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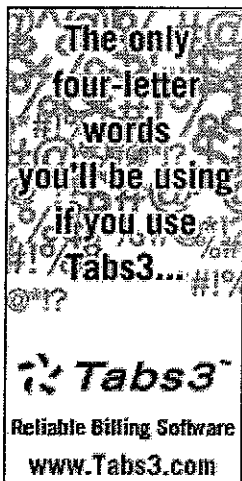
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Advice for Young Lawyers about Career Development

 Print

by Paula Nailon, J.D.
March 2005

Most law students and graduates aspire to be outstanding, not merely good attorneys. And they learn that, although their employers will provide training, they bear ultimate responsibility for their own professional development. While learning the law is relatively straightforward, it is much harder to cultivate other qualities and skills that lead to success.

By anyone's standards, Keri L. Silvyn has figured it out. A sixth-year associate at Lewis and Roca L.L.P. in Tucson, she practices zoning and land use planning. She is also a wife and mother of three (including month-old twins) with a satisfying personal life, excellent practice and reputation for leadership in her firm and community.

Silvyn seems intuitively to make all the right moves yet, for most people, the rise to excellence does not come naturally. Obviously new associates must build legal knowledge and experience, but what else must they do to excel in the profession? Law schools and law firms are devoting more attention than ever to answering this question, to help students bridge the gap between school and practice, and to jumpstart new associates into their careers.

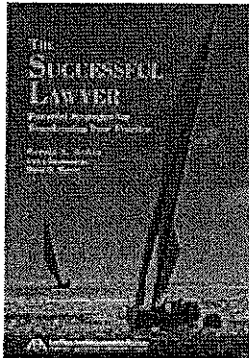
The issue is so important that Christina Plum, incoming 2005-06 Chair of ABA Young Lawyers Division, has selected as a member service initiative project presenting strategies that young lawyers can use to maximize their success. For example, YLD will suggest ways to seek constructive feedback, find a mentor and develop a well-rounded professional life. A driving force behind the project is anecdotal evidence confirming that young lawyers simply cannot rely on employers to chart their legal careers.

"The strategy may have been effective in decades past, but times have changed," Plum said. "Employers expect more initiative from young lawyers who may lack mentors for ideas about seeking work, working with other attorneys and staff, becoming involved in the community and bar association etc. I hope young lawyers will implement one or two of the strategies we present and find they have a positive effect on their professional lives."

Following are just a few practical steps a new lawyer can take to gain control of his or her career. The principles initially appear obvious and not very



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challenging. But, as Finnish philosopher Ludwig Wittgenstein remarked, "The aspects of things that are most important to us are hidden because of their simplicity and familiarity." These ideas are simple, but the challenge actually take the time to implement them. Associates who are willing incorporate some of them into their lives will be rewarded with great and professional satisfaction.

- **Know yourself.** Instead of rushing through each experience *w/out* considering what it can teach you, take the time to reflect and *articulate* your reactions. Reflect, too, upon the skills and qualities of *attorneys* you admire. You will learn more about the areas of law and kinds c you enjoy; environments, interactions and relationships that ar you; skills and areas for improvement; and personal interests ; that will give you peace of mind.

Silvyn recognized early in her career that her key strengths including "dealing with people, having lots of energy and fitting more into *my day* than most people can." She then found an area of the law that *she loved* and maximized her performance by seeking out opportunities *which wa* allow her to shine. Sally R. Simmons, Silvyn's mentor at Lewis and a super achiever herself, also recommends finding *practical ways* to acquire new skills. To overcome a fear of public speaking, for many people turn to Toastmasters and similar organizations. *So, to* learn about teamwork, organization, communication and probl new attorneys can get involved in bar associations and Young affiliates.

- **Plan ahead.** Creating a professional life is a participative proc something that "happens to you." Although a firm can help with the planning, it is amazing how many young lawyers begin their *careers* without any idea what they hope to accomplish in their jobs and in *their* personal lives. Even those who do actively think about their pl: putting them on paper, preferring instead to keep them "in the their minds." One of the most positive steps you can take in *your* development is to create a short (0 to 5 years) and long term (*5-10 yrs*) plan. Do not be afraid to think big when considering what you *would like* achieve. Before beginning, reflect on your experiences and *values*. write in detail, including measurable goals and specific action *items*. You will benefit by referring to your plan frequently, to gauge your *progress* and for revisions based on changing experiences and priorities.

Throughout his legal career, Cordell Parvin has helped associ: and achieve their career goals. Previously director of Jenkens P.C.'s Attorney Development Program, and now a consultant i Parvin speaks passionately about being the architect of your *career*. He explains that goal setting can help associates increase self-*confidence* and enthusiasm, focus their efforts, make decisions quickly and *overcome* defeats and roadblocks. "Design it and plan it with your own *vision of* success. Then build it based on finding your passion, your talent & *your* client's needs."

A balanced life is important, so include personal goals and objectives. Parvin queries, "How will you spend your 57 waking hours a week of personal time? How will you spend 500+ non-billable hours per year? How well you plan and spend your non-billable time determines quality of your career and how well you plan and spend your waking personal time determines the quality of your life."

- **Welcome the unexpected.** Since Greek mathematician Archimedes stumbled upon his theory of water displacement while bathing, he has been intrigued with "Eureka!" moments, what career coaches call "career serendipity." You can best utilize this concept by maintaining an attitude of openness to take advantage of opportunities that arise, whether large or small, and relevant or seemingly removed from your career development. Before committing, determine each opportunity's compatibility w/ your overall goals and gauge whether you have time to fully commit to it.

