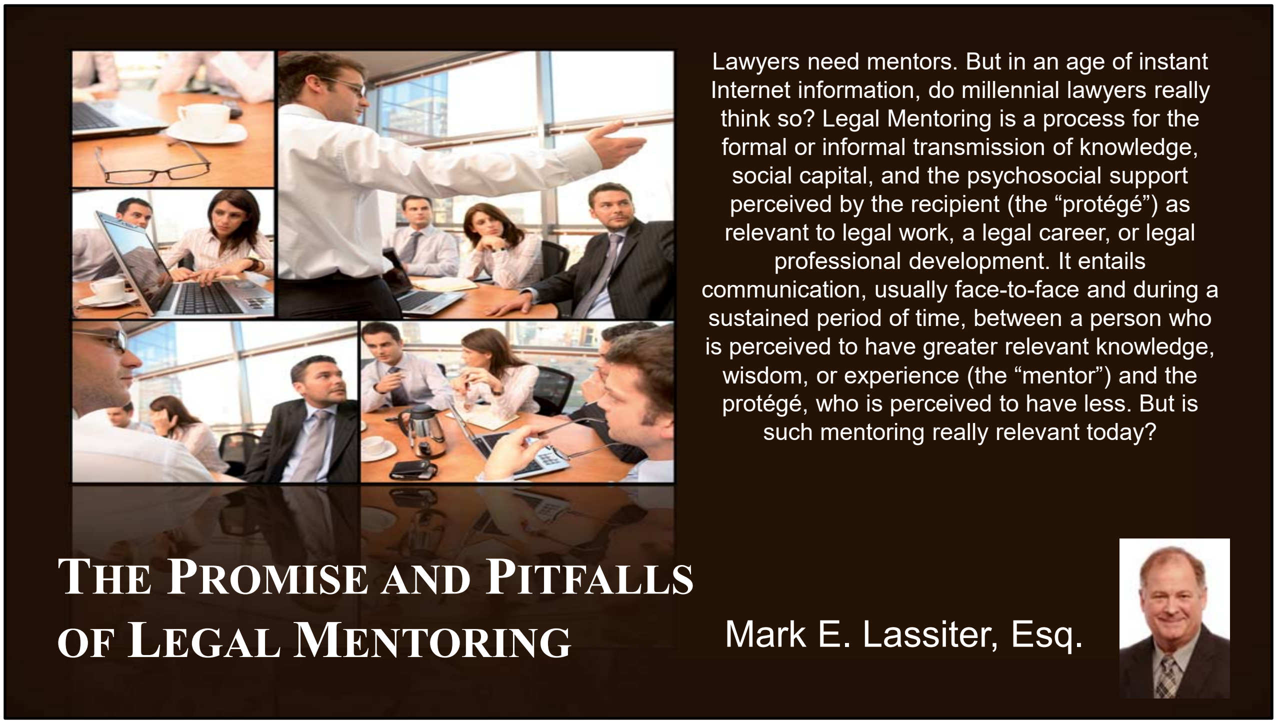

Lawyers need mentors. But in an age of instant Internet information, do millennial lawyers really think so? Legal Mentoring is a process for the formal or informal transmission of knowledge, social capital, and the psychosocial support perceived by the recipient (the "protégé") as relevant to legal work, a legal career, or legal professional development. It entails communication, usually face-to-face and during a sustained period of time, between a person who is perceived to have greater relevant knowledge, wisdom, or experience (the "mentor") and the protégé, who is perceived to have less. But is such mentoring really relevant today?

ARBITRATOR, MEDIATOR, ADR RESUME OF:

Mark E. Lassiter
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E-mail: mlassiter@lassiterlawfirm.com
Web: http://www.nadn.org/mark-lassiter

PROFESSION

Attorney Arbitrator, Mediator and Neutral assisting parties in resolving business, technology, real estate and construction disputes.

PEER RESPECTED ADR NEUTRAL

❖ Mr. Lassiter is an ***AV Preeminent***® Arizona and California attorney of over 33 years' experience, practicing exclusively in the areas of business, real estate, construction and technology dispute resolution and transactions.

❖ He has been a commercial arbitrator with the ***American Arbitration Association*** ("AAA") for 25 years, and serves on its ***Commercial***, ***Construction*** and ***Large and Complex Case*** panels.

❖ He is a Fellow in the ***College of Commercial Arbitrators***, a Member of the ***National Academy of Distinguished Neutrals*** (the "NADN"), and is a Southwest ***Super Lawyer***® in the area of Alternative Dispute Resolution ("ADR").

