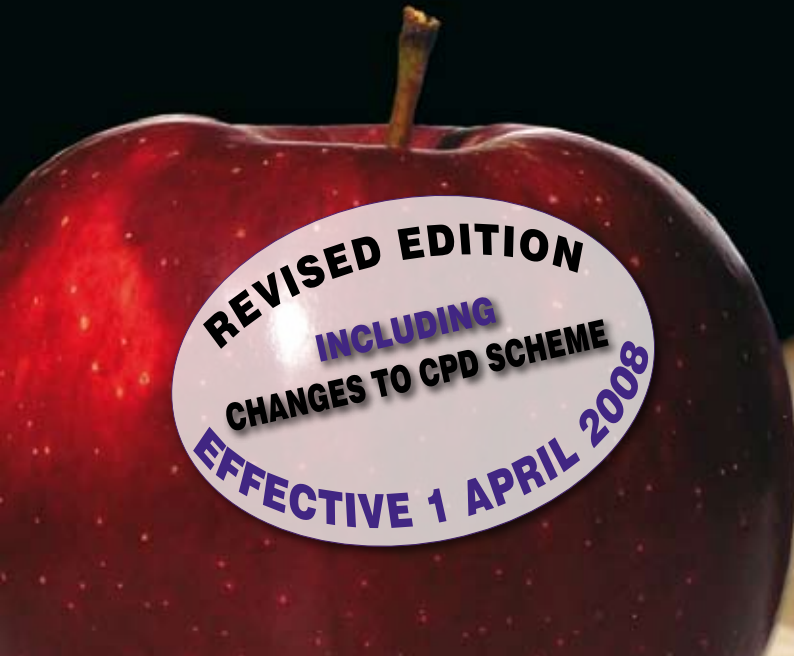
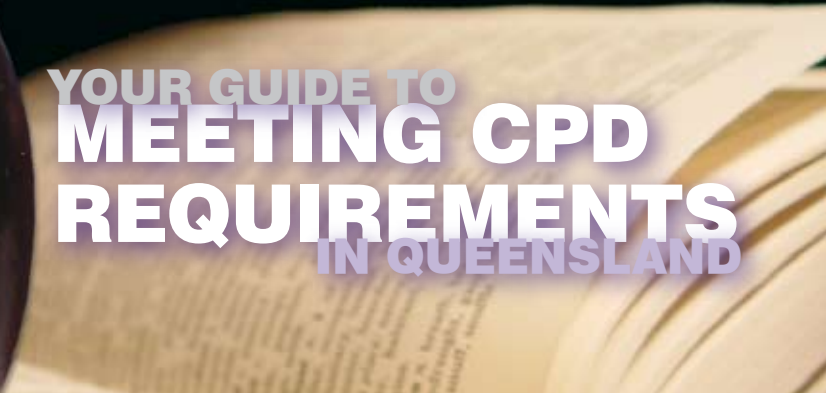


*Maintaining a competitive edge in an increasingly competitive market, requires a commitment to continuing professional development.*



**REVISED EDITION**  
**INCLUDING**  
**CHANGES TO CPD SCHEME**  
**EFFECTIVE 1 APRIL 2008**



YOUR GUIDE TO  
**MEETING CPD**  
**REQUIREMENTS**  
IN QUEENSLAND

continuing **professional** development

© 2005-2008 Queensland Law Society Inc  
revised April 2008

Queensland Law Society  
Law Society House  
179 Ann Street  
Brisbane Qld 4000

tel 07 3842 5893  
fax 07 3221 2279

cpd@qls.com.au

## Acknowledgements

This booklet has been adapted from the Professional Development information provided by the Law Institute of Victoria (LIV). The Queensland Law Society would like to thank the authors at the LIV for granting their permission to use these materials.

The Queensland Law Society gratefully acknowledges the assistance of Law Foundation Queensland in the implementation of this CPD scheme.



