Thank you for agreeing to serve as an MCLE chairperson.

With over 50 years of experience in providing continuing professional education for Massachusetts lawyers, MCLE has earned a national reputation for excellence in CLE. The strength of the organization is based in large measure on the hard work and goodwill of its volunteer faculty. We greatly appreciate your willingness to volunteer your time and expertise, which helps us to maintain our high standards in MCLE presentations and program materials.

As program chair, you serve as the “audience’s advocate,” taking the lead in determining the program’s content and format, drafting the brochure, recruiting the faculty, assembling the program written materials, moderating the presentations on the day of the program, and evaluating the program once concluded. This position requires a significant time commitment to ensure that the program is of the highest quality. You will work closely with one of MCLE’s Program Attorneys, who will assist you in developing and producing a successful seminar. In addition, during each phase of the program’s development, you will be able to rely upon the services and support of MCLE’s program staff, including our program assistants, technical services staff, and marketing department to assist you in creating a superior product.

This Guide is provided to assist you in preparing for your seminar. We encourage an emphasis on practical content in both the written materials and oral presentations. As you know, a lawyer’s primary reason for enrolling in an MCLE program is to expand or upgrade their practice abilities. Ideally, participants will leave your program confident in their ability to incorporate the information, insights and techniques presented into their daily practice.

We hope your experience as an MCLE chairperson is pleasant and rewarding, and we invite you to contact MCLE staff if you have any questions or concerns regarding preparation for your upcoming seminar.

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1

Defining the Learning Objectives

Planning the Curriculum

MCLE plans its curriculum based on changes in case law, new legislation or regulations, and emerging practice issues. Additionally, central to each practice area are offerings in the fundamentals that all new lawyers need for practice. MCLE's underlying institutional objective, common to each and every program, is to teach participants useful information they can incorporate into their everyday practice. Registrants should be confident that the oral presentations and supporting materials provide up-to-date and exhaustive coverage of the subject.

Contributing Your Expertise

MCLE looks to your experience and expertise in determining program content within the overall program objectives. With that in mind, you should initially take some time to review the program's objectives and consider how best to satisfy them. Consider the time allotted for the program and the experience level of practitioners to whom the program is targeted. Prepare an outline of the key information registrants can expect to take away from the program.

Using Prior Programs as a Launchpad

If the topic of your program has been included in past MCLE offerings, such as in "basics" programs that are held on an annual basis, the MCLE Program Attorney with whom you are working can provide you with the following materials on file from the past program:

- prior brochure,
- the program agenda, and
- supporting written materials.

These materials will provide you with a context for content development and marketing appeal. You are encouraged to use these materials as a point of departure in developing the presentation. You are further encouraged to edit them aggressively to reflect substantive updates, registrant feedback and a freshness of approach. Because MCLE refines many of its programs and materials through repetition, this is now an opportunity to improve upon earlier presentations.

Focusing on Practical Information

When determining program content, keep in mind that practitioners attend MCLE seminars because they want *practical information* that they can incorporate into their practice. As such, the program must aim not only to identify the most current legal issues, but also to explain how those issues play into practitioners' day-to-day representation of clients. The participants must be taught how to apply the concepts addressed throughout the program.

Employing Varied Teaching Methods

A program's content is helpful only to the extent that it is absorbed by the audience. We have found that registrants appreciate and respond to varied and interactive educational techniques. While some concepts are best conveyed via a conventional lecture format, there is almost always an opportunity to supplement this with non-traditional teaching methods. Some of the methods and combination of methods that we have found to be effective include:

✓ Faculty Demonstrations/Role-Playing

Members of the faculty demonstrate a particular skill as part of their presentation. For instance, a lecture on making an oral argument could be followed by a mock summary judgment argument.

✓ Hypothetical Case Studies

As a supplement to a lecture, the faculty present a hypothetical fact pattern that raises many of the topic's practice issues. They then explain how they would handle such a case. You can also pose variations of the problem to foster additional debate.

✓ Breakout Discussion Groups

As part of the program, registrants break into small groups with individual faculty members to discuss practice issues.

✓ Registrant Exercises

During the program, students are asked to respond to hypothetical situations.

