

MENTORSHIP *program*

intelligence inspiring
marketing business
symbol sign key concept brand vision
leadership light social brainstorm think
green teamwork vector success planning
text big product new box network key
internet mentor
innovation intelligence inspiring social process
graphics technology positive creative
innovate energy creativity strategy
solutions imagination global
background crossword advertising
goals communication
intelligence inspiring social
technology positive creative
innovate creativity strategy
background advertising
innovation
green



State Bar Association
of North Dakota

INTRODUCTION

This Model Mentoring Plan is the focus of the Mentorship Program and should be used to help you structure a thorough educational experience. The Model Mentoring Plan consists of core concepts, lawyering skills, activities and experiences designed to educate and provide topics for discussion between the new lawyer and the mentor. The activities and experiences are an introduction to the topics with which lawyers need to be familiar for the successful and professional practice of law.

The first five sections of the Model Mentoring Plan must be completed by all new lawyers. The remaining sections of the Plan are optional and are designed to allow a new lawyer and mentor to tailor the mentoring experience to the new lawyer's practice areas, professional interests, or goals. A thorough, well thought-out plan will help make participation in the Mentorship Program meaningful and productive for both the new lawyer and the mentor.

Lawyers who participate in the Mentorship Program are able to earn CLE credit. A lawyer may earn up to a maximum of 15 CLE credits per reporting period. After earning 6 CLE credits through the Mentorship Program in a given year, it is recommended that lawyers seek other CLE opportunities. For additional information on earning CLE credit through the Mentorship Program, please see Policy 1.21 of the North Dakota Commission for Continuing Legal Education.

INSTRUCTIONS

The following provides general instructions for using this Model Mentorship Plan and for participating in the Mentorship Program. **Please read these instructions carefully.**

1. Bring this Model Mentoring Plan to the first meeting.
2. The mentor and the new lawyer should discuss the new lawyer's professional goals, interests and practice areas to develop and prioritize activities in the mentoring plan.
3. Sections 1 (Introduction to the Legal Community) and 2 (Public Service and Bar Programs) are not eligible for CLE credit but must be completed in order to participate in the Mentorship Program. You do not have to participate in every Activity listed in these sections in order to complete the section. Either of these sections is considered complete when you have spent at least a half hour on a combination of three or more of the Activities.
4. Sections 1 through 5 of the Model Mentoring Plan are required. It is recommended that you spend at least a half hour on each of these sections. You do not have to participate in every Activity listed in these sections in order to complete the section. It is recommended that you spend at least a half hour on each of these sections.
5. The sections following section 5 of the Model Mentoring Plan are optional. It is recommended that you select three additional sections and spend at least two hours on each of the optional sections that you select. For the optional sections, you may complete any number of the suggested activities listed in that section.
6. After completing an activity, the mentor and new lawyer should each initial the appropriate column next to the activity and record the date completed and the amount of time spent on that activity.
7. It is recommended that the new lawyer and the mentor spend at least 8 hours together to complete the mandatory sections and the optional sections selected by the new lawyer. The mandatory section and selected optional sections must be completed within one year after a new lawyer is placed with a mentor.
8. After completing the activities in the mandatory sections and in the optional sections chosen by the new lawyer, the mentor should sign and date the Mentor Certification page and submit the completed mentoring plan to [SBAND Representative].
9. The new lawyer and the mentor should retain a copy of the completed Model Mentoring Plan for their records.

If you have any questions regarding participation in the Mentorship Program, contact SBAND at info@sband.org or by calling 701-255.1404.

MENTORSHIP AGREEMENT

We, the undersigned Mentor (“Mentor”) and Mentee (“Mentee”) agree upon this Mentorship Agreement detailing activities and experiences related to our participation in the Mentorship Program of the State Bar Association of North Dakota.

We pledge that we will use our best efforts to carry out this Mentorship Agreement in a manner that fulfills the purpose of the Mentorship Program in assisting the Mentee to acquire the practical skills, judgment, and professional values to practice law in a highly competent manner. We pledge that we will devote the time and effort necessary to achieve these goals.

