



## Innovative Thinking

### *How to Build a Highly Effective Mentoring Program*

BY LORI L. KEATING, ESQ. AND JOHN E. MONTGOMERY

**MENTORING, WITH ROOTS IN THE 19TH-CENTURY APPRENTICESHIP SYSTEM OF TRAINING LAWYERS, IS BECOMING A WIDELY USED 21ST-CENTURY TOOL TO HELP NEW LAWYERS TRANSITION FROM LAW SCHOOL TO PRACTICE.** Within the past decade, local bar programs, many using the State Bar of Texas *Transition to Practice* approach, have spread throughout the country.<sup>1</sup> Statewide programs, modeled on trend-setting mentoring initiatives in Georgia and Ohio, are operating in more than 20 states.<sup>2</sup>

Mentoring is also used increasingly in law firms and law schools. This article provides a brief overview of how some local and statewide mentoring programs operate, the best practices to follow to ensure that a mentoring program will succeed, and predictions about the future of mentoring in the legal profession.

#### **MENTORING THROUGH LOCAL BAR ASSOCIATIONS**

The State Bar of Texas *Transition to Practice* program is a national leader in providing mentoring through local bar associations. Based on the Dallas Bar Association model, the program gained statewide exposure and expanded rapidly after Roland Johnson made mentoring a key initiative of his State Bar of Texas presidency in 2009–2010.<sup>3</sup> Mentoring through local bars is now in operation in most major Texas cities and in several large counties.

The *Transition to Practice* program has been successful because it provides all the necessary structure to allow local bars to start and run their own mentoring programs for new lawyers. Local bars are provided a menu of mentoring topics; a mentoring format, which includes group meetings and individual mentoring sessions; the necessary forms and agreements; and even an evaluation form.<sup>4</sup> With support from the State Bar of Texas and the Texas



Young Lawyers Association, local bars have access to a turnkey mentoring program. This is the most successful program of its kind in the country.

The Texas program has served as a model for other local bar mentoring initiatives.<sup>5</sup>

### STATEWIDE MENTORING PROGRAMS

Statewide mentoring programs with a centralized administration first started in Georgia in 2000 and in Ohio in 2006. Georgia's *Transition Into Law Practice Program* is mandatory for all lawyers newly admitted to practice.<sup>6</sup> The Supreme Court of Ohio *Lawyer to Lawyer Mentoring* program is voluntary, although the majority of new lawyers in Ohio take advantage of the opportunity.<sup>7</sup>

The Georgia and Ohio programs have served as exemplars. South Carolina, Utah, New Mexico, and Oregon all have mandatory programs based on Georgia's model.<sup>8</sup> Maryland, Colorado, Louisiana, and Indiana offer voluntary mentoring and incorporate several features of the Ohio program.<sup>9</sup>

Whether administered by several different local entities throughout a state like the State Bar of Texas program, or by a single court or bar association, statewide programs often share common elements. New lawyers can

be matched by program administrators, but many bring their own mentors to the programs. Law firm partners can mentor their own associates. Mentoring typically lasts one year and begins shortly after admission to practice. Mentoring topics are either set or selected from an approved menu. Mentor training is usually provided, and in mandatory continuing legal education states, mentors often receive continuing legal education credit for participation. Program forms and materials are available online.

### MENTORING IN LAW FIRMS AND LAW SCHOOLS

Since most statewide mentoring programs allow law firms to mentor their own associates, the number of law firms with active mentoring programs is increasing.<sup>10</sup> Many firms have expanded their programs beyond the one-year period typically required in state and local mentoring plans.

At Shook, Hardy & Bacon in Kansas City, a mentoring program incorporates first and second-year associates into

mentoring circles with senior associates and coached by partners. These circles allow for mentoring in group settings where new attorneys may seek advice. Throughout the year, the mentoring circles meet several times to discuss issues related to law practice and professional growth, and the firm hosts several annual mentoring-related functions.<sup>11</sup> Cincinnati-based Frost Brown Todd's innovative *First Year Associate* program includes a strong commitment to mentoring. Central to the program is a 1,000-hour apprenticeship, during which new associates learn the practice of law. The initiative features focused mentoring and training by seasoned attorneys in client, industry, and business practice.<sup>12</sup> Firms like these have made mentoring a priority.

Law schools are also establishing their own mentoring programs and using a variety of approaches. The University of St. Thomas School of Law's mentoring externship program pairs every student with a lawyer or judge during each year of law school.<sup>13</sup> The Thomas M. Cooley Law School in Lansing, Mich., uses an innovative episodic mentoring approach.<sup>14</sup> About 50 law schools now offer mentoring in a variety of formats.

### STEPS TO BUILDING AND SUSTAINING A SUCCESSFUL MENTORING PROGRAM

There are many paths to successful mentoring, and every program develops a little differently. But all noteworthy programs, whether statewide, local, firm, or law school, have several essential elements. Without them, the programs are not usually sustainable. The Supreme Court of Ohio *Lawyer to Lawyer Mentoring* plan is a good case study on the best practices necessary to start up and run a successful program.

