Digital Mentorship

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Traditional mentoring enhances competence, career development, employee engagement and retention, inclusivity, and personal resilience – but not every lawyer has access to a mentor. In this session, we'll discuss options for recreating those benefits with online mentorship opportunities, communities, classes, and other digital products.

**Digital Mentorship: Building Relationships and Transferring
Knowledge in the Technology Age**

I. Introduction

A. Why Mentoring?

The first years of practice are a critical and challenging period in a lawyer's development. In addition to substantive law and procedure, new lawyers must learn to navigate attorney-client relationships, exercise sound judgment, effectively manage their careers and practices, and engage collegially and professionally with their colleagues. Successful mentoring can help smooth this transition.

In particular, mentoring can (1) increase attorney competence, (2) facilitate career development, (3) improve collegiality and professionalism, (4) improve employee engagement and retention, and (5) create sustainable inclusivity in firms and the profession as a whole.

Appropriate mentoring can also improve attorney resilience and decrease the prevalence of substance use and mental health concerns among new attorneys. A recent study by the Hazelden Betty Ford Foundation and the American Bar Association's Commission on Lawyer Assistance Programs found that young and less-experienced lawyers have the highest rates of alcohol abuse in the profession. A key recommendation coming out of that study was that legal employers offer comprehensive mentoring programs for new lawyers.[1]

B. When the Traditional Mentorship Model Fails

A number of factors, from first structure to communication preferences to geography, can complicate the traditional mentor-mentee model.

For example, many membership associations and service clubs, where mentees may have previously developed relationships with prospective mentors, have seen declining membership numbers and declining engagement among members.

Changes in law firm size, structure, and hiring practices can impact the availability of mentors for new or transitioning attorneys. Large firms with formal mentoring programs are hiring fewer associates, and more new lawyers are going into practice in smaller firms or solo practices where they may not have access to a mentor.

Generational communication preferences, including comfort level with online networking and communication, can complicate the development of mentorship relationships, and certain rural areas or niche practice areas may have a shortage of available mentors.

Given the numerous benefits of mentorship, many entities in the legal profession have begun to implement rules and programs to encourage the development of mentor-mentee relationships, using the traditional mentorship model and new models made possible by new technologies.

C. New Ideas in Mentoring

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[1] P.R. Krill, R. Johnson & L. Albert, *The Prevalence of Substance Use and Other Mental Health Concerns among American Attorneys*, J. Addiction Med. (Jan./Feb. 2016).

Mentorship has already begun to adapt to modern time pressures and more widely available communication technology. Organizations have begun to implement programs that move beyond the one-on-one, long-term, in-person mentoring model to accommodate groups, short-term information sharing relationships, and geographically distant mentors and mentees. Many of these developing techniques can be applied to "digital" mentorship opportunities in the legal field.

Group mentoring: When an organization's staffing or other resources can't support one-one-one mentoring, group mentoring or mentoring circles can allow for similar knowledge sharing between a single mentor and a small group of mentees.

Group mentoring opportunities can be created and administered using software or other formal tools, or may develop more informally through organization intranets, bulletin boards, or word-of-mouth. They often involve more peer-to-peer interaction than the traditional mentorship model and can therefore provide a unique opportunity to break down organizational silos.

As discussed below, online communities provide an opportunity for group mentoring to develop organically, or a platform for your organization to implement a formal group mentoring program.

Situational mentoring: In some industries, organizations have implemented *situational mentoring* tools. Also known as flash mentoring, situational mentoring helps a "mentee" with a specific (situational) question find a more experienced "mentor" who has the answer that question. These casual, short-term mentoring relationships save the mentee the time it would take to independently research the question or get appropriate training.

A situational mentoring program is usually managed through an online software platform where users create profiles that list relevant skills and experience. These profiles can be searched by prospective mentees who use the listed skills and experience to facilitate matches. Situational mentoring provides a valuable learning experience for the mentee while requiring a limited time and resource commitment for the mentor, encouraging wider participation than the traditional model.

As discussed below, online communities and other practice tools can be used to create situational mentoring opportunities for lawyers and other legal professionals.

