

Birmingham Bar Association New Lawyer Mentoring Program

INTRODUCTION

The Mentoring Plan includes core concepts, lawyering skills, activities and experiences that should be used as learning activities for the Mentee and Mentor and as topics for discussion between them. The activities and experiences are an introduction to the topics that lawyers need to be familiar with for the successful and professional practice of law.

The Mentoring Plan should be developed by the Mentor and the Mentee together during their first meeting and should be submitted, along with the Certificate of Satisfactory Completion, to the Mentoring Program Committee Chair at the end of the Mentoring Session. Each individualized Mentoring Plan should incorporate as many of these activities and experiences as feasible, while being customized to the particular practice setting, individual needs and personal goals of the Mentee.

The Mentoring Plan submitted to the Mentoring Program Committee Chair will be the checklist of activities that the Mentee and Mentor completed together by the end of the year.

Mentees are also encouraged to discuss with Mentors the concepts covered in the Alabama State Bar's Mandatory Professionalism 6-Hour CLE Course and similar programs. In addition to using these resources for the facilitation of discussions, the Mentor should provide a meaningful review and suggestions for practical application of the concepts found in the Alabama State Bar's *Lawyers Creed* and the 10th Judicial Circuit's *Standards for Professional Conduct*.

MENTORING PLAN

MENTEE NAME/ASB NO. _____

MENTOR NAME/ASB NO. _____

COMPONENT I – PROFESSIONALISM

A. MENTEE INTRODUCTION TO THE LEGAL COMMUNITY

Required Activity:

- At the earliest opportunity, the Mentee will initiate the first meeting with his or her Mentor to get acquainted and design the mentoring plan
- Meet at a local courthouse and introduce the Mentee to members of the judiciary and court personnel
- Discuss customary rules of civility among lawyers and judges in the community

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Elective Activity (please check):

_____ Attend any BBA networking event and introduce the Mentee to other lawyers in the community

_____ Provide the Mentee with examples of local, state, specialty and national bar associations, and discuss the differences between them

B. LAW OFFICE MANAGEMENT

Required Activity:

- Meet at the Mentor’s law office and introduce the Mentee to members of the firm and explain to the Mentee each employee’s role in the firm and each lawyer’s area of practice. For solo practitioner Mentors, make arrangements to do this activity at a larger law firm
- Discuss law office management matters like billing systems, calendar reminder systems, conflicts check procedures, time records, filing systems and other procedures

Elective Activity (please check):

_____ Discuss effective time management skills and techniques

_____ Share “do’s and don’ts of working with support staff, colleagues, and senior attorneys

C. RULES OF PROFESSIONAL CONDUCT AND STANDARDS OF PROFESSIONALISM

Required Activity:

- Discuss some discipline cases reported in *The Alabama Lawyer* and discuss how to follow the Rules of Professional Conduct to avoid such discipline
- Discuss trust accounting and IOLTA referring to Rule 1.15 of Alabama Rules of Professional Conduct

Elective Activity (please check):

_____ Discuss application of the Rules of Professional Conduct to lawyer advertising on internet or private on-line services

_____ In reference to Rule 7.5, discuss implications of using a firm name that violates Rule 7.1 of Alabama Rules of Professional Conduct

_____ Discuss the basis, division of fees and terms of payment in reference to Rule 1.5 of Alabama Rules of Professional Conduct

D. DIVERSITY AND CULTURAL COMPETENCE

Required Activity:

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- Read and discuss the article “Diversity Makes Cents,” and share personal experiences involving diversity and inclusion in your professional setting

(Article URL: <http://www.netforlawyers.com/page/diversity-makes-cents>)

Elective Activity (please check):

- _____ Discuss the importance of diversity in the workplace and share some ways to increase diversity and cultural competence in the legal profession
- _____ Attend a diversity awareness CLE or training and discuss

COMPONENT II – LEGAL ETHICS AND CIVILITY

A. CLIENT COMMUNICATION AND CONFLICTS OF INTEREST

Required Activity:

- Mentor to provide a sample engagement letter designed to address the situation of dual representation where a conflict could possibly arise. Discuss with Mentee the importance of stating the terms of engagement and the issue of potential conflicts in the engagement letter
- Share best ways for communicating with clients: sending copies of pleadings and correspondence to clients; returning calls personally and promptly; keeping clients involved in making decisions in their cases; and respecting clients’ time

Elective Activity (please check):

- _____ Have the Mentor explain a situation where they faced a conflict of interest with client in legal practice and how they dealt with it
- _____ Discuss Rules 1.7, 1.8, 1.9 of Alabama Rules of Professional Conduct as it relates to Conflict of Interest with client
- _____ Mentor to share personal experience of how failing to communicate clearly with a client caused problems in the attorney-client relationship

B. COMMON MALPRACTICE AND GRIEVANCE TRAPS; DISCIPLINARY INVESTIGATION

Required Activity:

- _____ Discuss the grievance process and a lawyer’s duty to cooperate with a disciplinary investigation
- _____ Discuss how to recognize and avoid malpractice pitfalls and grievance complaints