✓ Question and Answer Sessions

Time is allotted throughout the program or at the end of the session for you to solicit questions from the audience and have members of the panel respond. Encourage questions from in-person and live webcast registrants.

✓ Polling for Audience Interactivity

MCLE has the capability of conducting polling questions during the program with real-time feedback from the audience, regardless of whether you are presenting in person or via

Zoom webcast stream. To learn more about this tool, please contact your Program Attorney well before your seminar date.

Utilizing Demonstrative Aids

Technical and visual aids can also turn a standard lecture into a cutting-edge presentation. We have numerous resources to assist speakers, from simple flip charts to overhead projection, Internet connection, and Zoom screen sharing. Program formatting is a matter in which we have considerable expertise. Let our Program Attorney and AV Technician assist you in developing an innovative and original presentation.

Incorporating Ethics Issues

Always consider whether there are ethical issues about which attorneys need to be cautioned. As part of its mission, MCLE attempts to integrate ethics education into its programs. Please note that in order for ethics credit to be listed on the brochure for a given program, the ethics topics covered during the seminar must be *at least 30 consecutive minutes* in duration.

Referencing Available Technology

Speakers should be encouraged to inform registrants of available technology to assist them with their practice.

Providing Practice Management Tips

Many of MCLE's registrants are small firm or solo practitioners. As such, part of the program should be dedicated to providing tips for running a more efficient practice.

Reviewing MCLE's Seminar Features Checklist

Please refer to the *Program Features Checklist* on the following page, which provides a synopsis of the components of a quality program gleaned from MCLE's 50-plus years of experience presenting seminars.

MCLE Program Features Checklist

- ❑ **Proactive Chair to facilitate content delivery.**
  The chair takes the lead in determining the program's content and format. The chair is responsible for guaranteeing that the substantive content promised in the brochure is delivered by the faculty. An effective chair directs questions to the panelists throughout the program to help clarify points being made during the presentations. The chair acts as moderator for panel discussions and fields questions from the audience, repeating the question after it is asked. The chair keeps the program running smoothly and on schedule.

- ❑ **Speakers with substantive expertise and presentation skills.**
  Faculty panelists are experienced practitioners with a particular focus on the relevant practice area. Presenters are effective public speakers with a sensitivity to the varied adult learning styles of the registrants.

- ❑ **Examples illustrating practice application.**
  At the core of any effective MCLE presentation are specific examples which link theory to practice. Our registrants expect pragmatic solutions and specific recommendations which they can immediately apply to their practices.

- ❑ **Agenda and written materials.**
  Each MCLE program has a written agenda, copies of which are distributed to registrants via the e-program page. In addition, MCLE's audience relies on and expects to receive comprehensive, practical, up-to-date written materials (delivered electronically via the e-program page) supporting the oral presentations.

- ❑ **Questions and answers and other interactive, participatory opportunities.**
  Opportunities are provided for the audience to ask questions, either after each speaker, at several designated intervals, or at the conclusion of the program. When appropriate, there is also an opportunity for breakout groups (small groups with individual faculty members) and 'roundtable' discussions.

- ❑ **Visual aids and varied presentation formats.**
  We encourage all seminars to include visual aids, such as Power Points, when appropriate. Although standard lecture format is often effective, other presentation methodologies should be considered, including use of hypotheticals, panel discussions, and participatory workshops.

- ❑ **Business, technical and ethical commentary.**
  When relevant, practice-specific commentary, ethics issues, and practice management tips should be addressed.

- ❑ **Judicial or regulatory commentary (if applicable).**
  When a state or federal judge or government regulator is a faculty participant, the perspective from the bench or agency enhances the program. Commentary may be offered throughout the seminar or via a self-contained lecture. Judges might also preside over a mock hearing or trial.