#### Step 1: Commit Leadership and Resources

A mentoring endeavor will thrive only if it has the leadership and resources necessary to succeed. The Ohio program, after much discussion, became a reality only after Terrence O'Donnell, a member of the Supreme Court of Ohio Commission on Professionalism, became a justice of the Supreme Court of Ohio and made mentoring a priority. He enlisted the support of then-Chief Justice Thomas J. Moyer, which led to a commitment of sufficient resources to staff the program.<sup>15</sup> Similar scenarios have occurred with most state programs and in many law firm and law school mentoring programs. Enthusiastic leadership and sufficient resources are essential to a strong mentoring program.

#### Step 2: Implement a Plan, a Timeline, and a Method of Accountability

Look closely at any successful mentoring program, whether it is Ohio's program or the State Bar of Texas *Transition to Practice* program, and they have a specific approach for topics to be covered, the number of mentoring meetings, and

the length of time for mentoring. Ohio's program requires six in-person meetings for a total of at least nine hours during its one-year mentoring term. Texas has a similar structure.

There also must be accountability for carrying out the plan and a method of evaluation.<sup>16</sup> Structure provides attorneys a guide to using their time wisely; accountability at the end of the term makes sure that busy attorneys take the time necessary to fulfill the program's requirements. Without structure in place, mentoring is left to good intentions, which may not be enough to ensure a meaningful experience.

### Step 3: Effectively Use IT

The larger the program, the more critical is the role of information technology. For statewide and other large programs that entail keeping track of hundreds or even thousands of participants, effective IT support means the difference between success and failure. Ohio offers online program form submission, and its computer application automatically matches new lawyers to one of their three mentor nominations.<sup>17</sup> Emails provide reminders about deadlines and the steps necessary to complete the mentoring term.<sup>18</sup>

### Step 4: Recruit Participants

Mandatory programs have to recruit mentors, and voluntary programs must recruit both mentors and new lawyers. The ability to offer CLE credit aids significantly here, and the Supreme Court of Ohio *Lawyer to Lawyer Mentoring* program was one of the first to award credit to both mentors and new lawyers.<sup>19</sup>

Beyond CLE credit, recruiting efforts vary widely. The best practice involves starting with highly respected members of the bar and enlisting their assistance in recruiting additional lawyers. Ohio started by asking for nominations from local bar associations and judges to assure high standards of professionalism and now allows any members of the bar in good standing to apply.

Recruiting good mentors is obviously critical, but once recruited, mentors tend to stay involved. Many mentors find mentoring to be rewarding and are happy to continue their participation.

### Step 5: Modify the Program as Needed

By making changes in response to participants' needs, a mentoring program ensures that it will stand the test of time. The Ohio program has made several significant modifications. CLE credit has been increased.<sup>20</sup> Local bar associations and courts have been enlisted to host social events for participants. A LinkedIn group has been created to allow participants to connect virtually.<sup>21</sup> Concerns about generational disconnect in the workplace led to an additional segment in mentor orientation about generational differences. The difficulty with finding jobs has led to inclu-

sion of a mentoring worksheet on job searching strategies.

To remain relevant, a mentoring program must be flexible enough to adapt to the changing needs of participants.

## THE FUTURE OF MENTORING IN THE LEGAL PROFESSION

Mentoring is rapidly growing in the legal profession. Surveys and evaluations of statewide, local, firm, and law school programs find that mentoring is a valuable tool in the professional development of lawyers. Mentoring works. It is cost-effective, increases satisfaction with practice, reduces mistakes, and reduces attrition in firms.<sup>22</sup>

States throughout the country that have invested in these programs have been happy with the outcomes. The results of participant surveys everywhere are overwhelmingly positive.<sup>23</sup> Almost every program reports that mentors and new lawyers often continue the mentoring relationships informally after the end of the mentoring term. Mentoring is clearly meeting a need, and it is as critically important now, perhaps more so than ever.

What of the future? To keep up with so much growth, innovation, and change in mentoring, the National Legal Mentoring Consortium was formed in 2011.<sup>24</sup> It brings together bar and court personnel, law firms, corporations, law schools, lawyers, and judges with a common interest in mentoring. The goal of the consortium is to facilitate mentoring in the profession and identify best practices so that mentoring programs can be highly effective. Annual conferences will be held around the country.

Ultimately, the goal of everyone working in this area is to see an increase in the skills and professionalism of new lawyers and increased satisfaction with law practice. We also hope to see an eventual decline in disciplinary problems as new lawyers have a better foundation for practice. Within the next decade, some 20,000 new lawyers and law students each year are projected to have some exposure to mentoring.<sup>25</sup> Groundbreaking programs such as the State Bar of Texas *Transition to Practice* program and the Supreme Court of Ohio *Lawyer to Lawyer Mentoring* program will continue to serve as models for the future growth of mentoring in the profession. **TBJ**