C. DEALING WITH OTHERS ON BEHALF OF YOUR CLIENT

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Required Activity:

- Discuss lawyer’s ethical obligations in dealing with: opposing party and counsel; a person represented by counsel; a person unrepresented by counsel and the tribunal

Elective Activity:

_____ Discuss the importance of reputation and how dealing with others in a case affects a lawyer’s reputation

_____ Talk about the importance of civility in communications with others: lawyers; secretaries; office staff; clerk of court; judge’s staff

_____ Mentor to share “war” stories of attorneys who have harmed a client due to incivility and lack of consideration in dealing with opposing counsel, the judge or the jury

D. INCIVILITY IN THE LEGAL PROFESSION

Required Activity:

- Mentees to attend the Birmingham Inns of Court banquet and become acquainted with its mission to foster excellence in professionalism, ethics, civility and legal skills.

Elective Activity (please check):

_____ Discuss ways to handle situations in which another lawyer is believed to have violated ethical duties, including the duty to report misconduct

_____ Discuss the appropriate way to handle a situation where new lawyer/ associate has been asked to do something unethical by another lawyer (whether in the same firm or otherwise)

**COMPONENT III – CAREER DEVELOPMENT AND
ATTORNEY WELLNESS**

A. PUBLIC SERVICE/ PRO BONO ACTIVITIES

Required Activity:

- Mentees to sign-up to volunteer at a Help Desk organized by Volunteer Lawyers Birmingham

Elective Activity (please check):

_____ Discuss the importance of providing pro bono representation

_____ Discuss local pro bono opportunities and how to get involved in them

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_____ Mentor to invite Mentee to attend a meeting of a charitable or civic organization in which Mentor is involved

B. BAR LEADERSHIP

Required Activity:

- Mentor to introduce Mentee to other lawyers in the community through attendance at BBA events/meetings
- Discuss how BBA involvement can enhance career opportunities

Elective Activity (please check):

_____ Discuss professional and civic organizations that Mentee can get involved with and the importance of civic engagement

_____ Share with Mentee the associations in which Mentor is a member and discuss how involvement in these activities can be beneficial to Mentee

C. WORK/ LIFE BALANCE & CAREER PATHS

Required Activity:

- Mentor to share their experiences and environments in the different practice settings in which they have worked. Share who or what was most instrumental in Mentor's developing practice expertise
- Read and discuss how to integrate demanding client-services job while still meeting personal obligations to your family, community and yourself. Reference Article:

<http://home.innsocourt.org/for-members/current-members/the-bencher/recent-bencher-articles/novemberdecember-2012/lessons-from-lawyers-achieving-work-life-balance.aspx>

Elective Activity (please check):

_____ If Mentor specializes in an area of practice, share with Mentee experience in acquiring expertise in that area. Share why Mentor chose to practice in that area

_____ Discuss how to handle challenging relationships in and outside workplace and how to develop a support system of colleagues and others to discuss difficult situations as they arise

_____ Discuss networking opportunities that would coincide with Mentee's objectives

D. ATTORNEY WELLNESS

Required Activity:

- Attend the wellness CLE that will be hosted by the BBA (check with the Mentoring Committee Chair or Co-Chair for exact date and time)

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- Discuss the Alabama State Bar’s Attorney “Alabama Lawyer Assistance Program” (“ALAP”), the resources it provides and the confidential nature of its work

COMPONENT IV – BASIC SKILLS PRACTICE AREAS

Required Activity:

- Mentee and Mentor select at least two of the following practice areas below. Activities for completion of this component may involve discussion about the practice of law in selected areas; visiting a courthouse or other setting to observe the work in that area; introducing Mentee to Judges in selected areas of practice. The list provided is not exclusive, and Mentor and Mentee may select another area of practice not listed.

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| <input type="checkbox"/> Admin/governmental | <input type="checkbox"/> General Practice |
| <input type="checkbox"/> Appellate practice | <input type="checkbox"/> Immigration |
| <input type="checkbox"/> Arbitration/mediation | <input type="checkbox"/> Juvenile |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Probate/ trust/ estates |
| <input type="checkbox"/> Business/commercial | <input type="checkbox"/> Personal Injury/ Torts |
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Real estate/ landlord- tenant |
| <input type="checkbox"/> Civil Litigation | <input type="checkbox"/> Social Security |
| <input type="checkbox"/> Employment/labor law | <input type="checkbox"/> Taxation |
| <input type="checkbox"/> Family/Domestic Relations | <input type="checkbox"/> Traffic/ municipal court |
| <input type="checkbox"/> Federal practice | <input type="checkbox"/> Worker’s Compensation |
| <input type="checkbox"/> Other: _____ | |

COMPONENT V – COURTROOM SESSION (MENTEES ONLY)

Required Activity:

- Mentees to attend at least one (1) Coffee with the Judges hosted by the BBA and meet other attorneys and judges.
- Mentees to attend the Young Lawyers Section CLE featuring a panel of judges typically held after the June Coffee with the Judges (check with the Mentoring Committee Chair or Co-Chair for exact date and time)