2

Recruiting Volunteer Faculty

Selecting an Expert Faculty

Choosing faculty members is the single most important phase of program planning. The program doesn't get any better than the presenters. In addition to the requisite substantive expertise and practical experience, we seek volunteers with excellent presentation skills and the willingness to put in the time to contribute to a professional presentation. Resist the temptation to coax the participation of a reluctant volunteer or to negotiate away MCLE's standards of excellence. The volunteer faculty must express the willingness and ability not only to provide an excellent oral presentation during the day of the program, but also to participate in pre-program planning calls or meetings and contribute well-prepared written materials in a timely manner. Therefore, when considering whether to invite back a member of a prior panel, please factor in both the evaluation summary to ensure that the presenter was well-received and the program materials to confirm that they fulfilled their commitment to provide current, practical and substantive written materials.

Underscoring Faculty's Dual Responsibility to Speak and Write

When recruiting faculty, it is imperative that you underscore the dual responsibility of each member to author written materials and give an oral presentation. MCLE's audience relies on and expects to receive comprehensive, practical, written materials supporting the oral presentations. Please emphasize this expectation when recruiting faculty volunteers. Avoid welcoming a former volunteer who is not willing to put in the time to update their written materials.

Emphasizing Currency of Materials

The currency of the written materials is of foremost importance to the registrants and, consequently, poorly developed and out-of-date materials jeopardize the substantive integrity of the program. Keep in mind that the program materials may be referred to long after the program is over. No matter how compelling the oral presentations are, MCLE's audiences give low ratings to programs with weak written materials. Materials can also play a vital role in whether a program is eligible to receive CLE credit in a mandatory CLE jurisdiction.

Recruiting an Interdisciplinary Faculty

When recruiting faculty members, please consider practice setting and practice focus, such as government service and private firm settings, large firm and small firm orientation, as well as plaintiff and defense perspectives. Consider also the benefits of utilizing professionals from other professional disciplines, such as government regulators, accountants, and scientists, etc.

3

Drafting the Program Brochure

Selling Your Seminar!

Now that you have thought through the objectives of the program, it is time to consider how best to market the program to potential attendees. The program chairperson is asked to draft a one-page brochure that MCLE will include in its term e-catalog and collateral marketing vehicles to advertise the seminar. This is the singular opportunity to showcase the program and faculty. We know from years of experience that well-written program objectives can increase attendance significantly. Given the time and commitment that it takes to prepare your program, we know you want it to be as well-attended as possible. It is imperative that the brochure send a message that is both accurate and dynamic. It must describe both the topics and the teaching formats to be employed.

Involving Faculty in the Creative Process

While you will be the one to write the draft, the Program Attorney and your faculty should be involved in the creative process to ensure that the brochure comports with the information actually presented at the seminar. Tight schedules and quick turnaround of MCLE's marketing campaigns make it difficult, if not impossible, to make changes to brochure copy once the marketing cycle begins. Therefore, it is very helpful for the first program planning session to be scheduled prior to the brochure deadline so that the entire faculty has an opportunity to contribute to the program design. This creative collaboration not only results in a better program but promotes volunteer faculty commitment. Also, it gives each participant an opportunity to double-check names, titles and professional affiliations. Because MCLE's programs provide faculty with significant professional visibility, we seek to ensure the accuracy of our faculty listings.

Drafting the Brochure

To assist you in drafting the brochure, we have prepared these simple guidelines to be followed by busy lawyers who are not professional copywriters.

By "well written," we don't mean flowery, glitzy or hype-laden. We do mean complete, clear and specific. *Please see the sample brochure on the following page.*

✓ Title and Subtitle

Make sure this includes the benefit of attending the program, not just the name of the subject. Write both a title and subtitle.

WRONG: **Corporate Practice**

RIGHT: **How to Incorporate & Counsel a Business**
From choice of entity to corporate maintenance

✓ Introductory Paragraphs

Write one or two short paragraphs which describe the problems the program will help solve, why such a program is needed and the program approach. Write in the present tense.

✓ Agenda Section

This is a concise description of what you will cover. It should have at least five parts. The heading of each part should be the **benefit** of having heard that part, not just the name of the subject.

WRONG: Forms of Organization

RIGHT: How to Choose the Most Appropriate Organizational Form

General Copywriting Tips

Here are some general writing tips to consider for the text:

- Use action-oriented, conversational words.
- Do not use "hype." Include as much detail as possible in each of your points.
- Write in the active, not passive voice and use the word "you" as often as possible.