❖ He is also sustaining member of ***Arizona's Finest Lawyers***, is among the ***Best of Arizona Attorneys*** in ADR in ***Ranking Arizona*** (2012), and is among ***Arizona's Top Rated Lawyers*** of 2014 and 2015 in the areas of ADR, Business and Commercial law in LEGAL LEADERS.

❖ An active member of the ADR Section of the State Bar of Arizona, Mr. Lassiter co-chaired its Legislative Affairs Subcommittee, and was its primary legislative contact and subject matter expert during the effort to pass Arizona's Revised Uniform Arbitration Act (the "RUAA").

❖ He also serves as a mediator on the panels of the AAA and the NADN.

For more information about Mr. Lassiter's work as an ADR neutral, or to schedule him for an arbitration or mediation through his publicly accessible calendar go to his website at www.nadn.org/mark-lassiter.

THE PROMISE AND PITFALLS OF LEGAL MENTORING

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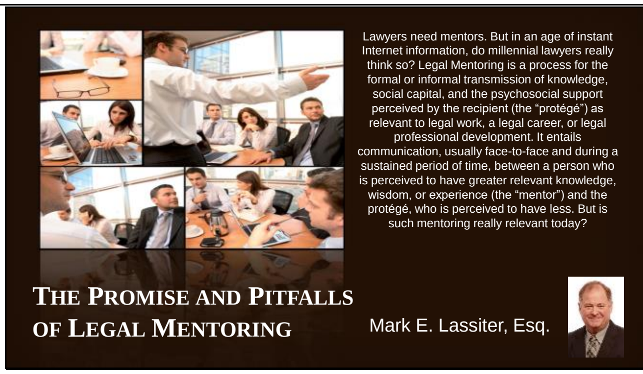

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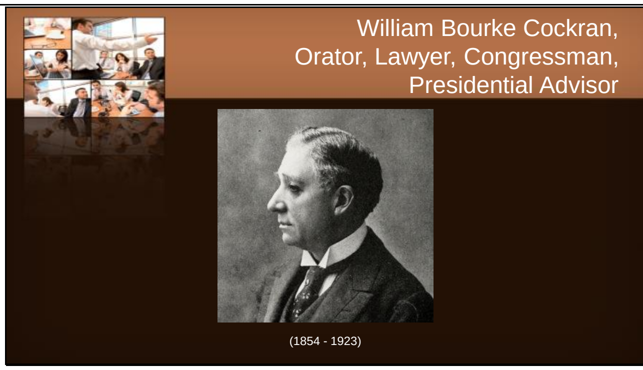

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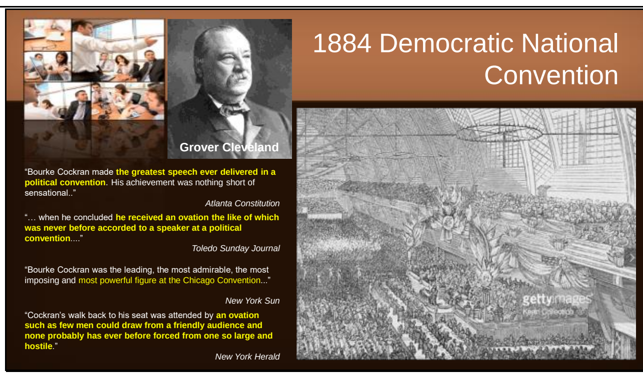

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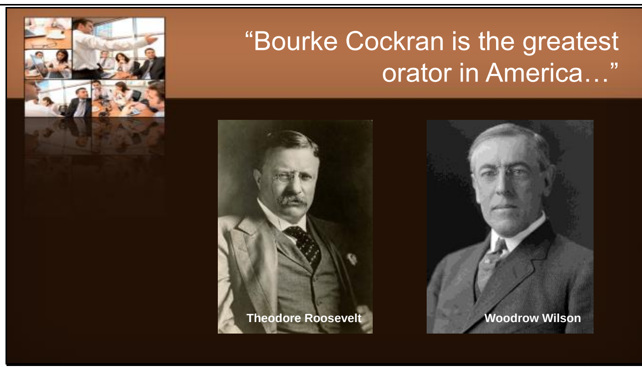

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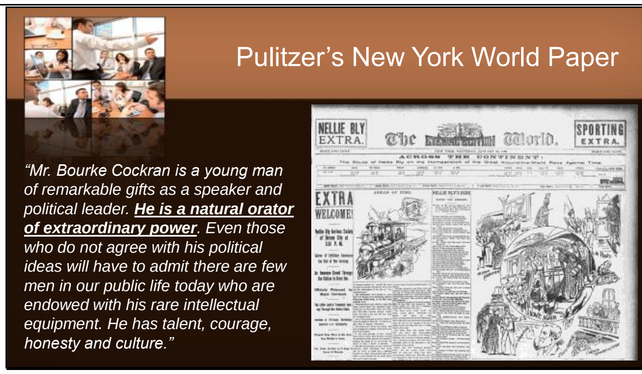