Law Foundation Queensland

## Contents

Acknowledgements .....	ii
Contents .....	ii
Why CPD? .....	1
Towards national CPD .....	2
Annual requirements.....	3
Recording .....	5
Audits .....	6
Supporting documentation .....	7
CPD scheme exemptions.....	8
CPD at the Queensland Law Society .....	9
Activities provided by the Queensland Law Society.....	9
Frequently asked questions .....	10
Your CPD scheme record .....	12
Further information.....	13

## WHY CPD?

CPD is an opportunity to develop your abilities as a solicitor and provide a higher standard of legal counsel to your clients.

It can also help you maintain a competitive advantage in your area of law, legal practice or business.

Practically speaking, it can help you in the quest for promotion, a shift to a different area of practice or even a career change.

The CPD Scheme was introduced in 2005 and is an important part of maintaining your ability to practise in Queensland.

Keeping up with the requirements under the CPD Scheme is easy – because you probably do it anyway. As a professional, you will spend time keeping up with new legislation and technology, improving your personal performance skills and understanding changing market environments. The Scheme simply formalises this process.

There are a broad range of things that ‘count’ as CPD. Professional organisations, educational institutions and in-house trainers can run CPD activities. Courses relevant to your business, but not directly related to black letter law, such as marketing, can also be included.

You decide which activities satisfy your individual requirements.

# 2008 AMENDMENTS

## Amendments to the Queensland CPD Scheme, effective from 1 April 2008

### What does this mean for Queensland practitioners?

- A change from the compulsory subjects of ethics, risk management and trust accounts to less prescriptive core areas of:
  - 1 practical legal ethics
  - 2 practice management and business skills
  - 3 professional skills.
- The core units to be collected at a rate of one point per core area, per year; ie a move away from the two points per subject, every three-year cycle.
- Removal of reading (private study) as a CPD approved activity.
- Removal of the Quality Assurance program.

A non-exhaustive list of topics by core areas approved by the QLS Council on 31 January 2008 pursuant to rule 47(b) of the *Queensland Law Society Administration Rule 2005* is listed below.

This non-exhaustive list of topics is also non-prescriptive and is provided for guidance purposes. The teaching of these core areas may be done pervasively, for example, the core area of practical legal ethics may be taught within a substantive law seminar. While providers may indicate the core area to which their CPD activity belongs, it is up to the practitioner to identify which core area it applies to from their perspective.

#### Practical legal ethics core area

- conflicts of interest
- how to identify an ethical issue
- communicating direct with third parties
- lawyer's duties to the court
- ethics within a technical legal context

#### Practice management and business skills core areas

- risk management
- file management
- cost rules
- business planning
- financing a practice
- effective use of technology

#### Professional skills core area

- communication and interpersonal skills
- client interviewing
- plain English drafting
- negotiation and mediation skills
- career and personal development
- advocacy
- legal research

There are three key aspects of the CPD Scheme that all practitioners need to consider every year.

## 1 Complete 10 CPD units

The CPD year begins on 1 April and ends on 31 March the following year. In each year you must complete a minimum of 10 CPD units to maintain your practising certificate.

A failure by a practitioner to comply with the rules relating to compulsory continuing professional development may amount to unsatisfactory professional conduct or professional misconduct.

A further development of the CPD Scheme allows you to claim CPD points gained in January, February or March towards either the current CPD Scheme year or the following CPD Scheme year. For example, if you have already obtained 10 CPD points by December, you may use CPD points gained during the following January, February or March towards the next CPD Scheme year.

**Note:** Points from one activity cannot be split over two CPD scheme years.

## 2 Ensure you are accumulating the compulsory core areas

There are three compulsory CPD core areas – practical legal ethics, practice management and business skills, and professional skills.

These have been selected as the three core areas of knowledge that are relevant to all practitioners.

You must accumulate one CPD unit for each core area annually. Compulsory area points count towards the annual CPD Scheme unit requirement and are not an additional requirement.

## 3 Take part in a range of CPD activities

CPD units can be attained through a variety of activities – it's not just a matter of attending seminars at a set location.

Some units have different CPD unit 'values' that you will need to know for recording purposes.

