

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 must be submitted, along with the Certificate of Satisfactory Completion, to the Mentoring Program Committee Chair by December 1. 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. Next to each activity is a space to check if the Mentee elects to participate in that activity. Once the Mentee and Mentor check the activities that will make up their Mentoring Plan, both of them must sign the Mentoring Plan Pledge.

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 utilizing 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

I 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

Birmingham Bar Association New Lawyer Mentoring Program

- 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

Elective Activity (please check):

_____ Attend any bar association meeting or event (other than a CLE program) 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

I b. LAW OFFICE MANAGEMENT

Required Activity:

- Meet at the Mentor's law office and introduce the Mentee to members of the Mentor's 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 another 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.

I 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

Birmingham Bar Association New Lawyer Mentoring Program

_____ 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

I d. DIVERSITY AND CULTURAL COMPETENCE IN THE LEGAL PROFESSION

Required Activity:

- 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 to 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

II 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

II b. COMMON MALPRACTICE AND GRIEVANCE TRAPS; DISCIPLINARY INVESTIGATION

Required Activity:

- Mentees to attend a program on malpractice and grievance traps organized by the Birmingham Bar Association for mentoring program participants

Elective Activity (please check):

_____ Discuss the grievance process and a lawyer's duty to cooperate with a disciplinary investigation

_____ Discuss how to recognize and avoid common pitfalls in malpractice and grievance traps

II c. DEALING WITH OTHERS ON BEHALF OF YOUR CLIENT

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

II d. INCIVILITY IN THE LEGAL PROFESSION

Required Activity:

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

Elective Activity (please check):

Birmingham Bar Association New Lawyer Mentoring Program

_____ 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

III a. PUBLIC SERVICE/ PRO BONO ACTIVITIES

Required Activity:

- Mentees to sign-up to volunteer at 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

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

III b. BAR LEADERSHIP

Required Activity:

- Mentor to introduce Mentee to other lawyers in the community through attendance at local bar association events/meetings
- Discuss how bar association involvement can enhance career exploration and opportunities

Elective Activity (please check):

_____ Provide Mentee with examples of activities in which one can get involved as a member of an association

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

III c. WORK/ LIFE BALANCE & CAREER PATHS

Required Activity:

Birmingham Bar Association New Lawyer Mentoring Program

- 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

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 to observe a hearing; 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 that may not be listed.

___ Admin/governmental

___ General Practice

___ Appellate practice

___ Immigration

___ Arbitration/mediation

___ Juvenile

___ Bankruptcy

___ Probate/ trust/ estates

___ Business/commercial

___ Personal Injury/ Torts

___ Criminal

___ Real estate/ landlord- tenant

___ Civil Litigation

___ Social Security

___ Employment/labor law

___ Taxation

___ Family/Domestic Relations

___ Traffic/ municipal court

Birmingham Bar Association New Lawyer Mentoring Program

___ Federal practice

___ Worker's Compensation

___ Other: _____

COMPONENT V – COURTROOM SESSIONS (MENTEES ONLY)

Required Activity:

- Mentee attend scheduled courtroom sessions led by Judges providing important information on courtroom etiquette, what to expect in their courtroom, what Judges expect from attorneys in their courtroom and more. Check with the Mentoring Program Chair for dates on the scheduled courtroom sessions