  WRONG: Equity-based incentive compensation will be reviewed.

  RIGHT: You will learn the pros and cons of equity-based compensation schemes.
- Use words and phrases, not sentences. This enables you to get more substance in less space, and is livelier, more compact, and easier to read.
- Be specific. Describe a law that was enacted in June 2023, not "recently." Or a technique that reduces paperwork by 37 percent, not "substantially."
- Enumerate where appropriate.

  EXAMPLES:

  "The five most important provisions of . . ."
  "Four techniques for . . ."
  "Three different types of . . ."

- Remember the “golden rule.”

  DON’T TELL ME ABOUT YOUR GRASS SEED; TELL ME ABOUT MY LAWN!

  In other words, emphasize the **benefits to the attendee**.

WRONG:	Breathalyzers will be discussed.
RIGHT:	You will come away with a solid understanding of how breathalyzers work.

4

Conducting the Planning Call

Conducting the First Planning Call

Preparing a well-executed program requires that you, all faculty members and the MCLE Program Attorney consult prior to the program. These consultations are crucial to the success of every program because they enable the faculty members to focus on the objectives of the program, define the target audience, discuss the use of various pedagogical formats and agree upon the scope and content of the written materials.

To ensure that the content of the program matches the advertised program description, the first consultation session should be held prior to the MCLE brochure deadline. During the first planning session, you should work with the other faculty members on the following issues:

✓ Program Objectives

The first questions you must ask are

- “What do we want the audience to learn during the program?”
- “What will they know at the end of the program that they didn’t know before?”

✓ Target Audience

You also need to determine your target audience.

- Is this an entry-level basics program or for more advanced practitioners?
- Are the participants likely to represent large law firms, solo practitioners, or both?

Answering these questions will help you define the content of the program.

✓ Topic Content

Discuss the content of the program particularly as it relates to the target audience. What are their immediate needs? If it is an entry-level fundamentals program, the program should provide an overview of the subject matter. Other considerations:

- Are there new developments in case law to address, or legislation recently passed or in the works?
- Are there common practice mistakes that registrants need to watch out for?

- Are there ancillary topics of interest to highlight?
- Would the registrants benefit from regulatory or judicial commentary or perspectives from an interdisciplinary faculty?
- Does the program design have compelling features? Does it foster interactive learning or, where appropriate, promote the use of technology?

✓ Program Format

Participants respond well to programs that disseminate information using varied and interactive educational techniques. Ask yourself and the other faculty members whether using some of the teaching methods described in Part 1 may reinforce the program content.

✓ Written Materials and Deadlines

Because preparing the written materials takes time, you should use the initial planning session to pre-assign topics and establish a firm deadline for the submission of materials. (Please refer to Part 5 for a detailed discussion of the preparation of the written materials.)

✓ Brochure

Prior to the first planning session, you will have already identified the faculty members, discussed the overall learning objectives and scope for the program, and prepared a draft of the brochure. The first session provides an opportunity for you to receive creative input from the faculty as to the content of the brochure.

Conducting the Final Planning Meeting

During the final meeting, you and the faculty should focus on the details of the substance of the program, the logistics of the presentation format, the written materials, and the agenda for the program itself. You should ask yourself:

- Does the program agenda cover all the issues outlined in the brochure? Is the program agenda realistic—can you cover all the items in the allotted time?
- Are there any ethical issues about which attorneys need to be cautioned?
- Is there technology available to assist practitioners with practice management?
- Will the use of any audiovisual aids or audience polling questions enhance the quality of the program?

The MCLE Program Attorney or their assistant will take care of the logistics necessary to arrange the final planning session.

5

Assembling the Written Materials

Meeting Audience Expectations of Useful Materials that Complement Presentations

As discussed above, written materials are an integral part of the seminar experience: MCLE cannot overemphasize the importance of useful and content-rich written materials. The materials must be current, comprehensive, and reflect the content of the program and serve as a reference tool after the program is over.

