**FERGUSON-WHITE AMERICAN INN OF COURT**

**“2013-2014 Mentoring Program”**

**Mentor Questionnaire**

**Welcome to the Ferguson-White American Inn of Court’s 2013-2014 Mentoring Program**. Mentors consist of the following 3 membership categories: Benchers/Judges, Masters and Barristers. Mentees or Protégés consist of the following 2 membership categories: Associates and Pupils (that is, Law Student members).

**Mentors**:If you agree to participate in the program, which is encouraged to further the objectives of our Inn, please answer the questions below and leave **Page 1** of this completed form on your **pupilage group table** or return it to **Bob Nader** in person or at [rjn@naderlawfl.com](mailto:rjn@naderlawfl.com) as soon as possible. The information provided will be used to match you with a Mentee/Protégé for the year. Mentors are asked to meet twice during the 2013-2014 year with their matched Mentee/Protégé.

1. **Basic Information**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Years of practice and primary area of practice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Areas of Interest**

In what areas of law would you like to mentor a Pupil (Law Student) or Associate? (Please list your top three in order.) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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What days/times are you best available to meet with your Mentee/Protégé? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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In what size firm and type of organization or firm do you currently practice (i.e., solo practitioner, small firm, large firm, government agency, legal aid)? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. **Additional Information**

Please provide any additional information you wish to have considered in assigning you a Mentee/Protégé. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Suggested Mentoring Topics and Activities**

The following represents ideas for mentoring activities and discussions. Please do not view this as an exhaustive list, but rather as a starting point.

**I. Selected General Topics/Activities for Mentoring**

* Applications for attorneys’ fees awards
* Hearsay exceptions
* Motion dockets and how to succeed at them
* Bifurcation and trifurcation of cases
* Construction contracts
* Sanctions by state courts
* Observation of oral argument before various courts with subsequent discussion of the arguments
* Bar exams and employment prospects
* Presentation and discussion of hypothetical conflict of interest issues

**II. Ethical problems**

* Common malpractice traps: how to recognize and avoid dangerous situations
* Communications with clients—how to avoid a grievance by returning phone calls and sending copies
* Client confidences, including communications over e-mail and cellular phones
* Conflicts of interest—checking for, recognizing, avoiding and dealing with conflicts
* Leaving a firm—how to protect yourself, including advising clients and withdrawing from cases
* Client engagement and closing letters
* Rule 11 and other sanctions
* Ex pârté communications—judges, corporate adversaries, former employees, etc.
* Opinion letters and audit responses regarding clients
* Acting as local counsel—what to do when general counsel wants to completely control the litigation and your actions
* Reconciling duties to clients and to the court, e.g., what to do if your client lies
* Learning the unwritten rules of etiquette and civility between lawyers

**III. Legal analysis and reasoning/legal research and writing**

* Legal research tools and techniques, including Internet resources
* Effective legal writing

**IV. Transactional**

* Formation of legal entities
* Negotiating and drafting legal contracts
* Negotiating and drafting joint venture arrangements

**V. Client Relations**

* Client selection: interviews and case evaluation
* How to deal with a difficult client
* How to talk to a client about attorney’s fees, including fee agreements, retainers and fee disputes
* Trust fund accounts, including establishing, accounting/auditing, and use of interest proceeds
* Discussing client marketing and building a book of business
* Discussing how to develop better relationships with existing clients

**VI. Litigation**

* Investigating the case
* Case management
* Drafting initial pleadings; sharing sample pleadings and forms
* Drafting and responding to written discovery requests
* Resolving discovery disputes
* Preparing for, taking, and defending depositions
* Selecting and using expert witnesses
* Trial preparation, including organizing a trial notebook and preparing witnesses for trial
* Trial practice—voir dire, opening statement, witness examinations, closing argument, evidence rules, expert witnesses
* Introduction of Mentees/Protégés to courthouse personnel
* Observing Mentors and Mentees/Protégés in court and depositions
* How to deal with judges, including judicial independence
* Appellate practice
* Oral argument
* Local rules of procedure

**VII. Alternative Dispute Resolution/Mediation (“ADR”)**

* Forms of ADR, including mediation, binding and non-binding arbitration, high-low arbitration, early neutral evaluation, court-annexed arbitration and summary jury trials
* Preparing for mediation and arbitration
* Observing mentors in ADR
* Negotiation and settlement, including strategies and settlement documentation

**VIII. Organization and management of legal work**

* Setting up and managing law practice
* Discussing career opportunities
* Reconciling job expectations with actual experience
* Addressing salary and working conditions within your firm
* Developing time management skills, including maintaining the balance between business and personal life
* Communicating with other lawyers and staff
* Marketing/maintaining the balance between business and law

**IX. Bar Activities**

* Discussing lawyer referral and pro bono opportunities
* Professional organizations, including introducing Mentees/Protégés to colleagues in such organizations