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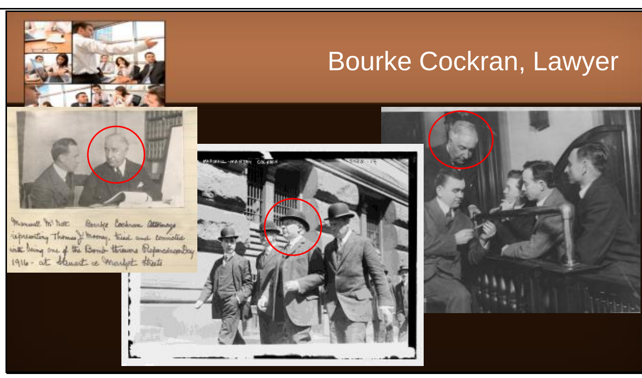

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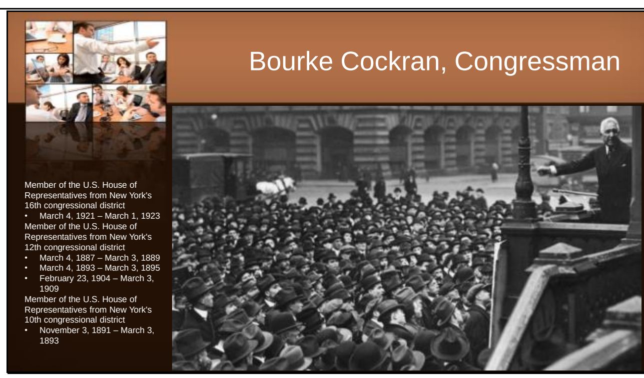

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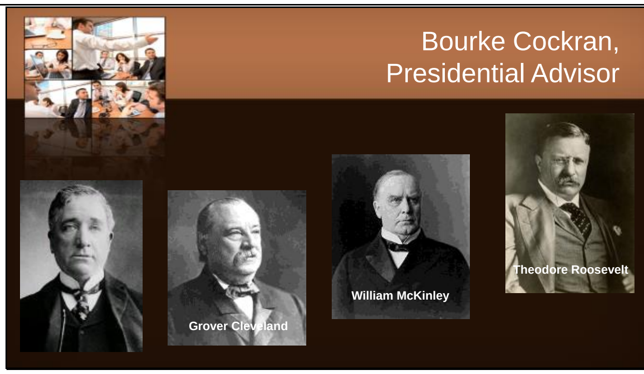

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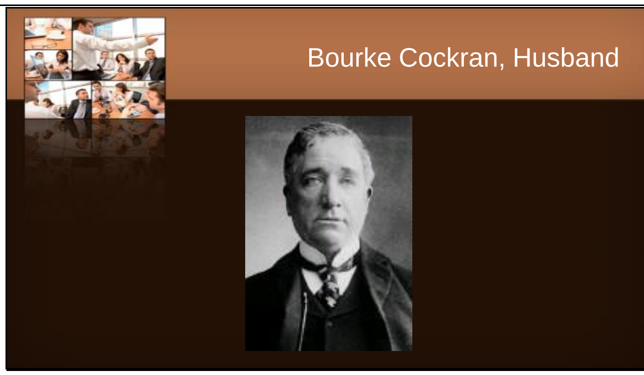

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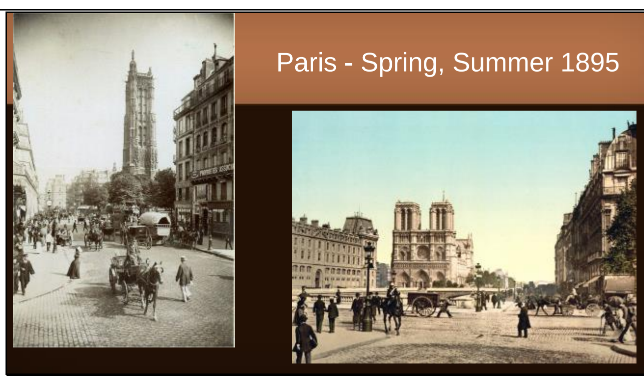