Including Practical Reference Tools

MCLE's focus is applied law, and the program participants are eager for you and the faculty members to share your practical experience. As an extension of the oral presentation and on-site demonstrations, participants seek reference materials to consult post-program. It is your responsibility to work with the Program Attorney to ensure that the written materials are user-friendly, practical and comprehensive. The best practice is to get each of the faculty to prepare at least 15 pages of ***original materials*** about the topic. PowerPoints can serve as valuable materials. In addition, registrants find particularly helpful practice tools such as sample forms and pleadings, checklists, summaries of related cases, charts, a list of relevant statutes, ethical commentary and a bibliography of other resources.

As discussed above, you will be the point person for assigning topics and reviewing materials for accuracy and thoroughness. There are two primary types of supporting program material:

✓ New Written Materials

MCLE expects that faculty members provide original materials to support their presentations. They should be aware of this expectation when they are recruited. Sometimes, if the program has been done in the past, you will have a prototype based on prior materials from which to model the materials. However, prior materials do not relieve the faculty of the job of providing comprehensive up-to-date materials supplemented with appropriate exhibits. In order to provide the participants with the best possible written materials, it is imperative that you carefully review any pre-existing materials and update and/or add new materials as necessary. Once again, the addition of checklists, sample forms, sample pleadings, etc., is often the difference between mediocre written materials and high-quality materials with a long shelf-life.

✓ Utilizing Existing MCLE Publications

In some instances, MCLE may have an existing publication in its practice library which complements a program. Even in such cases, the faculty members are still asked to provide at least 15 pages of additional original written materials, such as PowerPoint slides.

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Orchestrating the Day of the Program

At the outset of the program, you will introduce the program by providing a brief introduction of each of the faculty members, which should be no more than a few sentences each. More extensive biographical summaries are included in the written materials.

As the program chairperson, your role throughout the program is unique. By serving as both the audience's advocate and a moderator, you are in a position to make sure that we deliver what we promised, that the audience's needs are met and that the program stays on track in both substance and time. As the chair, there are a number of teaching techniques you should consider.

✓ Provide Overview of Program

Start off the program by providing the audience with an overview of the agenda, the content of the written materials, and a summary of what they will learn.

✓ Survey of the Audience

At the beginning of the program, for in-person programs, you may wish to ask the audience questions about their practice experience. This establishes a rapport with and engages the participants. More importantly, this provides you and your faculty with a better understanding of the audience. Also, by engaging the audience at the beginning of the program, you set the tone for the rest of the program.

✓ Listen Critically to Faculty

During the faculty presentations, listen critically to both the content and the delivery. Take notes. Has the faculty member left out an important issue? Were parts of the presentation unclear? Would an example clarify a particularly complex issue? What can you do to enhance the value of this presentation? Here, your role as chairperson is crucial because you can supplement an incomplete presentation or turn a mediocre presentation into an excellent discussion. You can do this by using some of the following methods:

- **Expound on an Issue:** If you think an issue is left unclear, before moving on jump in and either ask the faculty member to expound on the issue or take a few minutes and discuss it yourself.
- **Ask the Faculty Member a Question:** Interrupt a wandering discussion to bring the panelist back on track; or, at the end of the presentation, ask the faculty member a few pointed questions.
- **Open Up the Issue for a Brief Panel Discussion:** Ask other faculty members to give their opinion. This is particularly useful when the subject matter is unsettled or controversial.
- **Ask the Faculty Member for an Example:** To clarify the presentation, ask the faculty member to put it in context by providing an example; or pose a hypothetical problem and ask the faculty member how he or she would handle it.
- **Open Up the Floor for Questions and Answers:** Instead of waiting until a predesignated time for questions and answers, encourage participants to ask questions immediately following the presentation and throughout the program.

✓ Ethical Considerations

When appropriate, you should flag any ethical considerations raised by the subject matter.

✓ Cancellation of Programs

We rarely postpone or cancel our programs. In the event of a severe snowstorm or other inclement weather impacting an in-person program, an appropriate message is recorded on MCLE's general voicemail greeting and posted on MCLE's website. The Program Attorney will contact you as soon as a decision is made.

7

Evaluating the Program

MCLE is committed to providing the highest quality CLE programs. As an institution, we are consistently monitoring the success of programs and thinking of innovative ways to keep programs fresh by improving upon content delivery (both oral presentations and written e-materials). We rely on the input of the audience because they are the ultimate arbiter of a program's success.