Be fully present for each experience. Can you remember the last time you enjoyed someone's undivided attention? Probably not! As our lives become more demanding and we are precariously overcommitted, multitasking seems the norm. However, you will actually increase productivity by concentrating fully on each conversation, actively listening. Even more importantly, clients, partners and others will respond positively to your undivided attention, which will enhance both your professional reputation and personal satisfaction. For example, Silvyn enjoys serving on several Boards of Directors and committees and has earned the confidence of her clients because she always contributes 100 percent of her time to their activities. This credibility was an important factor in their decision to maintain positions of leadership, even though she has temporarily pulled back from her activities since the twins' arrival.

- **Develop meaningful relationships.** As the concept of "emotional intelligence" becomes widespread, we better understand the role that emotions and interpersonal relationships play in otherwise logical business activities. The successful associate will quickly get to know everyone in the office, find common ground with them, learn how to relate positively with their personalities and how to move together to accomplish the firm's goals. This involves learning how to deal with problems that arise, knowing when to seek help from others and, as Silvyn says, "patting each other on the back for jobs well done and respecting the differences." Simmons suggests that you learn to look at people, not as a means to an end, but first as individuals, with families and interests outside of business.

If you are in a satellite or large office, it may be challenging to get to know colleagues, but Silvyn knows it is crucial. "Upon a partner's advice, I took lots of road trips to get to know everybody in our Phoenix office during my first four years at the firm. I like to socialize, so it was enjoyable, but those who are shy should not avoid firm events. Instead choose people to get to know very well, particularly in your practice group. Because of her outreach, Silvyn's colleagues know her strengths and can identify opportunities that are suited to her skills. Associates who are not

"tooting own horn" and socializing might not so easily come to mind

- **Find mentors.** Professionally, mentors can give you insight by sharing information about their own experiences and the realities of practice. *They* also serve as valuable sounding boards, by listening and offering support and encouragement. If your employer does not offer formal mentoring, find a mentor by contacting your state bar or seeking out those whose qualities and careers you admire, both inside and outside your firm and practice areas. Simmons also recommends finding an associate away from your practice area, to answer the "dumb" questions. Once you find a mentor, be sure to devote your own energies to ensuring the continued success of the relationship.

Besides the firm, Silvyn has received mentoring from many so including her husband Jeff (also an attorney) and the Young L am a huge advocate of the ABA Young Lawyers Division and its local counterparts. It provides a great network and brings you into contact with those who are in their first few years of practice, and also those who are now five to 10 years out. They can all be good mentors, helping you find your way, figure out your strengths and weaknesses and gain new perspectives."

- **Get involved.** You cannot build a reputation for excellence by being passive. One way to show the promise of future client development is by becoming actively involved in your firm. Silvyn volunteered to be on the Hiring Committee and, "because they knew I liked to socialize, me to help with on-campus recruiting." She was also a prime reason for the firm's adoption of a formal alternative work schedule policy. She says, "With her prompting, we now have a policy that allows an associate to move to a two-thirds or three-fourths schedule will permanently off the partnership track." The legal community at large also offer opportunities to display leadership. For example, by volunteering on his county bar's CLE committee, an associate met many of his city's leading attorneys and was even included as a panelist on programs in his area of practice. Besides their legal training, attorneys are also welcome additions to committees and Boards of non-profit organizations. In the classic case of doing well by doing good, your firm will also benefit, as your reputation grows and activities generate new opportunities. Life is a participative experience - find out what interests you and get involved!

What are the measurable results from an associate's increased interest in career development? The firm can anticipate maximum benefit from training dollars, as well as a higher degree of professionalism and job satisfaction, both of which have a positive affect on recruiting and retention. David Maister, an authority on law firm leadership, has also conducted studies showing *energized* lawyers provide higher quality service to more satisfied clients, with *ultimately* greater financial success for the firm. From experience, Parvin knows lawyers with whom he worked increased their volume of business at their first clients. "But they might have done it anyway," he says. For the most part, the benefits are more basic. "I would say you can't directly measure the

you can see them in your associates' eyes."

Paula Nailon is Director for Professional Development at the University of Arizona James E. Rogers College of Law in Tucson, AZ, where she teaches a course on workplace survival skills and focuses on professional development for students and recent graduates. She is co-author of the *Government & Internship Handbook* and serves as Liaison to the ABA Young Lawyers Division for the National Association for Law Placement. She is active in the State Bar of Arizona, Pima County Bar Association and Arizona Women Lawyers Association, and is a frequent author and lecturer on matters pertaining to attorney development and professionalism, and other career issues for law students and alumni.

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Mentoring:

A Partnership in Growth

By Gary Seiser

"Want to go to lunch?"

I was the new commissioner assigned to hear dependency cases. He was the presiding judge of the juvenile court.

"Uh, that would be great, your honor. What did you have in mind?"

"Ever eat at K-Mart?"

K-Mart? The discount store? I didn't know they served food at K-Mart!

They did. In the back of the store, sandwiched between sporting goods and linens, was a little cafeteria. Over the next two years, once every week or so, we ate in places like that. The surroundings were never fancy. The food was never expensive. But the conversation was priceless.

That judge wasn't the only mentor I've had over the years. Before him, when I was a prosecutor, there was a deputy district attorney. Years later, after I moved to San Diego, it was a deputy county counsel who guided me. I've had many mentors. Each mentored me in different ways. Each mentored me on different things. Each changed my life. So what is mentoring?

Mentoring Is A Partnership

First and foremost, mentoring is a partnership. That surprises a lot of people. Many picture mentoring as the wise old sage handing down advice to the lowly young beginner. We'll get to that age thing later. Let's focus on the relationship first. If everything is going from the mentor on high to the protégé below, that's a one-way-street. That's a relationship in which only one person learns—the protégé. That's not mentoring. That's tutoring. That's teaching. Is it beneficial? Sure. But mentoring is more than that.