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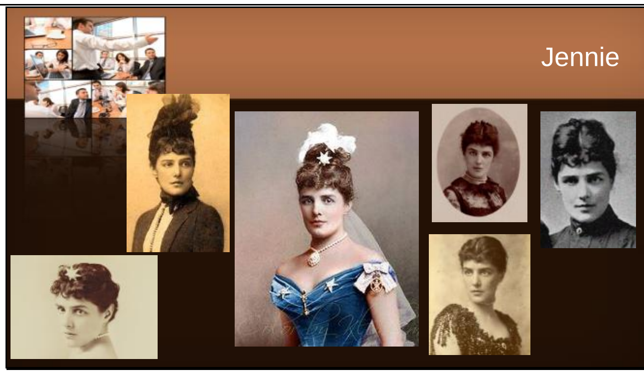
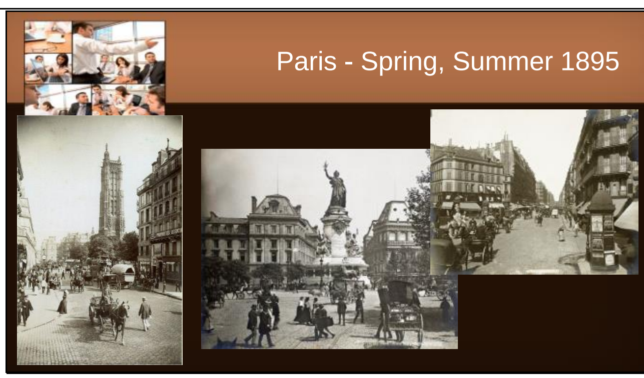
Slide 14		
Slide 15		

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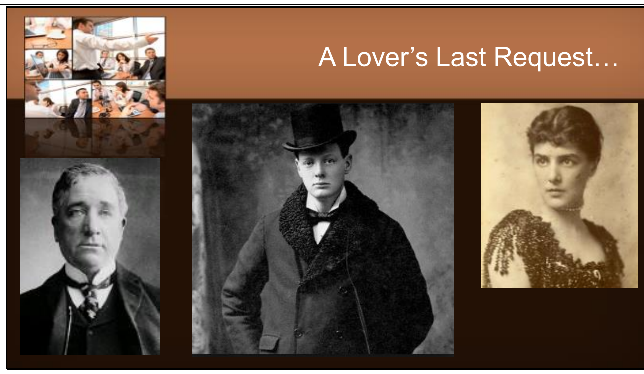

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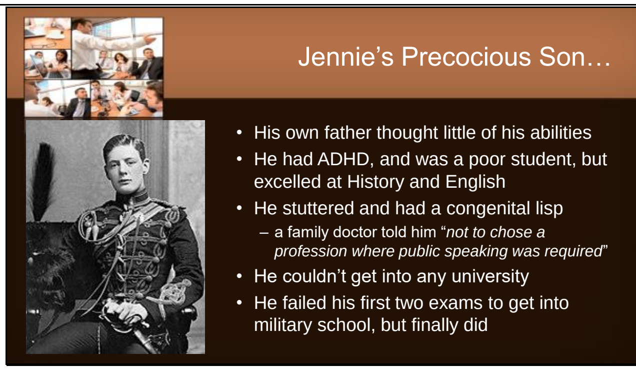

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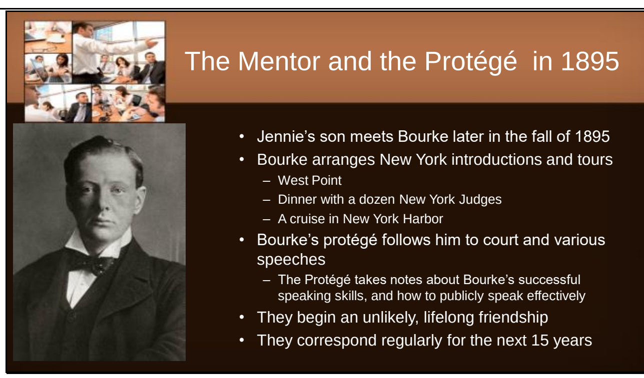

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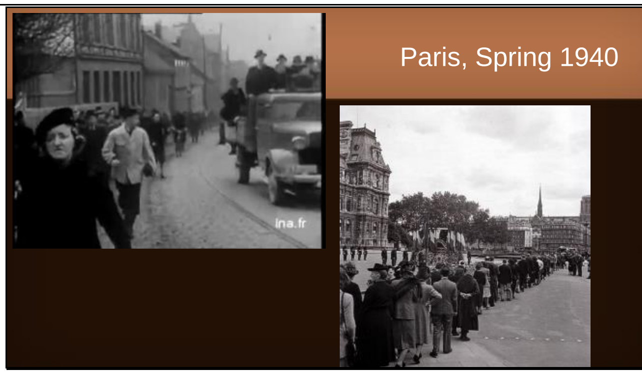