## NOTES

1. There are more than 50 local bar mentoring programs now in operation, most in larger cities and counties. They are all voluntary. Survey, Nelson Mullins Riley Scarborough Center on Professionalism University of South Carolina School of Law, August, 2012. (Survey results on file with Center). Details of local as well as statewide mentoring programs can be found on the Center's website, [professionalism.law.sc.edu/](http://professionalism.law.sc.edu/).
2. *Id.*, Survey.
3. The Dallas program itself has provided mentoring for more than 800 lawyers since its inception.
4. State Bar of Texas Transition to Practice program, [texasbar.com/transitiontopractice](http://texasbar.com/transitiontopractice).
5. The American Inns of Court Model Mentoring program, used by local inns nationwide, incorporates many elements of the Texas program. The Illinois Supreme Court Commission on Professionalism also follows the Texas paradigm by encouraging bar associations to adopt its mentoring program and allowing any law firm, law school, state, county or local government agency or circuit court to be a sponsor. For details of the Illinois program, see [ilscpc.org/mentoring/mentoring\\_index.html](http://ilscpc.org/mentoring/mentoring_index.html).
6. See [gabar.org/aboutthebar/lawrelatedorganizations/cjcp/mentoring.cfm](http://gabar.org/aboutthebar/lawrelatedorganizations/cjcp/mentoring.cfm).

The Georgia program is run by the Georgia Bar and handles about 1,000 new lawyers each year.

7. See [supremecourt.ohio.gov/attysvcs/mentoring](http://supremecourt.ohio.gov/attysvcs/mentoring). In recent years, about 65 percent of Ohio new lawyers have chosen to participate in the program. The Supreme Court of Ohio administers the Ohio program through its Commission on Professionalism.
8. South Carolina's program is under the auspices of the South Carolina Supreme Court. The other state programs are bar administered.
9. Maryland is the only state to offer mentoring where the bar is not subject to mandatory CLE, making recruitment of mentors more difficult.
10. Detailed information on mentoring in law firms, law schools, and statewide programs will be available later this year from a joint NALP Foundation/Thomas Reuters survey. This will be the first comprehensive national survey on legal mentoring and mentoring practices.
11. For details of the Shook Hardy program, see [shb.com/recruiting/legalrecruiting.pdf](http://shb.com/recruiting/legalrecruiting.pdf).
12. Frost Brown's program is at [frostbrowntodd.com/careers-firstyear.html](http://frostbrowntodd.com/careers-firstyear.html).
13. The University of St. Thomas program is the most comprehensive law school mentoring program in the country, and its program materials feature questions on a wide range of topics designed to encourage thoughtful discussions about ethics, professionalism, and the day-to-day realities of the practice of law. See [sthomas.edu/law/currentstudents/mentorexternship/abouttheprogram/](http://sthomas.edu/law/currentstudents/mentorexternship/abouttheprogram/). The University of Tennessee has a newly established voluntary program allowing students to observe a professional work environment. South Carolina has a mandatory program for all first year students in conjunction with a legal professions class and a voluntary program for third years. George Washington has just started a new program that will personalize the law school experience for students and increase alumni involvement with the school.
14. "Episodic mentoring" is based on the concept of having many mentors and meeting with each for only a short time to discuss a particular topic. See Matthew Crisiano & Amy Timmer, *Maximizing Relationships to Become a Successful Lawyer: Innovative Mentoring for Lawyers and Law Students* (2012).
15. Offices of the Supreme Court of Ohio that support the mentoring effort include: attorney services (staffing, administrative support, and contact information for all lawyers newly admitted to the Ohio Bar); the public information office (media releases, marketing materials, and web design) and the IT division (computer support applications).
16. Survey results for the Supreme Court of Ohio Lawyer to Lawyer Mentoring program are posted on its website, *supra* note 7.
17. For specifics, see *supra* note 7.
18. There are numerous examples around the country where a local program has IT support from a law firm to facilitate administration. Regardless of a program's size,

IT support greatly reduces the administrative burden of overseeing a program and frees time to focus on other aspects of program development.

19. See Ohio CLE Reg. 401.3(A) for credit awarded to mentors and Ohio Gov. Bar R. X (3) (H) (3) for credit for new lawyers. Ohio awards 12 hours of CLE credit for mentors, one of the most generous awards in the country.
20. In its pilot program, mentors and new lawyers earned six hours of CLE credit upon program completion; this award was subsequently increased to nine hours for new lawyers and 12 hours for mentors.
21. The LinkedIn Lawyer to Lawyer Mentoring Group is limited to mentoring program participants. A group description is posted on the LinkedIn Groups Directory.
22. Ida O. Abbott, *The Lawyer's Guide To Mentoring*, 34-45 (2000).
23. Indiana's voluntary program, in addition to being highly rated, received reports that lawyer participants are acting more collegially and are seeking more leadership positions in the state bar. South Carolina reports increased satisfaction with law practice. Oregon participants are highly complimentary of their program.
24. For information on the consortium, see [legalmentoring.org](http://legalmentoring.org).
25. Based on projection developed by the Nelson Mullins Riley and Scarborough Center on Professionalism.



**LORI L. KEATING ESQ**

*is secretary of the Supreme Court of Ohio Commission on Professionalism.*



**JOHN E. MONTGOMERY**

*is director of the Nelson Mullins Riley and Scarborough Center on Professionalism and dean emeritus at the University of South Carolina School of Law.*

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