Print Name of Mentor

Bar Number

Mentor Signature

Date

Print Name of Mentee

Bar Number

Mentee Signature

Date

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MENTEE APPLICATION

Name: _____ Bar Number: _____

Address: _____

Phone: _____

E-Mail: _____

☐ Check here if we may use e-mail as our primary means of communication with you.

About You

Undergraduate School: _____

Year of Graduation: _____

Major: _____

Law School: _____

Year of Graduation: _____

Current Employer: _____

Phone: _____

Address: _____

Type of Practice:

- ☐ Solo Practice
- ☐ Of Counsel
- ☐ Law Firm
- ☐ Government Office/Court
- ☐ In-House Corporate Counsel
- ☐ Non-Legal Job
- ☐ Other: _____

Size of Firm/Organization:

- ☐ 1 Lawyer
- ☐ 2-10 Lawyers
- ☐ 11-20 Lawyers
- ☐ 21+ Lawyers

Area(s) in which you practice:

Additional practice area(s) in which you are interested:

Association/organization membership(s) that you are currently involved in:

Mentor Preferences

Rank importance of mentor characteristics (1 = *most important*, 10 = *least important*):

- ___ Type of Practice
- ___ Size of Practice
- ___ Years in Practice
- ___ Area(s) of Practice
- ___ Location
- ___ Skills
- ___ Gender
- ___ Age
- ___ Race/Ethnicity
- ___ Other: _____

Type of Practice:

- ☐ Solo Practice
- ☐ Of Counsel
- ☐ Law Firm
- ☐ Government Office/Court
- ☐ In-House Counsel
- ☐ Other: _____

Size of Firm/Organization:

- ☐ 1 Lawyer
- ☐ 2-10 Lawyers
- ☐ 11-20 Lawyers
- ☐ 21+ Lawyers

Number of Years in Practice:

- ☐ Less Than 5 Years
- ☐ 6-10 Years
- ☐ 11-15 Years
- ☐ 16-20 Years
- ☐ More Than 21 Years

Location of Practice:

- ☐ Urban Area
- ☐ Rural Area/Small Town

Please list any other characteristics that you deem important in your mentor: _____

Preferred mentor practice area(s): _____

Special requests, preferences, or additional information: _____

Mentor Relationship

What are your expectations of a mentoring relationship?

Additional information regarding professional experience or personal preferences that you feel would be helpful in matching you with a mentor:

MENTOR APPLICATION

Name: _____ Bar Number: _____

Address: _____

Phone: _____

E-Mail: _____

☐ Check here if we may use e-mail as our primary means of communication with you.

About You

Undergraduate School: _____

Year of Graduation: _____

Major: _____

Law School: _____

Year of Graduation: _____

Current Employer: _____

Phone: _____

Address: _____

How many years at current employer: _____

Previous Employer: _____

How many years at previous employer: _____

Type of Practice:

- ☐ Solo Practice
- ☐ Of Counsel
- ☐ Law Firm
- ☐ Government Office/Court
- ☐ In-House Corporate Counsel
- ☐ Non-Legal Job
- ☐ Other: _____

Size of Firm/Organization:

- ☐ 1 Lawyer
- ☐ 2-10 Lawyers
- ☐ 11-20 Lawyers
- ☐ 21+ Lawyers

Area(s) in which you practice and/or have experience (please also list number of years of experience in each area):

Association/organization membership(s) that you are currently involved in:

Mentee Preferences

Rank importance of mentee characteristics (*1 = most important, 10 = least important*):

- ___ Type of Practice
- ___ Size of Practice
- ___ Years in Practice
- ___ Area(s) of Practice
- ___ Location
- ___ Skills
- ___ Gender
- ___ Age
- ___ Race/Ethnicity
- ___ Other: _____

Type of Practice:

- ☐ Solo Practice
- ☐ Of Counsel
- ☐ Law Firm
- ☐ Government Office/Court
- ☐ In-House Counsel
- ☐ Other: _____

Size of Firm/Organization:

- ☐ 1 Lawyer
- ☐ 2-10 Lawyers
- ☐ 11-20 Lawyers
- ☐ 21+ Lawyers

Location of Practice:

- ☐ Urban Area
- ☐ Rural Area/Small Town

Preferred mentee practice area(s):

Special requests, preferences, or additional information:

Mentor Relationship

Additional information regarding professional experience or personal preferences that you feel would be helpful in matching you with a mentee:

SECTION 1: INTRODUCTION TO THE LEGAL COMMUNITY

This section is mandatory but not eligible for CLE credit. Please refer to the Instructions page for more information.
Participate in at least 3 of the below Activities and spend at least a half hour total on this Section.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Tour mentor's office and facilities • Introduce mentee to mentor's staff • Explain roles of staff members to mentee				
Attend local bar association meeting(s)				
Attend local Inn of Court meeting(s)				
Attend CLE seminar(s) with mentee				
Attend State Bar Association meeting, Young Lawyers' social or other gathering				
Tour local courthouse • Introduce mentee to judges, clerks, other courthouse staff, if possible				
Familiarize mentee with: • Legal Services of North Dakota; • Required forms/documents; and • Pro bono opportunities				
Introduce mentee to other local attorneys in the community via office visits, meetings, etc.				
Review applicable Rules of Court, Civil/Criminal Procedure with mentee				
Demonstrate/explain basic requirements of law practice • Time records • Billing system • Filing • Trust account • Office rapport				
Invite mentee to attend a civic club/community service organization in which the mentor participates				

SECTION 2: PUBLIC SERVICE AND BAR PROGRAMS

This section is mandatory but not eligible for CLE credit. Please refer to the Instructions page for more information.

Participate in at least 3 of the below Activities and spend at least a half hour total on this Section.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss professional obligations regarding and the personal rewards arising from community and public service • Discuss supporting and providing legal services to low income clients • Review Rule 6.1 of the Rules of Professional Conduct				
Discuss internal firm policies or private goals and policies regarding performing public service and pro bono projects and hours allowed for these programs				
Discuss opportunities available for providing pro bono and reduced fee cases through the Volunteer Lawyer Program and other avenues				
Discuss and explain CLE requirements and ways to fulfill such requirements • Discuss participation in state and local bar meetings and programs sponsored by the State Bar Association • Discuss the method for reporting compliance with CLE requirements				
Review and discuss the opportunities for volunteer participation in the community through participation in local and state bar programs • Discuss opportunities for participating in the work of local, state or national bar organizations • Discuss the value of professional networking and relationships gained thereby				
Review and discuss State Bar Association sections and committees and the value of involvement in Bar activities and services, including the Young Lawyers Section				
Discuss support and counseling networks available through the State Bar Association of North Dakota, including the North Dakota Lawyer Assistance Program (“LAP”)				

SECTION 3: RULES OF PROFESSIONAL CONDUCT **AND STANDARDS OF PROFESSIONALISM AND CIVILITY**

This section is mandatory and is eligible for CLE credit. Please refer to the Instructions page for more information.
Participate in at least 3 of the below Activities and spend at least a half hour total on this Section.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Review and discuss the North Dakota Aspirations of Professionalism and Civility • Discuss any “unwritten” rules of civility or etiquette among lawyers and judges in the community, such as making phone calls to discuss issues before filing motions, reviewing communications that are written in anger, and general professional behavior, as well as ethical behavior • Discuss ethical issues that arise with some regularity in the practice setting • Discuss ways to resolve the issues, using your experience, as well as referencing the Rules of Professional Conduct				
Review and discuss North Dakota Rules of Professional Conduct 1.3 Diligence and 1.4 Communication • Emphasis should be placed on a calendaring system, reminding the attorney to communicate regularly with the client and to send the client copies of all pleadings, documents and correspondence • Discuss the importance of confirming conversations and decisions through letters as a way of documenting client communication				
Review and discuss the following North Dakota Rules of Professional Conduct: • 1.9 Duties to Former Client; • Rule 1.7 Conflict of Interest: General Rules; and • Rule 1.8 Conflict of Interest: Prohibited Transactions • Emphasis should be placed on understanding the difference between Rules 1.7 and 1.8, obtaining written waivers, and sending the necessary letter to clients when				