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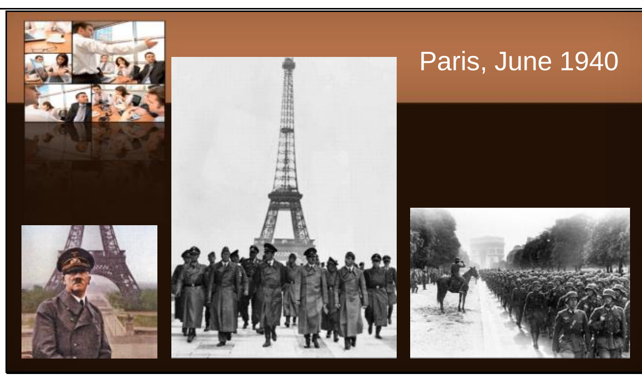

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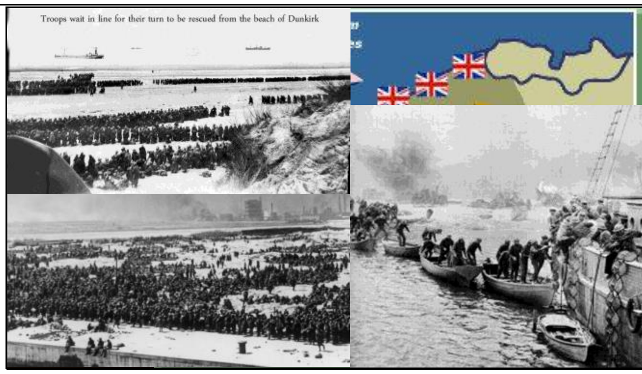

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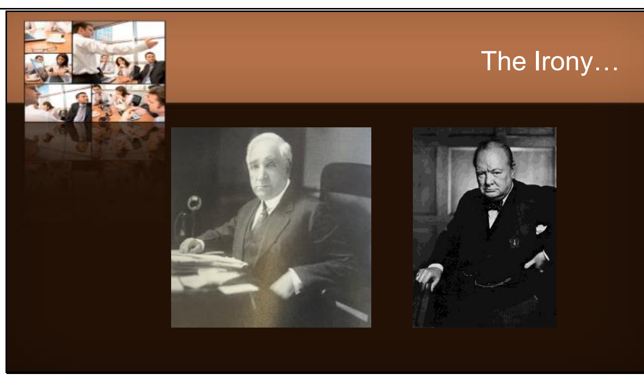
Slide 27		

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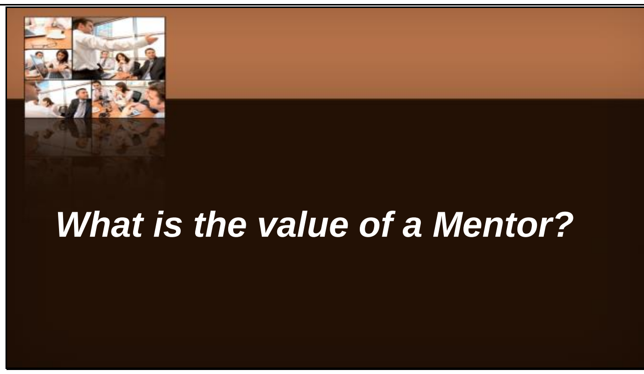

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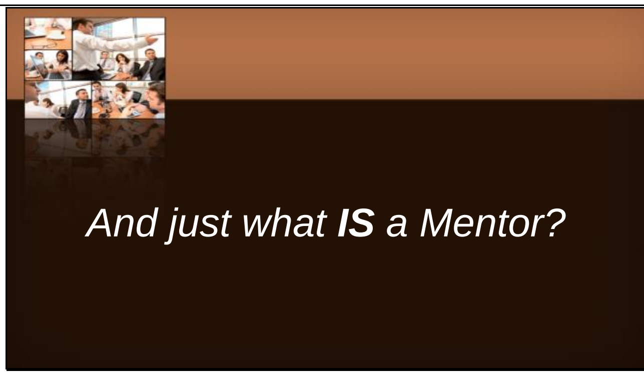