Mentoring is a two-way relationship—a partnership. Does that mean the mentor isn't more experienced or occasionally higher up in the organizational chain? No. It simply means that when the two interact in the mentoring relationship the mentor takes off, or greatly reduces, any trappings of position or power. Why? So they can communicate one-on-one, with each being free to express themselves fully. That's what my *presiding judge was doing when he took me to K-Mart, leveling the playing field so we could talk. It worked.*

Everybody Wins

In a partnership each person brings something of value to the relationship, and each person gains something of value from it. What? Well, the protégé brings a desire to learn and grow, and a belief that such growth is possible. No problem so far. What the protégé gains is clear too—insight, growth, new approaches to problems, perhaps even connections that wouldn't have been open to him without the mentor. What of the mentor? The mentor brings experience, knowledge, and the desire to help someone learn. But if this is a partnership, what does the mentor gain? Plenty.

Great mentors don't mentor because they have nothing more to learn. They mentor because they don't ever want to stop learning. *The best mentors treasure the*

learning process and are enriched by it. They treasure sharing, and realize in sharing they also learn. Are all mentors that noble? No. But many are. There are other benefits for mentors too. It forces mentors to stay current, so they can pass on that information. It offers mentors a challenge, making them think how to help the protégé most effectively. Further, just as mentors support protégés, protégés can also support their mentors—being loyal, providing information, going the extra mile. Mentors gain much from mentoring.

Plus, mentoring within an organization helps create a learning environment that supports success. If mentoring is going on within an office or court system, the organization cannot help but benefit from the personal and professional growth of its members. Thus, the organization gains much too. That's the nice thing about mentoring—everybody wins.

Goals and Boundaries

The goal of the mentoring relationship is learning. Learning what? That's up to you. Some mentoring relationships are broad covering most of life, or one major area of the protégé's life, like surviving as a new attorney in a large law office. Other mentoring relationships are narrow, limited to one small area of the protégé's life, or even one specific skill, like oral argument or cross-examination. Part of establishing the mentoring relationship is defining the learning goal and the focus of the relationship.

Defining the boundaries of the relationship helps too. Is it professional and personal, or just professional? At times the two can be difficult to separate. Will you talk only at work, or will you talk outside work as well? These are important questions, especially if you both work for the same organization.

How do you define the goals and boundaries? Sometimes by talking about them, which is often the way in formal mentoring programs. Other times it evolves naturally, like the relationship itself, which is more common in informal mentoring. Either way, goals and boundaries must be established to avoid misunderstandings. Then both can relax and be comfortable enough to learn. So, how do mentors help protégés learn?

Mentors Let You Fall

I've fallen a lot over the years. Sometimes I had help—someone pulling his support when I needed it most or leading me astray with misinformation. Most of the time I did it all by myself—spoke without thinking, made choices without realizing the consequences. I even had a mentor at some of these times. Mentors aren't there to keep you from making mistakes and they're not there to catch you if you do.

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Continued on page 16.

Some of our most valuable lessons are learned by falling down, picking ourselves up, and figuring out what went wrong. Good mentors know that, even if we don't. So sometimes, especially if we aren't paying attention, they let us fall—or perhaps just stumble—for our own good. Then, when we're ready to grow, they help us learn from our mistakes. They help us help ourselves. How do they do that?

Mentors Ask

A friend of mine mentors new supervisors. She once asked whether I thought she should just come right out and tell her protégé that he might be good, but no one was going to like working for him because of his supervision style. I didn't tell her. I asked.

"How do you think he would feel if you did that?"

"Hm... Threatened probably. Maybe a little offended."

"So how would he feel if instead you ask him how he handled a particular situation, and then ask how he thought the person felt when he did that?"

The light came on.

Mentors do teach, and they do tell. But much of what a mentor teaches is taught by asking questions. Asking questions requires the protégé to reason it out herself, and the mentor to listen. Both benefit from the two-way communication of the partnership, and it helps the protégé internalize the lesson. Mentors have plenty to tell, but a good mentor tells sparingly, and asks a lot.

Mentors Affirm

Mentors also affirm. We're all human. We've got fears and insecurities. That even includes mentors. No one is immune. Good mentors know this and watch for it. If some fear or insecurity is holding the protégé back, a good mentor recognizes that and deals with it. How, you ask? Sometimes by openly talking about it with the protégé. Other times, just by affirming. Consider these tips.

- Listen. It is amazing how the simple act of being listened to helps people feel valued, helps them open up. Listen not only to the words, but also to the feelings beneath them.
- Honor the protégé's fears and doubts. Never say, "Don't worry about that" because he IS worrying about that. Instead, try "You're anxious. That's understandable. Many people are the first time. Have you thought about trying X? It might work"
- Acknowledge the validity of the protégé's thoughts and ideas, even if you don't agree with them. Reasonable minds can differ. So, acknowledge the validity of the protégé's ideas. "You're right. That's not really relevant to the legal issue." Then, if guidance is needed, provide it. "But jurors

sometimes get hung up on things that aren't relevant, so you might want to clear that up."

- Praise progress, even when it's small. Don't go overboard, of course, and don't do it without meaning it. But when the protégé takes a step in the right direction, praise it. Remember, some protégés are strangers to such praise, and need that affirmation more than you realize.
- Emphasize how much you get out of the relationship, how much you enjoy working with the protégé and the challenge of mentoring. Thank your protégé for working with you.