a matter is complete • Include in the discussion the importance of a conflict resolution process or committee • Review and discuss the importance of and methods used to screen for potential conflicts • Discuss the differences between issue conflicts and client conflicts				
Review and discuss the following North Dakota Rule of Professional Conduct 1.15 Safekeeping Property and Professional Liability Insurance Disclosure • Special emphasis should be placed on the comments to Rule 1.15, which provide guidelines for how attorneys should maintain trust account records				
Review and discuss North Dakota Rule of Professional Conduct 3.3 Candor Towards the Tribunal • Emphasis should be placed on the importance of making truthful statements to the court and how it reflects on the reputation of both the individual attorney and the profession				
Review and discuss North Dakota Rule of Professional Conduct 8.5 Misconduct • Emphasize the importance of this rule as it relates to all of the Rules of Professional Conduct and the North Dakota Aspirations of Professionalism and Civility				

SECTION 4: WORK-LIFE BALANCE

This section is mandatory and is eligible for CLE credit. Please refer to the Instructions page for more information.

Participate in at least 3 of the below Activities and spend at least a half hour total on this Section.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss the importance of achieving balance between work and private life, including how to manage that balance with any applicable billable hour requirements				
Discuss Rules 1.3 and 1.4 of the Rules of Professional Conduct and techniques for effectively managing time to ensure compliance with these rules; discuss the following issues that may arise: • Managing and prioritizing email traffic • Determining and setting work priorities • Organizing a typical work day and planning time spent on job-related tasks • Learning to delegate appropriate tasks				
Discuss office organization including effective file management, maintaining a calendar for appointments and deadlines, and maintaining a contacts list				
Discuss stress-relief techniques				

SECTION 5: WORKING WITH CLIENTS

This section is mandatory and is eligible for CLE credit. Please refer to the Instructions page for more information.

Participate in at least 3 of the below Activities and spend at least a half hour total on this Section.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss identifying your client and methods for handling people who are not your client				
Discuss the importance of upfront discussions on money, fee structures and trust accounts, along with the following items: • Engagement letters • Fee agreements • Retainers • Flat fees				
Discuss potential client interviews: • Avoiding getting too much information • Conflicts checks • Interest level in pursuing a claim • Clarifying a potential client's expectations • How to get information • Red flags – how it's okay to say no • Identifying difficult and high maintenance client • Timing and timeline for case • Other tips and pointers				
Discuss the importance of client communication: • Staying in touch by getting multiple forms of contact information and delegating to assistants • Keeping your client in the loop • Client management – managing expectations and reality checks • What to do with an uncooperative client				
Discuss billing: • Having your bill tell a story • Quickly, frequently, and detailed • What to do when a client gets behind in billing – don't send to collections immediately				
Discuss terminating relationships: • Withdrawing as counsel • Being terminated by client				

Handling the client file after ending the relationship				
If state employee, discuss open records rules				
If in-house, discuss human relations situation and employment matters				
If in-house, discuss when to speak up and identify potential problems				