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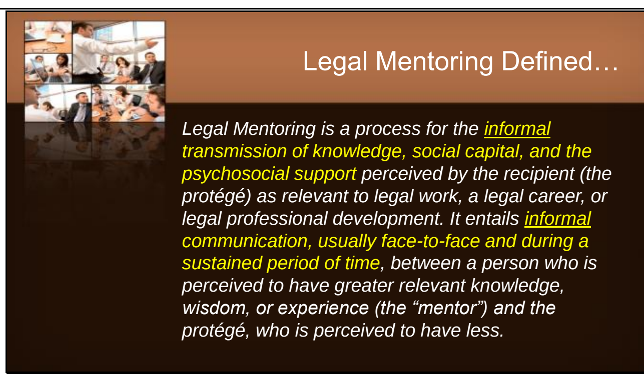
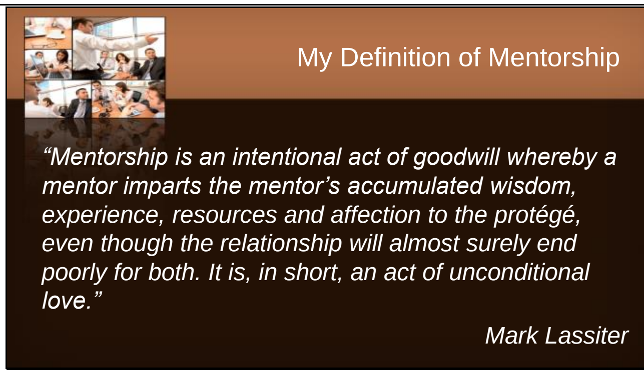
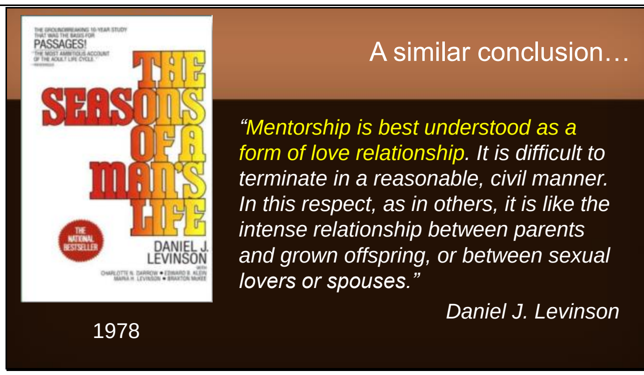


Slide 31		______________________________________
Slide 32		______________________________________
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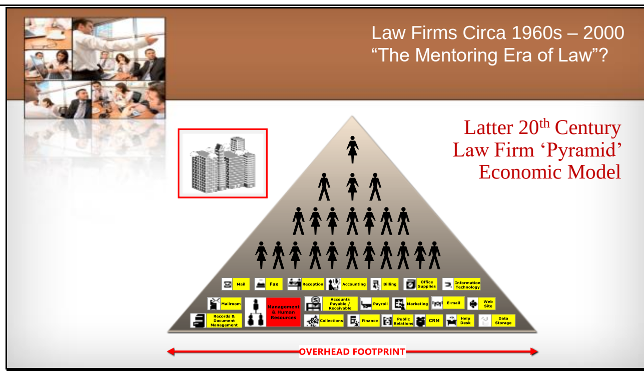

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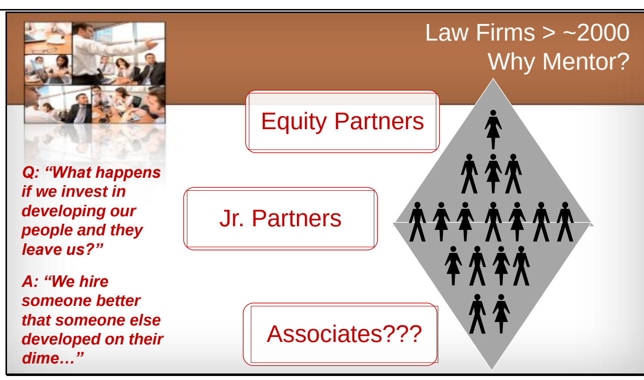

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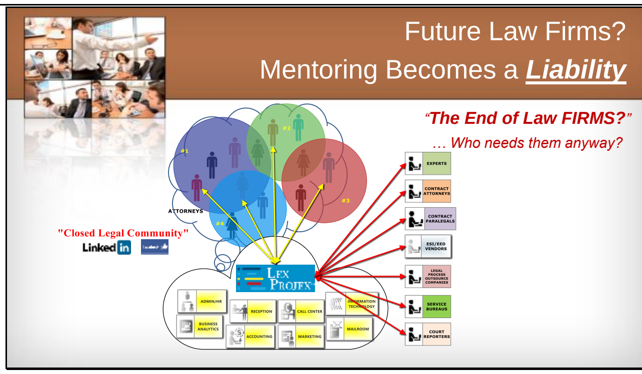

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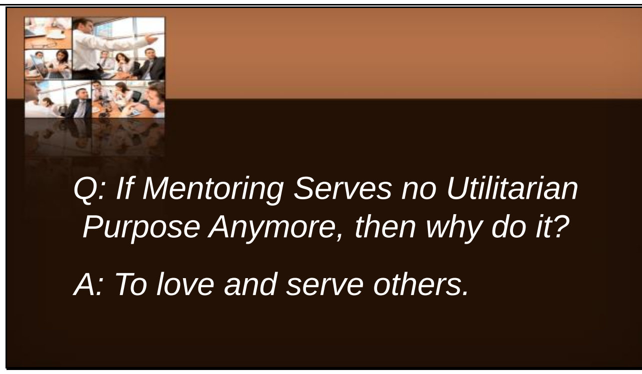