When mentors do these things it empowers protégés. It helps them feel safe and valued in the mentoring relationship. It helps them try new things, spread their wings, and grow.

Mentors Welcome Conflict

Good mentors, like good supervisors and good managers, welcome disagreement. Heresy? I don't think so. Disagreement is a plus for many reasons. It provides fertile ground for dynamic discussion and growth. Ever go to a presentation where all the speakers agreed and said the same thing? Ever go to one where the speakers held divergent views and openly disagreed? Which held your interest? Which made you think and consider all the possibilities? The second. It's the same in mentoring. If the protégé isn't free to share his own view, and act on it if he chooses, it isn't a true mentoring relationship; it isn't one built on trust.

Another reason disagreement is a plus is there is no one right way. The goal of mentoring isn't to get the protégé to learn to do things the mentor's way. The goal of mentoring is to stimulate thinking and plant seeds of thought, so the protégé can grow and learn in whatever direction works for her. You might be surprised. The protégé might actually come up with a better way. So one question the mentor needs to ask herself is, "What if my protégé doesn't take my advice? Am I OK with that?" If not, perhaps you're not mentoring. Mentoring is not a power relationship; it's a learning one.

Mentors Stand Aside

Mentoring is supposed to help people learn, grow and achieve. So it's no surprise people often excel when mentored. I have been privileged to mentor some of the finest attorneys I've known. All have risen professionally. Some are now peers. Others will be. Two will soon surpass me, and that's OK.

Mentoring is kind of like parenting. As parents we hope our children—personally and professionally—will accomplish more than we did. If they do, we like to feel we were partly responsible, that we were good



Mentor Pitfalls

Mentoring has the potential for great good—and large disasters. How do you ensure the good and avoid the disasters? The best way is to be aware of potential problems, watch for them, and address them quickly if they arise. Mentor pitfalls include:

The Pedestal. A good mentor serves as a role model. That's pretty natural. But two potential pitfalls exist. One is the mentee may put the mentor on a pedestal. The other is the mentor may put herself on a pedestal. The first is a problem. The second, a disaster. Avoid pedestals.

The Fall From Grace. Even if the mentor isn't on a pedestal, she's still held in high regard. But mentors are human, and make mistakes—past and present. When the mentee realizes this it can catch him off guard, resulting in a lack of respect and a breakdown in the relationship. Mentors should be upfront that sometimes they'll share information about things they've done that haven't worked, so the mentee can learn from the mentor's experience. But be careful about revealing too much personal information and failures.

Violating Trust. The mentoring relationship is built on trust. Mentors must always honor that trust. This means not sharing information with others that is shared confidentially within the relationship. It means being honest in the mentoring relationship, and valuing it. Violating the mentee's trust is the fastest way to fall from grace.

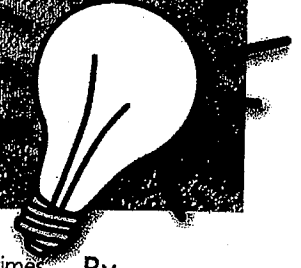
Cross-Gender Mentoring. Cross-gender mentoring is often successful and rewarding. But there are potential problems. Stereotypic gender assumptions held by the mentor, the mentee, or both, can make communicating effectively on a particular topic difficult. Sometimes others, even spouses, question the true nature of the relationship. Sometimes there is sexual tension. These potential pitfalls aren't insurmountable if they arise. They just require awareness and sometimes some straightforward talk. Again, laying the ground rules early in the relationship can prevent problems.

Supervisors As Mentors. Conventional wisdom holds a mentor should not be the mentee's direct supervisor. Unconventional wisdom holds some of the most powerful mentoring is done when the mentor is the mentee's direct supervisor. Which is correct? Both. The potential exists for conflict between the supervisor's responsibility to the organization and the responsibility to the mentee. If a conflict arises, it can cause problems and even a breakdown not only in the mentor-mentee relationship, but also the supervisor-supervisee relationship. That said, if the supervisor has excellent supervisory and interpersonal skills, is clear about when she is serving as mentor versus supervisor, and the mentor and mentee can handle the changing roles, having the supervisor be the mentor can be a positive and very effective experience.

Not Being Ready. There's an old saying, "When the pupil is ready, the master will appear." But is the pupil ready? Is the master? Many times they're not. To be a mentee you have to a desire to learn and grow, and believe you have the potential for both. To be a mentor takes more than experience and knowing your field. A good mentor must have excellent interpersonal skills, be willing to share, and be able to accept the mentee may not follow your guidance. Not everyone is ready for these things. Getting into a mentoring relationship when you're not ready is a prescription for failure.

If you have a formal program, the training you provide your potential mentors should point out these pitfalls and how to prepare for them. It can even help potential mentors gain the skills needed to be ready to be a mentor. Good mentors aren't immune to these pitfalls. They simply understand they exist, watch for them, and try to avoid or minimize potential problems.

If I Knew Then What I Know Now...



By
Maya
Eckstein

"If I knew then what I know now" is a common refrain among more seasoned attorneys when referring to their experience practicing law. Many of these lawyers could have known then what they know now had they had good mentoring relationships when they began practicing law.

I have been fortunate to have formed mentoring relationships with a few attorneys with whom I work. From my mentors I have learned what I consider to be one of the most important lessons of the legal profession—that the practice of law truly is a noble profession, and one that should be marked by civility and respect for other lawyers and the law. My mentors have also taught me other crucial lessons including that I am the only person truly responsible for my career; that no one will stand up for me if I do not stand up for myself, and that sometimes, rocking the boat could be a positive thing.

Mentoring cannot be mandated. A mentor must want to mentor and a protégé must want to be mentored. Both potential mentors and potential protégés should realize the benefits of participating in such a relationship—benefits that accrue to mentors as well as protégés.