SECTION 6: CIVIL LITIGATION

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Case Selection • Accepting a case, client selection and retainer agreement • Declining a case and correspondence outlining declination				
Attention to statutes of limitation and notice of claim statutes				
Working up the claim • Investigation and information gathering on the client's claim • Use of outside investigator • Photos, medical records, other documentary matters • Use of expert reviewer on claim				
Summons and Complaint • Practicality of different methods of service • Effect of filing vs. service, state and federal distinction • Venue issues with particular claims				
Answer, Crossclaims, and Counterclaims • Venue issues and time to raise them • Change of judge issues and when to raise them				
Written Discovery • Review of template interrogatories • Requests for production • Requests for admission and effect of failure to respond or deny • Other potential use of discovery tools				
Response to Discovery • General response guidelines • Practical solutions for overly burdensome discovery • Issues regarding releases – blank releases, releases of information not in your possession				
Depositions • General discussion regarding setting				

depositions, location, timing of discovery • Preparing a client for a deposition • Guidelines for taking a deposition • Guidelines for defending a deposition, objections				
Court Process for your case • Scheduling conferences – live or by phone • Setting of deadlines in a case management order • What to expect at a pretrial • Dispositive motions, motions in limine				
Settlement Process • Discussion about mediation and mediators local to area, information necessary prior to successful mediation • Release issues • Effect of Rule 68 offers				
Trial • Technology considerations in local courtroom • Local courts method of jury selection				
Preparation of Findings, Orders, Judgment and corollary documents				
Notice of Entry of Judgment and effect on appellate deadlines				
Proper conduct, collegiality during the litigation process				

SECTION 7: FAMILY LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Review and discuss Rules of Court specific to family law • Motion Practice – Rule 3.2 • Interim Orders – Rule 8.2 • Parenting Investigators – Rule 8.6				
Observe an initial consultation with a potential divorce or paternity client • Issue spotting • Procedural steps • Fact-gathering techniques				
Draft a divorce or paternity Summons and Complaint • Deadline for response • Required language – N.D.R.Ct. 8.4 • Service – N.D.R.Civ.P. 4				
Review and discuss divorce Scheduling Order • Deadlines • Joint Informational Statement				
Draft a comprehensive Marital Termination Agreement • Format • Property division • Financial/retirement accounts • QDROs • Parenting Plans • Child Support • Tax issues				
Prepare a divorce Pretrial Statement • N.D.R.Ct. 8.3, Appendices D and E • Deadlines • Pretrial hearing preparation				
Draft a proposed parenting plan using North Dakota model • Required vs. optional language • Use in MTAs • How to use client’s input in plan				
Draft divorce Findings and Judgment				

• Use MTA to draft • Differences between Findings and Judgment • Service requirements				
Use online child support calculator and worksheets • North Dakota Child Support Guidelines • Multiple family calculation • Deviations • Statutory language (health insurance, interest calculation, review procedures) • Required forms				
Observe an interim hearing in a divorce or paternity proceeding • Financial Affidavit – N.D.R.Ct. 8.2 • Affidavit practice • Hearing procedure				
Observe a parenting investigation home visit • Parenting investigator Code of Conduct – N.D.R.Ct. 8.6 • Child interviews				
Review and discuss a parenting investigation report • Obtaining and reviewing relevant records • Sharing PI file • Report requirements • Parenting schedule recommendations • Trial preparation				
Attend a local Parents Forever or other parenting class • Court requirements • Review of materials				
Participate in a family law mediation • Family Mediation Pilot Program • Preparing documents for mediation				
Participate in a settlement conference • Mediation vs. settlement conference • How to prepare clients				
Observe a family law trial • Pretrial Orders – required disclosures • Exhibit preparation • Witness preparation • Cross-examination • Post-trial submissions				
Observe a domestic violence order for protection hearing • Time frames				

• Evidentiary issues • Effect of DVPO in subsequent family law litigation • Best interest factors and presumptions regarding domestic violence				
Observe an adoption hearing • Stepparent vs. standard adoptions • Parental consents • Home visits • Fees				
Review and discuss a prenuptial agreement and statutory requirements • Unconscionability • Procedural best practices				
Draft Interrogatories and Requests for Production of Documents for divorce case • Financial matters • Parental rights and responsibility issues • Drug and alcohol issues • Deadlines				
Prepare a budget in a divorce case • Items to include • N.D.R.Ct. 8.2, Appendix B				
Prepare a divorce Asset and Debt List • N.D.R.Ct. 8.3, Appendix E • Use at trial • Appraisals of real and personal property				