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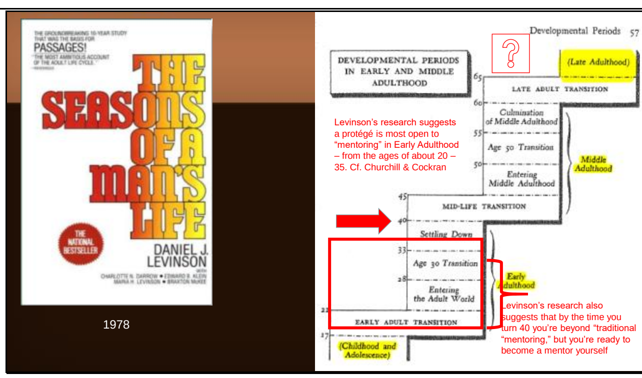

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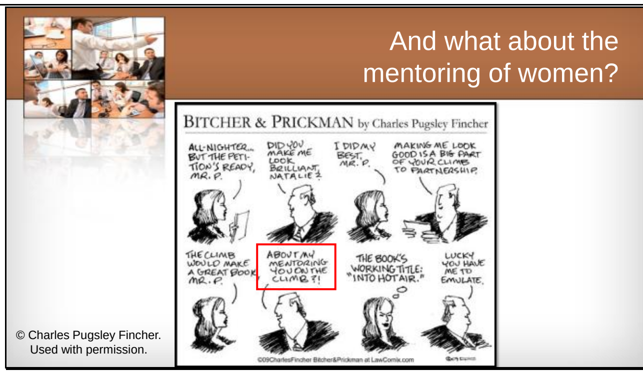

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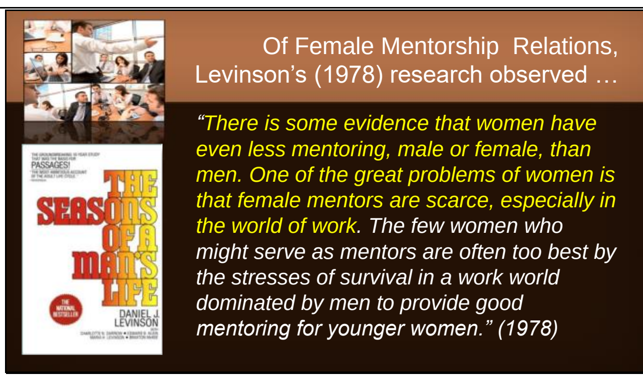

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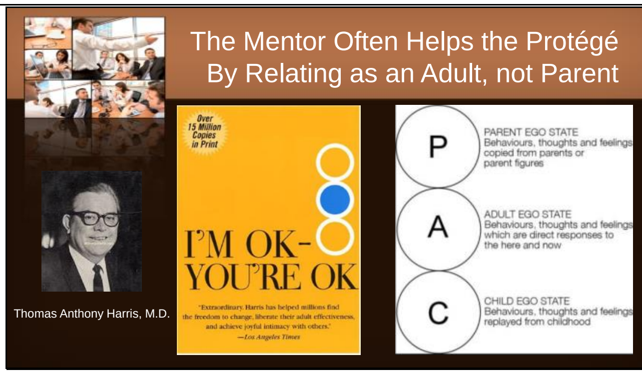

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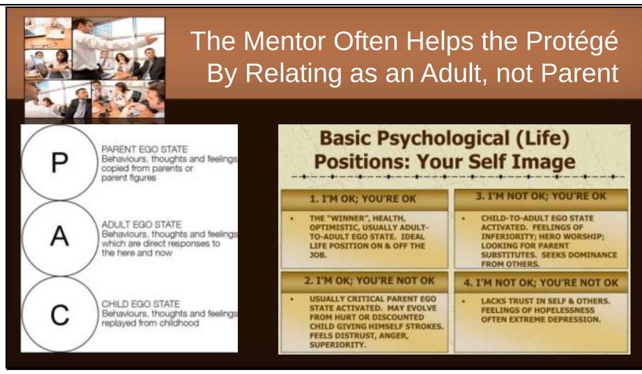