# ANNUAL REQUIREMENTS

## examples of CPD units

activity type	CPD units	maximum units per year
attending seminars, conferences, workshops and lectures (including video conferences and web streamed conferences and seminars)	1 unit = 1 hour <i>(refreshment breaks not included)</i>	unlimited
viewing 'real-time' DVD resources of seminars/conferences	1 unit = 1 hour	unlimited
preparing law lectures	1 unit = 1 hour	5 units
presenting law lectures	1 unit = 1 hour	unlimited
postgraduate studies, eg Masters in law	5 units = 1 subject	unlimited
properly organised discussion groups	1 unit = 1 hour	unlimited

activity type	CPD units	maximum units per year
writing articles published in law journals, newsletters or other approved publications	1 unit = 1000 words	5 units
member of relevant committee or taskforce	1 unit = 2+ hours	3 units
online learning packages	1 unit = 1 hour	unlimited
completion of specialist accreditation examination in the year of attempt	10 units	10 units
completion of practice management course in the year of attempt	10 units	10 units

There are three ways that you can record your CPD activities. Select the method that is easiest to integrate into your normal working patterns.

## 1 Photocopy the provided table

The table provided at the back of this Guide can be used as a template for creating your own tracking method and for including key information that should be recorded to provide the right amount of evidence of your CPD activities each year.

You could photocopy the table provided and file it with other supporting documentation of each activity (see below) or pin it to your office wall and fill the details by hand as you go.

## 2 Spreadsheet template

The Queensland Law Society has developed a template which can be downloaded from the QLS website or you can email [cpd@qls.com.au](mailto:cpd@qls.com.au) and request a copy to be sent by return mail.

The template includes drop-down selection menus of format types to assist you to categorise your activities.

## 3 Online member profile

You can now access a central register for all of your CPD activities. Your profile will automatically be updated with attendance at any of our Society events. You also have the ability to update your record with any CPD activities, and can select a specified period, e.g. activities over the last 12 months, two years, etc.

# AUDITS

The Queensland Law Society will conduct a random audit each year to ensure CPD requirements are being met.

When renewing your practising certificate, you will be required to declare whether or not you have complied with Part 6 (Continuing Professional Development) of the *Queensland Law Society Administration Rule 2005*. This will simply require you to tick the relevant section of the renewal form.

If selected for audit, you will be notified by mail. You will be required to submit your CPD record, together with supporting documentation.

Practitioners making a false declaration may be referred to the CPD Committee.

Practitioners must maintain a record of their CPD activities and the time/units that apply to each activity as outlined in the recording section of this Guide.

You will need to retain some supporting documentation to support your CPD Scheme record.

Supporting documentation *will only be required if you are audited*, and you do not need to send it at practising certificate renewal time.

Supporting documentation includes: receipts, enrolment records, certificates, transcripts, attendance list, assessment reports, employer reports, statutory declarations, detailed diary notes.

*Supporting documentation for the compulsory areas of practical legal ethics, practice management and business skills, and professional skills should be retained for twelve months after the completion of each CPD year.*

*Supporting documentation should be retained for 12 months after the completion of each CPD year.*

# CPD SCHEME EXEMPTIONS

There are a number of exemptions provided for in the Rules, and strict criteria apply.

Applications for exemptions must be made in writing to the CPD Committee. The application should detail the circumstances of the exemption request.

## Exemptions

(1) In a CPD year, the CPD Committee may, upon application in writing from a legal practitioner in a form approved by the CPD Committee, exempt in whole or in part a practitioner from compliance with this part during a CPD year on such conditions as it may specify, if:

- (a) the practitioner has been in practice for a period exceeding forty years, and:
  - (i) holds a practising certificate other than a principal practising certificate; or
  - (ii) is a Notary Public whose sole reason for holding a practising certificate is to continue to act as a Notary Public; or

(b) by reason of the practitioner's geographical location, a physical disability or any other physical exigencies of the practitioner's practice, the practitioner has experienced particular hardship or difficulty in complying with these rules;

(c) the practitioner has been substantially absent from practice because of parenting leave, unemployment or illness; or

(d) the CPD Committee considers that there are special circumstances warranting it to do so.