Mentoring is not difficult. It does take a modicum amount of time in which to impart some wisdom, but mentoring is one of the most effective ways to pass on skills, knowledge and wisdom in training the next generation of attorneys.

To be a good mentor:

- Spend the time and energy necessary to be a good mentor. Mentoring does not have to be time-consuming, it simply requires your availability to impart advice and offer guidance.
- Realize that it's your responsibility to the profession. Young lawyers learn best by example and from the receipt of advice from individuals in whom they trust and confide.
- Maintain regular contact. Mentors should take the initiative to jump-start the mentoring relationship, as young lawyers often feel awkward about contacting their mentors. That said, once several meetings have occurred, the protégé should take the initiative to show a continued interest in the relationship.
- Always be honest. Trust and respect are the foundations of any effective relationship.

- Don't expect to have all the answers. Sometimes your protégés will not need advice, but just need you to listen attentively. Be there for them.
- Respect confidentiality. A good mentor mentoring relationship will not and cannot be established if your protégé believes you will reveal his/her discussions to others.
- Help guide your protégé's career. Advise honestly about career decisions and professional dilemmas.
- Teach your protégé to be a good lawyer. Teach practical lawyering skills and more importantly, professionalism and civility.
- Help your protégé learn about the firm. Explain the firm's political issues and unwritten rules, as appropriate.
- Listen. Be a sounding board by listening to ideas and plans, as well as doubts and fears.

A mentor-protégé relationship is a two-way street. While the mentor often should take the initiative in the relationship, the protégé must take ownership of it, too, if it is to be successful.

To be a good protégé:

- Do not expect to meet unreasonable goals through a mentoring relationship. The mentoring relationship will not offer shortcuts to success.
- Set goals. Identify the goals you hope to reach through the mentor-protégé relationship.
- Remember that ultimately, you are responsible for your own career development.
- Ask questions. Your mentor does not know what you want to know. Ask thoughtful, reflective questions, and follow up on the answers given.
- Respect your mentor's boundaries and time.
- Consider having more than one mentor and seek diversity in your mentor-protégé relationships.

My mentors, whose friendship and sage advice over the years I treasure greatly, have given me the opportunity to succeed and fail, to learn, and to grow as a lawyer. They have taught me civility by example and respect for our profession. More importantly, they have been my friends—people in whom I can confide and trust. I have learned more from them than anyone else in my still brief legal career. I hope that I have imparted to them at least a fraction of the great wisdom they have imparted to me. ♦

Maya Eckstein is a member of the John Marshall AIC and an associate with Hunton & Williams in Richmond, Virginia. She received the 2003 American Inns of Court Sandra Day O'Connor Award for Professional Service.

Advice to New Mentors
Provided By Lawyer to Lawyer Mentoring Participants
In End-of-Term Surveys, December 2009

From Mentors:

“Try to schedule as many of the future meetings during the initial meeting. Scheduling seems to always be an issue. So, if you block out the time well in advance, you can protect the time.”

“[Y]ou too can learn.”

“Really reflect on your own experience and how that experience can translate and be helpful to a new lawyer. Let them learn from your successes as well as mistakes.”

“Ask lots of questions.”

“Meet with your mentee as much as possible and mix it up (in terms of getting out of the office setting, meeting over an informal lunch, visiting the courthouse, attending a bar association event together).”

“[S]pend the time necessary to prepare for each meeting and consider each meeting a matter of importance. Listen more, talk less. You can use anecdotes, but keep it in check.”

“Do not go into the mentoring program with any pre-conceived notions of how it will progress. Sometimes the mentee will ask questions or want to cover topics that are completely off the wall from your perspective, but are very important to them. Just go with the flow, and be prepared for anything. The course materials are very helpful for preparing for the unexpected.”

“Don't think that you have all of the answers and the mentee has none.”

“Listen carefully and be empathic. It is easy to be dismissive of the challenges and professional issues facing new lawyers, but they are real and significant.”

“Have fun with it. Get back to your ideals.”

“Keep an open mind [as] to how the world was different from when we were there [as new attorneys].”

” Do the preparation for each lesson by reading the materials, then think of real practice experiences you have that supplement or illustrate the main points.”

“Stay positive and put yourselves in your mentees' shoes.”

"You would be surprised how much you can teach a new lawyer."

"Work hard and you will get a lot out of the program. Be prepared; emphasize the positives to the profession, professionalism and civility."

"Act like a real person - not a professor, not a partner in a firm - just be real. Don't talk to your mentee for hours on end - have a conversation where each person talks!"

" Invest the time in building the relationship- earn their trust- and it will be successful."

"Realize your mentee may have absolutely no hands-on training or experience practicing law."

"[W]henver you meet with your new lawyer, allow yourself to enter fully into communication with him or her, without distraction from phone or blackberry, for the full duration of your meeting time."

"Take the time to really listen to your mentees and what issues they may be having. Also, I recommend leaving the firm and going to lunch/coffee. It is more relaxed and we weren't surrounded by others in our firm which I think opened the lines of communication."

"[B]e generous with your time and resources."

"Prepare a few conversational gambits for the early meetings. Both of my new attorneys have been a bit shy at first about broaching new topics or asking questions."

"Take time to listen. The mentees sometimes just need to express their feelings and fears. This is a safe environment to do so."

"Be flexible and listen. Sometimes, we lawyers have a hard time listening."

"Maintain an empathetic, open, non-judgmental attitude."

"Spend time with the young attorneys. Don't just discuss law with them. They are not baby boomers and they do not process information as we do."

