist with the development of their programs. These chapters will repay close study, as will the follow-up read-

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