SECTION 8: CRIMINAL LAW AND PROCEDURE

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Draft retainer letters including the following: • Flat fee agreement • Hourly rate agreement				
Draft and discuss discovery demands on prosecutor including the following: • Review N.D.R.Crim.P. 16 • Requests for exculpatory materials • Supplemental requests for discovery • Motion to compel				
Discuss the benefits of using a private investigator to interview potential witnesses including: • Rules when court appointed • Confidentially agreements • Reasonable Fees				
Review information, indictment, or citation/complaint for constitutional and/or pleading defects and discuss how to address possible defects				
Research and identify the elements of the crime or crimes charged				
Review, research, and discuss lesser included offenses, pretrial diversion requirements, and potential defenses				
Observe or participate in an initial appearance/bail hearing				
Observe or participate in a preliminary hearing				
Observe or participate in an arraignment				
Participate in plea negotiations with the prosecutor's office and discuss plea offers with the client, including the following: • Documenting agreements with the prosecutor • Putting information in writing for the client				
Review, research, and identify potential issues that are appropriate for pretrial motions, such as motions to suppress and dismiss, discovery violations, etc.				

• Participate in preparation of pretrial motion documents				
Observe or participate in a motion hearing/suppression hearing				
Observe or participate in a pretrial conference				
Observe or participate in a change of plea hearing				
Review, select and/or draft applicable instructions using the North Dakota Pattern Jury Instructions as a guide including the following: • Discussing with the client • Process for corrections • Court procedures for dealing with confidential nature of report				
Discuss voir dire rules and local voir dire procedure				
Observe or participate in a jury trial				
Review and discuss a pre-sentence investigation report				
Observe or participate in a sentencing hearing				
Draft a closing letter to the client including the following: • Explanation of the sentence with requirements to complete such as payment of fines, evaluations, restitution payments, community service, reporting to probation officer, etc. • Notice of right to appeal with appropriate deadlines • Explain termination of representation				

SECTION 9: PERSONAL INJURY/INSURANCE LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss 1 st party v. 3 rd party Insurance				
Discuss no-fault insurance • Personal injury protection • Driving without liability insurance • Anti-subrogation				
Discuss Underinsured Motorist Coverage • Definition • When it comes into play • Recoveries				
Discuss Uninsured Motorist Coverage • Definition • When it comes into play • Recoveries				
Discuss reservation of rights letters • Definition • When they are used • Effect				
Discuss coverage opinions • What they are • When they are used • What information to include				
Discuss direct actions • What they are • When they come into play • Strategies for handling				
Discuss subrogation claims • What they are • When they come into play • Strategies for handling				
Discuss evaluation of claims • How to determine strengths and weaknesses of your case • Bench trial v. jury trial • Legal issues involved • Budgeting for handling case • Managing client expectations				

Discuss admission of liability • Effect on Case • Strategies for when to admit liability				
Discuss valuing damages • Economic Damages • Non-economic Damages				
Discuss mediations and strategies • When to use mediation • Working with mediators				
Discuss Rule 68 offers • Effect • Cost calculations				
Discuss bad faith claims • When to assert bad faith • Strategies in asserting bad faith				
Discuss conflicts of interest • When insured may need separate counsel				
Discuss working as local counsel • Working with out of state counsel admitted pro hac vice				

SECTION 10: EMPLOYMENT LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Review and discuss the North Dakota Department of Labor charge of discrimination administrative process and the parallel EEOC process • Review and discuss a sample charge or response to a charge				
Discuss a complex real world employment law issue under Title VII, the Family and Medical Leave Act, or the Americans with Disabilities Act • Identify the risks posed by the issue and potential solutions				
Discuss and review a separation agreement or settlement agreement				
Discuss and review an employment agreement or standard employee handbook policies				
Discuss and review standard discovery requests directed to either a defendant employer or plaintiff employee				
Discuss the unemployment benefits administrative process and review a claim for benefits or a response to a claim				
Discuss how to advise an employer on proper steps to take when contemplating terminating an employee				
Discuss process for performing an internal investigation of an employee's complaint of harassment or discrimination				