"[T]ake the primary lead from the mentee when discussing the topics. [T]he issue of most discussion with both of my mentees has been office politics and the relationship that the mentee has with his/her secretary."

"[B]e flexible about your meetings because the mentors likely have more ability to leave work for the meetings than the new lawyers do."

"Be open in the relationship, and welcome comments and thoughts from the mentee before providing your view of the world."

From New Lawyers:

"Establish credibility by showing a genuine, sincere interest in who the mentee is right from the beginning"

"Keep an open mind and be willing to listen. My mentor did more listening than talking and was able to hone in on many things that I wouldn't have picked up on. He gave great advice and had real life experiences to share. This is important."

"Make it obvious that you are there to help, your communications are confidential, and you are available (not too busy) to help."

"Try to take your mentee to some type of bar event or gathering of lawyers."

"Encouragement is key. A new mentor should strive to bring out confidence in the new lawyer and encourage them in their career."

"Keep in mind that the participant is likely terrified of your first meeting. Be willing to share your personal and professional experiences, the mistakes you made when first starting out, and what you like and dislike about the profession."

"Make the extra effort to get to know your mentee and make them feel comfortable coming to you with questions and concerns."

"Keep in mind that the new lawyer probably knows nothing. And half of the time we don't know enough to even know what questions we should be asking. So don't assume that we (the new lawyers) know anything."

"Be understanding and remember that when you graduated and passed the bar you knew a lot of law but had no practical understanding of how the law is practiced day to day."

"Just having someone listen goes a really long way. A lot of the attorneys I work with forget that they have been practicing law longer than I have been alive, and it was really helpful to have someone understanding and empathetic to go to."

"Don't take yourself too seriously. Have fun. Introduce the new lawyer to different activities that are going on in the community."

"That even though the young attorney may seem competent...and even though they know enough to practice...inside we feel a little lost. So, just being supportive and willing to answer any questions (even if they are simple ones) is extremely helpful."



THE CANADIAN
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The Importance of Mentoring

The Importance of Mentoring

By Ginger Grant

The concept of Mentor is an ancient one.

In ancient India, the God Krishna advised General Arjuna on the battlefield at the onset of the battle of Mahabharata. The wise advice Arjuna provided becomes the Bhagavad Gita, which is a sacred text of Hinduism to this day.

In ancient China, the wisdom of Confucius provides the Tao—the Way—a path still used today.

Thousands of years later in ancient Greece, the Goddess of Wisdom, Athena, disguised herself as a manservant named Mentor. She appeared to Telemachus, son of Odysseus, to advise him to go in search of his father.

Clearly, the act of providing the experience of objective wisdom has been around for thousands of years. Its current importance in corporate life becomes paramount as we face demographics that will reduce our workforce in numbers never before experienced.

The act of mentoring provides a powerful tool that erodes our resistance to change and enables us to step up to the next level in our development, assuming of course, that we wish to continue to learn.

We tend to forget that mentoring is an act of service—to act as a guide, to lend the experience that comes with age, to provide a shoulder to lean on when times become difficult, and a swift kick in the pants when needed. Mentoring takes time, effort and a commitment to the success of the person being mentored.

Some law firms see mentoring as a necessary evil that commonly translates into a review of technical competence. Many senior partners bemoan the fact that today's associates do not seem to possess business development skills—the ability to move from the technical practice of law to the upper ranks of rainmaker to the firm.

Rainmakers do not come from the womb proficient in the skills of building relationships with clients. Rainmaking is a skill like any other. Some have a natural ability in sales which is, to a large extent, what rainmaking really is (selling your firm over any other). The expert rainmaker has another skill—tacit or invisible knowledge about the act of rainmaking itself that is hard to define, impossible to teach and can only be learned. This is why mentoring is so important. For it is in the act of mentoring that these interpersonal skills are developed and then honed.

If associates are concentrating on 'billable hours', when is the time for mentoring provided? Mentoring takes time, and is not something that can be delivered in a one-day seminar or a lunch and learn session.

You would think that lawyers would understand the importance of allowing time for reflective

thought and interpersonal skill development. What is more important than establishing the continued success of your firm? Mentoring is one of your most valuable tools and should be treated as such.

When choosing mentors, ensure that they possess the value systems, behaviours and beliefs that you want transmitted to your next generation of leaders. Envision all of your associates copying that person's value system, behaviours and skill set. Can you see an entire firm behaving in the same manner? If you don't like the vision, get another volunteer.

Tips for associates on how to get the most out of the mentoring relationship:

1. Take charge of your own career. Think about where you want to go in your professional development and bring those goals, desires, partial plan, dreams, and whatever you have developed to your mentor. It will give him or her something tangible to work with. You might not have all of the answers, but at least have some interesting questions. It will give you both a place to start.

2. Know your strengths. One of the easiest ways to examine your own strengths is from the Gallup organization. Purchase "Now Discover Your Strengths" and locate the key on the inside of the book jacket. Log onto the Gallup Web site and take the strengthsfinder course (approximately 45 minutes). Gallup will then forward to you your top five strengths. Bring those to your mentor. Try to link your professional development goals with your natural strengths.

Martin Seligman, a psychologist specializing in what is called 'positive psychology' has also devised a strengthsfinder test that you can take over the Internet at no cost. You can locate the VIA Strengths Survey at <http://www.authentic happiness.com>. The statistical validity is not as well established as the Gallup materials, but it may give you additional insight.

If you want to dig a little deeper, try the 20-subscale Myers Briggs Type Indicator or MBTI. I prefer working with the 20-subscale version as it gives me an in depth-visual profile of your personality type.