Online evaluation forms are emailed to all program registrants. The evaluations ask the participants questions about the content, presentation, and faculty members. The evaluations are read carefully by the Program Attorney and factored into future program planning.

MCLE cannot overemphasize the importance of the evaluations, which serve as our primary source of feedback. Accordingly, as chairperson, we would appreciate it if, before the question-and-answer period or just prior to the conclusion of the seminar, you would encourage registrants to complete the online evaluation form post-program.

8

Support from MCLE's Staff

MCLE staff are pleased to work with people like you who are willing to offer your time and expertise to other practitioners. We strive to present the best CLE programs in Massachusetts—and across the country—by addressing both timely and timeless topics, taught by experienced and talented attorneys, employing high standards for program materials and always trying to improve upon programs that we have previously offered. Here is a sketch of MCLE and whom you should contact regarding questions, concerns or problems.

✓ Program Administration

Questions should be directed to the staff member(s) with whom you are working:

Danielle L. Simmons, Esq. *Director of Programs*	617-896-1244 dsimmons@mcle.org
Christopher Kimball *Program Coordinator*	617-896-1312 ckimball@mcle.org
Bruce Richard, Esq. *Program Attorney*	617-896-1234 brichard@mcle.org
Rachel Adam *Program Assistant*	617-896-1587 radam@mcle.org
Pam Chapin *Customer Service & Conference Center Manager*	617-896-1238 pchapin@mcle.org
Kevin Nihill *Audiovisual Manager*	617-896-1257 knihill@mcle.org

✓ Facilities

If you have questions about our facilities or need accommodation because of a disability, contact Pam Chapin, Customer Service & Conference Center Manager, at 617-896-1238.

✓ Program Materials

MCLE has gone green! All program handouts and program books are available ***electronically only***, accessed via the e-program page on the MCLE website. The assorted speaker-provided written materials will be posted to the e-program page (under the agenda section for the respective speaker) ***before*** the seminar.

When appropriate, those written materials will be compiled into a program e-book several weeks ***after*** the seminar—so that the program transcript can be included—and added to the e-program page as a downloadable e-book, as well as distributed in print to law libraries around the state.

For all programs, all faculty members are asked to provide **at least 15 pages (per speaker) of originally created content.** (PowerPoint or Word outlines are often a great way to do that. Existing forms and checklists you use in practice also make great supplemental materials submissions.)

Faculty members are responsible for fully redacting sensitive information from all written materials submitted for the program.

If speakers are submitting copyrighted materials, they should note that in their cover email and request reprint permission as soon as possible.

If you have questions about the production process, contact your Program Attorney, or their assistant.

✓ Audiovisual Equipment

MCLE encourages the use of technology to enhance faculty presentations.

For in-person programs, MCLE has a podium laptop (with internet access) and an overhead projector (with screen) available for your use. For both in-person programs and Zoom webcast streamed programs, MCLE also has the capability of conducting polling questions during the program with real-time feedback from the audience. To learn more about this tool, please contact your Program Attorney well before your seminar date.

On the day of the program, an AV Manager or Technician will be available prior to the start of the program to walk you and the other faculty members through the use of any technology that will be utilized.

✓ Customer Service and Registration

The Customer Service Department provides front-line assistance to callers and visitors to our bookstore. If you would like to register someone for your program (even if you are using a complimentary guest pass), contact MCLE Customer Service at 617-482-2205 or customerservice@mcle.org.

✓ Registering a Guest

Because of our panelists' dedication to MCLE and continuing legal education, each faculty member may invite one guest to their seminar free of charge. This offer is limited to the MCLE program in which the panelist participates. Also, please note that not all programs (e.g., limited enrollment programs such as Workshops) are subject to this offer. To register guest for your program, simply contact your Program Attorney, or their assistant, or customer service *prior to the day of the program* and provide them with the name of your program, the name and full contact information of your guest, as well as whether your guest is attending in person or via live webcast or on-demand webcast (as the case may be).

Thank you for your commitment to MCLE
and we look forward to working with you.