SECTION 11: OIL & GAS LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss real property • Discuss/identify legal descriptions (including metes and bounds) • Discuss/draft common transfer documents: warranty deed, quitclaim deed, special warranty deed, trustee's deed, mineral deed • Discuss homestead				
Discuss probate • Participate/attend probate proceedings • Discuss differences and understand when to use ancillary, informal, and formal • Discuss/draft a Personal Representative's deed of distribution • What/when to record				
Discuss oil and gas lease • Discuss common forms, including the Producers 88 Lease • Review the clauses • Effect • Common revisions				
Discuss surface and damage use agreement • Review the clauses • Effect • Common revisions				
Discuss easements • Review the clauses • Effect • Common revisions				
Discuss statements of claim • Review form • When/why it is used				
Discuss curative title documents • Discuss/draft common curative documents • When/why are they used • Review North Dakota Mineral Title Standards; North Dakota Title Standards				
Discuss quiet title • When is it needed				

• Participate/attend proceedings • Analyze and discuss a quiet title file to determine: ○ whether it was properly named and served ○ whether the quiet title solved the underlying issue				
Discuss evidence of authority • Powers of Attorney, Agency Agreements, Trustee Authority, Guardianship, Conservatorship • When is evidence necessary • What is sufficient				
Discuss North Dakota Industrial Commission • Discuss rules/regulations: examples include: spacing, pooling, risk penalties, and orders • Attend a hearing				
Discuss North Dakota Public Service Commission • Discuss rules/regulations: examples include: siting, pipelines, and plants • Attend a hearing				
Discuss county clerk and recorder's office • What/when do you record • Search title records • Calculate recording fees				

SECTION 12: REAL PROPERTY LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss and understand legal descriptions Identify common legal descriptions (including metes and bounds)				
Discuss real property transfer - Discuss/draft when to use the following: warranty deed, quitclaim deed, special warranty deed, trustee's deed - Discuss/draft real property purchase agreement - Discuss homestead - Effect of reservations and common deed language - Discuss affidavits affecting title - Discuss/attend real estate closing - Discuss necessary documents				
Discuss probate - Participate/attend probate proceedings - Discuss differences and understand when to use ancillary, informal, and formal - Discuss/draft a Personal Representative's deed of distribution - What/when to record				
Discuss abstract of title - When do you use - How to read/interpret				
Discuss title insurance - Review policy - When obtained - Effect of exceptions and coverage				
Discuss curative title documents - Discuss/draft common curative documents - When/why are they used - Review the North Dakota Title Standards				
Discuss quiet title - When needed - Participate/attend proceedings - Analyze and discuss a quiet title file to determine:				

○ Whether the quiet title was properly named and served ○ Whether the quiet title solved the underlying issue				
Discuss county clerk and recorder's office • What/when do you record • Calculate recording fees • Search title records				
Discuss leases • Discuss/draft a commercial, residential, or crop sharing/grazing lease • Review important clauses				
Discuss evidence of authority • Discuss effect of: powers of attorney, agency agreements, trustee authority, guardianship, conservatorship • When is evidence necessary • What is sufficient				
Discuss mortgages, encumbrances, liens, & money judgments • Where to search • Effect • Discuss/draft a release of mortgage • Discuss/draft the documents needed for foreclosure process • Discuss/draft a lien statement				