Distance mentoring: Organizations, particularly those with a global presence, are also using software and communications tools to implement distance mentoring programs. These programs allow new or inexperienced employees throughout an organization to develop relationships with a wider pool of prospective mentors than may be available in their geographic area.

Like situational mentoring, distance mentoring programs often use a profile-based software tool to match prospective mentors and mentees. Once matched, mentors and mentees can conduct their relationship using a wide variety of communication tools, for as long as necessary to meet the mentees identified needs.

As discussed below, online mentoring programs and online communities can be used to create distance mentoring opportunities in the legal profession. These may be especially valuable for attorneys practicing in small niche practice areas or rural areas when in-person mentoring opportunities are limited.

D. What Does This Have to Do With Me?

Given the many benefits of mentoring, associations and other organizations can provide a high-value opportunity to new lawyers by increasing access to formal mentorships or providing informal knowledge-sharing tools in the absence of structured mentorship opportunities. Efforts in this area can drive increases in membership, create or increase early brand loyalty, and in the case of fee-for-service communities or other paid knowledge-sharing resources, even drive revenue directly.

Because "mentorship" can take so many forms, when considering how to create a mentoring program or include mentoring opportunities in your existing products and services, be sure to define clearly the business objectives of the program. This will include (among many other things) the target audience, the types of knowledge sharing that would be most valuable to that audience, and what data you will need to collect to effectively match mentors and mentees within your program or product.

E. On Mandatory Mentoring Programs

Recognizing the many benefits mentorship offers to mentors, mentees, the legal community, and the public, several states have implemented mandatory statewide mentoring programs. These states may have more stringent requirements regarding mentor qualifications, program length, and curriculum content than the suggestions found in these materials.

To determine whether a particular state has a mandatory mentoring requirement, please see the *Comprehensive Guide to Bar Admission Requirements 2015*, a publication of the National Conference of Bar Examiners and American Bar Association Section of Legal Education and Admissions to the Bar. Chart 5 of that publication identifies states that require certain courses, activities, or skills training, including participation in a mentoring program, after bar admission. For developments that may have occurred after publication, please see the rules of the appropriate state.

II. Bringing the Traditional Model Online: Initial Steps

In 2015, the State Bar of Wisconsin launched Ready. Set. Practice., a mentoring initiative based on a similar program by the Oregon State Bar. The program is currently in its pilot phase, supporting 20 mentor-mentee pairs. Through the program, the mentor and mentee develop a curriculum that will familiarize the mentee with the legal community and the practical application of ethics and professionality; provide practical guidance about attorney-client relationships and law practice management; and help the mentee gain practical skills in a substantive area of the law.

Because the program accepts applicants from throughout the state, the hub of the program is housed on the Ready. Set. Practice. website, ReadySetPractice.com. Mentors and mentees can use the website to download the training manual and curriculum templates and watch required training webinars. Program administrators are also exploring ways to use online tools like SurveyMonkey to monitor mentor-mentee relationships and identify relationships that may require assistance or repair. As the program grows, future iterations of the website will likely include recruitment tools, an online application form, mentor-mentee communication tools, and evaluation tools for participants.

Response to the program has been extremely positive. In particular, participants from rural areas expressed that they felt the program allowed them to find mentor matches that they may not have been able to find on their own. Recruiting for the next set of mentors and mentees will be underway soon and we're hopeful we will be able to match an even higher number of participants in the coming year.

We recently released an updated program guide, which is available on WisBar.org. The materials have been streamlined and adapted for non-mandatory mentoring programs. Please feel free to use the materials for ideas on messaging, curriculum building, activity options, and structuring initial mentoring meetings. State Bar of Wisconsin staff are also available to provide additional details about the program.

III.   Mentoring in Online Communities

Online communities present a number of options for providing formal and informal mentorship opportunities. While this discussion will be primarily directed toward online community software, organizations can also consider implementing these ideas using existing tools like listserves, the organization's website (particularly discussion forums), or private Facebook or LinkedIn groups.

A.   Formal Mentoring

Organizations that want to offer more formal mentoring opportunities, but limit the human resources needed to support them, may be interested in adding a mentoring module to an existing online community or one in the development stage.