*Applications for exemption must be made in writing to the CPD Committee.*

Exemption application forms can be accessed on the QLS website [www.qls.com.au](http://www.qls.com.au) or by emailing [cpd@qls.com.au](mailto:cpd@qls.com.au) to request one.

The Queensland Law Society provides practitioners with many opportunities to earn CPD Scheme units.

QLS provides training and development for more than 6500 practitioners each year in areas as diverse as black-letter law seminars and workshops, practice management workshops and personal skill workshops.

Practitioners who have just begun their legal career, partners and senior practitioners with many years of experience are also catered for.

Queensland Law Society also presents annual conferences in specific areas of law, along with a series of seminars catering for young lawyers, legal support staff and our regional practitioners.

You can check out details of what is currently available, and in your area of law, by checking the QLS website [www.qls.com.au](http://www.qls.com.au).

## Activities provided by the Queensland Law Society

Activities provided by the Queensland Law Society that can contribute to the CPD Scheme requirements include:

- CLE department seminars, conferences, workshops (including videoconferencing)
- CLE department online activities
- Queensland Law Society and Law Council of Australia Committee representation or participation
- regional and suburban association activities
- DVDs with seminar/conference papers available for online purchase at [www.qls.com.au](http://www.qls.com.au)
- writing technical articles for publication in the Queensland Law Society publications *Proctor* and *eJournal*
- presenting at CLE department activities or events

For further information visit our website [www.qls.com.au](http://www.qls.com.au).

# FREQUENTLY ASKED QUESTIONS

## **Do postgraduate studies count towards CPD Scheme units?**

Yes. Postgraduate study programs are recognised if you can demonstrate relevance to your legal practice, eg Masters, etc. For further information contact the CPD Administrator, [cpd@qls.com.au](mailto:cpd@qls.com.au).

## **As an accredited specialist, am I required to complete more than the ten CPD Scheme units?**

Yes. Accredited Specialists are required to complete ten CPD Scheme units in their area of expertise and five additional units of their choice, but must comply with core area requirements. As an accredited specialist, you still need to demonstrate a commitment to the maintenance of a special level of competence in the area of practice in which accreditation is held.

## **I have recently completed the Specialist Accreditation program. How many CPD hours can I claim?**

Ten CPD Scheme units in the year of completion.

## **I reside overseas or interstate. Do I need to comply with the CPD Scheme?**

Yes. All practitioners holding current Queensland practising certificates are required to undertake CPD activities wherever they reside.

## **Do I need to submit my record schedule?**

No. You are expected to personally maintain a record of your yearly CPD activities. Random audits will be carried out to ensure compliance. If selected for audit, you will be notified and requested to submit your CPD record and other supporting documentation.

## **What if I have not completed enough units?**

If you have not attained the necessary CPD Scheme units by 31 March each year, you can submit a written application to the CPD Committee requesting a 90 day extension.

## **If I work part-time, do I still need to complete ten CPD points?**

Compliance is mandatory for all practitioners holding a current practising certificate, regardless of whether they are full-time or part-time employed.

## What happens if I don't meet my CPD obligations?

If you are a Practising Certificate holder and cannot provide evidence of sufficient CPD commitment when audited, regulatory action can occur.

The ultimate scope of non-compliance can result in the cancellation, suspension or the placement of further conditions on your Practising Certificate, as determined by the QLS Council.



## FURTHER INFORMATION

For further information, contact the CPD Administrator, who will be happy to help you.

tel 07 3842 5893  
email [cpd@qls.com.au](mailto:cpd@qls.com.au)

### Or write to the:

CPD Committee  
c/- Queensland Law Society  
GPO Box 1785  
Brisbane Qld 4001

The Continuing Professional Development Rules (Part 6 of the *Queensland Law Society Administration Rule 2005*) are located online at [www.qls.com.au](http://www.qls.com.au)

continuing **professional** development