SECTION 13: COLLECTION LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss smalls claims vs. district court • Claim limits • Procedural differences				
Discuss judgment in place • Good for 10 years • Affidavit of renewal				
Discuss Fair Debt Collection Practices Act • Definition • Does it apply?				
Do not know where debtor works: • Serve discovery • Motions to Compel • Order to Show Cause • Bench Warrant for Debtor				
Discuss execution (if you don't know where debtor works): • Fee • Request from Clerk's office • Notify Sheriff of property of debtor (bank accts, vehicles, jewelry, etc.) • Sheriff serves Notice of Levy on Debtor • Debtor has 10 days for exemptions • Sheriff takes property, if any, after 10 days to satisfy judgment ○ Sheriff sale ○ Fees ○ If no property				
Discuss execution (if you know where debtor works): -Garnishment • Calculate retention amount • Notice Before Garnishment • Garnishment Debtor's List • Serve Debtor (doesn't have to be personally) • Garnishment Summons and Notice to Debtor of Continuing Lien • Garnishment Disclosure				

• Personally serve employer • Personally serve debtor within 10 days of serving employer • Garnishment fee • Writ of Execution ○ Fee ○ Request from Clerk's office ○ Good for 60 days ○ 10 days for debtor to claim exemptions				
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SECTION 14: PROBATE

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss the initial client meeting, including the types of topics to review with a new client and the types of information to gather from the new client				
Review the process for obtaining an official death certificate from the vital records office				
Review and discuss at least three of the following probate pleadings: • Petition for Probate • Order appointing Personal Representative • Letters Testamentary • Notice to Creditors • Final Report and Accounting • Sworn Statement to Close Estate • Petition for Final Discharge				
Review and discuss the necessary steps involved in at least one of the following processes: • Publication of the Notice to Creditors in an appropriate newspaper • Properly informing financial institutions regarding death of customer and obtaining account balance information • Mailing the Final Report and Accounting to the devisees				
Review and discuss pertinent deadlines and the importance of docketing them; for example: • Claims barred • Inventory • Final (or interim) report and accounting • Disclaimer (when applicable) • Spouse to make elective share (when applicable)				
Discuss how to review, analyze and respond to creditor claims				
Discuss and review pleadings required when selling assets to a related party				
Discuss process for transferring non probate assets such as real estate held in joint tenancy with the decedent				

Discuss procedures and forms involved in distributing a small estate that does not require informal probate process				
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SECTION 15: TRANSACTIONAL LAW

This section is optional and is eligible for CLE credit. Please refer to the Instructions page for more information.

Activity	Initials When Completed		Date Completed	Time Spent On Topic
Discuss the advantages and disadvantages of corporations, LLCs, general partnerships, and limited partnerships, including liability protection afforded shareholders and directors, members and managers, and limited and general partners				
Discuss the basic tax attributes of a C-corporation, an S-corporation, an LLC, and a general and limited partnership				
Discuss the process for: • Incorporating a corporation • Organizing a limited liability company • Forming a general partnership or limited partnership Review and discuss: • Initial corporate documents (ex. Articles of Incorporation and Bylaws) • Initial LLC documents (ex. Articles of Organization, Operating Agreement, and Member Control Agreement) • Initial partnership documents (ex. Certificate of Limited Partnership and Registration of General Partner)				
Review and discuss one or more of the following documents relating to business entities: • Stockholder's agreement • Buy-sell agreement • Investor rights agreement • Redemption agreement • Registration rights agreement				
Review and discuss one or more of the following documents relating to a loan transaction: • Loan agreement • Promissory note • Security Agreement • Pledge Agreement • Mortgage • UCC1 Financing Statement				
Discuss the general process for a merger or				

acquisition, along with reviewing and discussing one or more of the following documents: • Letter of intent • Due diligence checklist • Asset purchase agreement • Stock purchase agreement • Agreements and plans of merger • Bill of Sale				
Discuss the process for winding up and dissolving a corporation or limited liability company and review associated documents				

MENTOR CERTIFICATION

I certify this is the completed plan of [MENTEE] and [MENTOR]. I certify that we completed the activities marked within this Model Mentorship Plan together and spent the listed amount of time on each activity.

Print Name of Mentor

Bar Number

Mentor Signature

Date