These modules use community profiles and matching tools, similar to the distance mentoring programs described above, to facilitate mentor-mentee relationships. For example, Higher Logic offers a Mentor Match module that allows users to set up a mentor or mentee profile in a mentor directory, search for a match based on relevant criteria, and initiate and accept mentorship requests through the platform.

Once initiated, the mentoring activities can take place in-person, online, or both. This can facilitate mentoring for people who are geographically distant from potential mentors, and can also reduce the intimidation factor and increase the comfort level for younger attorneys who may be more acclimated to electronic communication.

Similarly, once a mentor and mentee have been matched, the relationships can be short- or long-term and follow formal or informal curricula, depending on the needs of the mentee and availability of the mentor. Organizations could use the module to handle administrative aspects of the process, and then encourage matched mentors and mentees to use a designated mentoring program. Or, in a more casual model, the mentor and mentee could decide to address a discrete set of issues in a shorter time frame.

A.   Informal Mentoring

Although formal mentorships provide the most targeted benefits to mentees, appropriate mentors are not always available. In these cases, organizations can use other online community resources to recreate the benefits of mentorship on a more limited scale.

Discussion forums: By providing access to hundreds or even thousands of members who are available to answer questions, discussion forums can provide a kind of situational or flash mentoring and create another point of contact for networking and relationship development. Searching archives for previously asked and answered questions can also help members locate subject matter experts in a particular area.

Directories: Community member directories can help users find members with specific backgrounds or common interests through search or automated networks. Users can also use the directory to participate in established groups and develop new groups. Potential mentoring-related uses of "groups" functionality include peer-to-peer mentoring circles and situational mentoring groups to address a specific problem or training need.

Resource Libraries: Research libraries allow an organization to build an indexed, searchable knowledge base accessible to all community members. By itself, this is a valuable information-sharing resource that can be used to answer detailed or region-specific questions, document tried and tested solutions to common problems, and, when combined with a contributor name or profile, help users make connections from which situational or even longer-term mentoring relationships could develop.

Gamification: Gamification tools within an online community can be used to help address a relative lack of mentors by encouraging knowledgeable and experienced attorneys to share that knowledge with less-experienced attorneys. Depending on the platform-specific tools, organizations can incentivize specific activities they want to encourage, including accepting a mentor match, answering a question, or creating or participating in a mentoring circle or other problem-solving group.

IV. Other Methods of Knowledge Transfer

In legal areas where there is a limited pool of subject-matter experts and an unmet need for training or mentoring, or where efficiency is of particular importance, organizations may want to consider other practice tools as an adjunct to or replacement for mentoring on that topic. What differentiates these examples from a number of other available resources is the way they attempt to codify an experienced attorney's tacit knowledge – how a form, checklist, or other legal tool is best used based on their own past usage – in an electronic format that allows for wide distribution.

A. Practice Kits

A number of legal publishers have created task-specific practice kits that include relevant substantive legal information, necessary forms or checklists, practice tips, and other resources that provide an experienced perspective on how to complete a specific legal task.

Michigan ICLE How-To Kits: Available through their Premium Partnership, which itself could be an example of "digital mentorship," these kits provide annotated step-by-step guidance on discrete legal tasks. As described by their website, "[t]hese handy kits give you step-by-step guidance on hundreds of common transactions. Complete instructions plus links to authority and forms make them a perfect starting point for any practitioner."

West Practical Law: Similar to Michigan's How-To Kits, this resource compiles standard forms, sample language, and checklists with drafting notes and other practice tips that steer a novice attorney through a particular transaction. The website highlights that these products are created and maintained by expert attorneys, to save users the time and research needed to gather expert advice on their own.

B. Document Assembly

Document assembly or automation programs are another way to build expert guidance into a practice system in the absence of an available expert.

WisDocs Estate Planning: The State Bar of Wisconsin recently launched WisDocs Estate Planning, a document assembly system built out from the forms and annotations included in our estate planning practice manual. As users navigate through the questionnaire, they can click on help buttons to receive "guidance" from the book's authors, in the form of pop-up annotations that appeared with the source forms in the practice manual.