3. If you have given some thought and attention to the above two points, you will begin to get a sense of two very important questions: "Who is my Self? and What is my Work?". In exploring both with your Mentor, you will be able to begin to construct your own personal 'strategic plan', a vision for your future that is guided by your strengths.

4. Establish your most important values. A conscious value system is one of the most valuable tools you can possess. Try the following exercise:

What is the most meaningful thing you've done this week? Write it down. Why was that so meaningful to you? Write that down too. Now ask yourself: 'Why was that so important to me?' Keep repeating this same question until you get down to a one word answer. That one word is part of your core value system. Try to implement your 'personal strategic plan' using that one word. It sounds too simple, but if whatever you are trying to accomplish doesn't fit with your core values, change what you are doing or where you are working. Your core values, or what we call 'essence', is who you are. Discuss this set of core values with your mentor and make sure that you share a common set of values. If not, find another mentor.

5. Match your workplace to your value system. If your organization doesn't share your value system, move on. It doesn't get much simpler than that. Demographics is on your side and it's your life. Why spend it with people who don't value you?

6. Walk your talk and find a mentor that does the same. It takes guts to live from your own value system so make sure you find a mentor who practices what they preach. Make sure you do too.

7. **Get out of your comfort zone.** Try to extend your reach every day. No matter how small an action, do something different or new on a daily basis. It keeps your wits sharp and will prevent you from furnishing a rut and moving in. Rigidity in thinking and in behaviour is the enemy of excellence.

8. **Grow your own hedgehog.** Read 'Good to Great' by Jim Collins and discuss how to develop your hedgehog with your mentor. Nope, I'm not explaining that. Go find out for yourself.

9. **Have faith in your own ability.** If you don't have faith in your own ability, why should anyone else? This doesn't mean that you should be arrogant—you need a healthy dose of humility in order to keep learning. To fully benefit from a good mentor though, bring your commitment to your own self (not your ego) to the table.

10. **If at first you don't succeed, quit.** What do you need to stop doing? What are the activities, people or situations that do not fit with your core value system? Focus on your natural talent, your strengths, and don't deviate. Focus on your commitment to yourself to be the best you can possibly be. Bring that level of commitment to your mentor.

In the next instalment...

Next month, find out how mentoring is both a service to the firm and to the associate, and how it provides the groundwork for what is called "branding". You cannot brand something externally that does not already exist internally.

Also next month, a checklist for mentors that can be linked into your marketing strategy to help establish both knowledge transfer within the firm and branding of your organization without.

A good mentoring program is worth its weight in gold—not only for associate retention, but also in succession planning, knowledge management and establishing and marketing a 'brand'. When you've discovered the best mentors within your firm you have located, and perhaps more importantly articulated, your organizational DNA.

About the Author:

Ginger Grant, M.A., is the President of Creativity in Business Canada Inc., a consulting firm that specializes in corporate culture and creativity. Check out the June/July issue of Scarlett magazine to see how the "Creativity in Business" program 'mentored' one lawyer in Vancouver. Ginger can be reached at: ginger@creativityinbusiness.org or 604-924-5360 or through www.creativityinbusiness.org.

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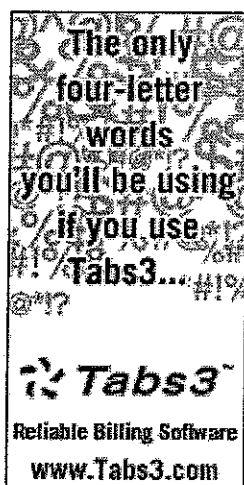
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MANAGEMENT

Article T

Training & Developing New Lawyers

by Joan Wagner Zinober, Ph.D., M.B.A.

February 2003

 Print

Why establish a training/coaching/development program for lawyers hiring new lawyers is increasingly expensive. The hiring process itself is consuming and costly. Starting salaries have become quite high. Low associates is also very costly to the firm in terms of dollars, client relationship, and morale.

New lawyers often arrive at the firm with few of the skills they need to practice. Absent a sound training and development program, they remain marginally productive, frustrated, and dissatisfied resulting in the firm reaping the maximum benefit of having them on the payroll.

With a solid training and development program, the firm likely will experience less lawyer turnover; more productive work from new lawyers, closer positive relationships between senior and junior lawyers, enhanced job satisfaction, and increased loyalty to the firm. Training and development is appropriate not only for lawyers recently out of law school; it also can benefit experienced lawyers in areas such as leadership, mentoring, managing interpersonal skills, communication skills, and rainmaking.

Key aspects of the program should be the following:

1. Orientation to the firm, practice area, and client base;
2. Legal education in substantive areas of the law;
3. Identification of each attorney's strengths and development needs;
4. Ongoing and continuous coaching/mentoring;
5. Timely, continuous feedback and effective performance appraisal;
6. Implementation of effective individual development plans.

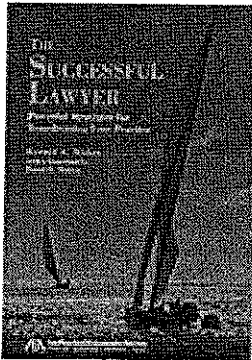
Let's examine each component.

Orientation

Even experienced lawyers who join a new firm may find themselves overwhelmed by new procedures, new rules and regulations, new ways of doing things, and a new firm culture. The lawyer's first few weeks will forge perhaps his or her most powerful, lasting impression of the firm. The quality and sensitivity of an orientation program is likely to have a strong impact on the lawyer's motivational level and job satisfaction.



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Appropriately handled, the orientation program is also an opportunity for new lawyers to understand the values of the firm and "the way we do it around here." To the extent new lawyers clearly understand what is the appropriate procedure for handling different circumstances, much frustration, aggravation, resentment, and disappointment can be avoided.

Legal Education

It would be hard for any lawyer to be highly successful without a solid foundation in the substantive area(s) of law in which he or she practices. Furthermore, because the law changes frequently, an individual's knowledge base in any given area must be continually updated.

Firms, as well as the individual lawyers, will benefit from specific guidance on how lawyers will be authorized to obtain and be reimbursed for their education. Frequently sending all the lawyers off to expensive CLE programs in far places may not be cost-effective. Senior lawyers can help steer junior colleagues to programs that have been particularly effective. Identify CLE programs offered in the firm's geographic vicinity that can be highly effective. Videotapes are available for CLE in some specialty areas.

If the firm is large enough, it may be more practical to bring in an expert to teach a program in-house. Three or four firms might bring in an expert and cost-share the training effort. Naturally, it will be important to seek appropriate CLE approval in your state in advance.

Identifying Strengths & Needs

For successful development, it is important to identify each lawyer's strengths and development needs as soon as possible. Once identified, the strengths can be used to advantage by both the individual and the firm. Meanwhile, the firm can meet the person's needs with a targeted, individualized training, development, and mentoring program suited to the particular person rather than to the group.

Individualized programs ensure that lawyers receive what they need and that they use their training and development time efficiently and effectively. Sending lawyers to programs covering skills they already have or may already have wastes everyone's time, causing unnecessary expense and frustration.

In assessing strengths and needs, it is important to look at the whole package, not just the amount of substantive legal knowledge. For example, some lawyers may benefit from training in areas such as interpersonal skills, time management, communication skills, supervising others, and strategic management. The lack of knowledge or skills in such areas can impede a lawyer's development and success as much or more than the lack of substantive legal knowledge.

Continuous Mentoring

Lawyers new to a firm—whether experienced or fresh out of law school—can benefit substantially from a mentor. The mentoring relationship helps

newcomer build a bond with the firm and the work unit while providing valuable education.

Mentors can help orient new lawyers to firm policies and procedures. They introduce them to clients, other lawyers, and referral sources, and help establish them in the community. They can help them with their legal work product and give them a better sense of professional direction. Mentors can make sure the new attorneys receive assignments that will help them stretch and grow. Finally, mentors serve as a sounding board for problems and concerns and can discuss sticky issues involving professionalism and ethics.

Feedback

Without continuous feedback, it is difficult for any lawyer to grow or improve. Simply handing back a document draft replete with red marks and comments is insufficient. Quality feedback gives the learner an opportunity to ask questions in a nonthreatening atmosphere. There is no substitute for discussing strengths and weaknesses of a legal product or service.

In many firms, the annual evaluation has become the "annual surprise" and can cause resentment and anger. Had caring, quality feedback been given during the year, negative behavior could have been corrected by the annual evaluation.

Often, in the pressure cooker environment of many law practices, the feedback an associate receives is negative. This can be demoralizing and demotivating. When positive behaviors are not rewarded or recognized, they may drop out of the person's behavioral repertoire. If the environment is one that associates fear criticism when they ask a question or try a novel idea, they may stop asking for advice or trying anything creative. This can result in a poor work product, since the associate is afraid to seek needed help. One of the major reasons people cite for quitting their jobs is "feeling unappreciated."

People learn by mistakes. If mistakes result in dire consequences and you lose the chance to convert such errors into learning experiences, Associates often lament that the only time they hear feedback about performance is when they make a mistake and someone is upset with them.

At times, an associate's performance may warrant constructive criticism. A supervisor would be well-advised to avoid premature criticism and gather facts before addressing the individual. Some mistakes result from faulty communication or factors beyond the junior lawyer's control. Give them the benefit of the doubt. Always discuss the matter in private to avoid humiliating, intimidating, or embarrassing the associate. Present feeble or marginal or poor performance as a learning opportunity, not a threat of exercise in authoritarian control.

Individual Development Plans

At the beginning of each year, establish a specific development plan for each lawyer. It should delineate and clarify how the lawyer's strengths will be put to maximum advantage during the year as well as how the lawyer will improve weaknesses.

skills in weak areas.

This plan should become an integral part of the annual evaluation of the lawyer and the mentor should feel accountable for implementing it. Goals should be specific and clearly measurable. The mere setting of development goals can increase the likelihood of lawyer growth and development.

The plan helps delineate exactly what the lawyer needs to do in order to progress satisfactorily within the firm. The plan should be developed through joint effort between lawyer and supervisor. The very process of developing the plan opens lines of communication and elucidates the associate's strengths and weaknesses.

Once the plan is developed, the supervisor can become an advocate for the lawyer, making sure the plan is implemented. The plan may call for specific assignments at certain meetings. It may determine the type of assignments the lawyer will receive during the year, as well as goals to be achieved.

Individual development plans must be updated annually. The person's needs are likely to change as the plan is implemented. With continued development, certain areas previously viewed as weaknesses may become strengths, causing a shift to new areas as a focus of development. Further, as the lawyer's role in the firm changes, a new skill set may need to be acquired or refined.

In sum, training and developing new lawyers can be advantageous to the lawyer, the mentor, the mentee, the clients, and the law firm or practice. It can contribute immeasurably to job satisfaction.

A licensed psychologist and consultant to law firms and lawyers, **Jo Zinober, Ph.D., M.B.A.** is President of Center for the Professions. She can be reached at 1501 Bayshore Boulevard, Tampa, Florida 33606; (813) 988-1111; joanzin@aol.com. This article was adapted from an article authored by Jo Zinober that first appeared in *Law Practice Management Magazine*, February 1999.

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