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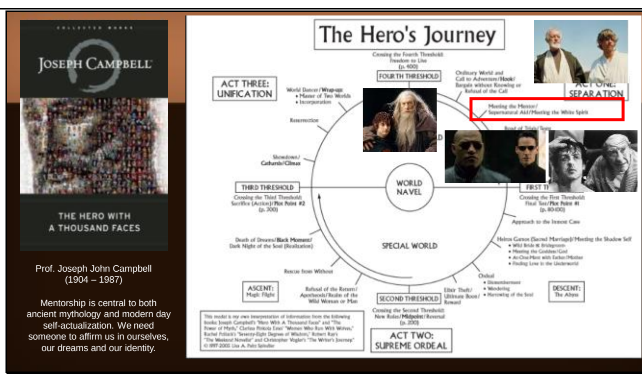

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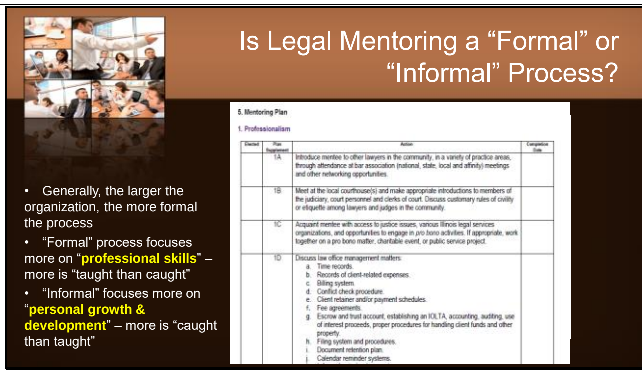

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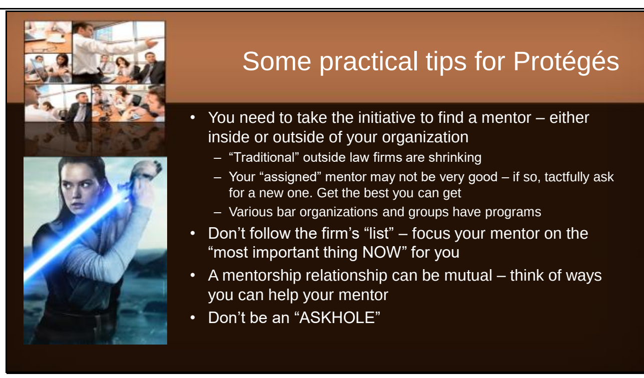

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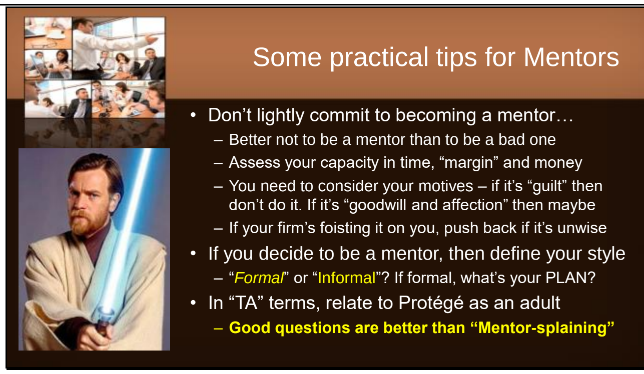

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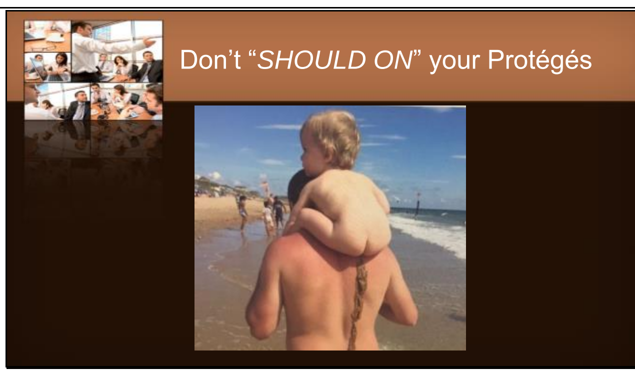

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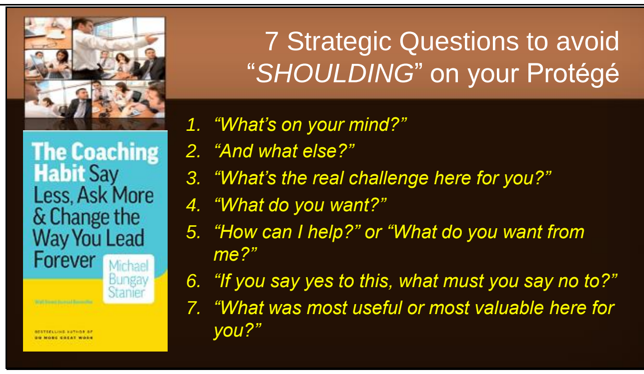

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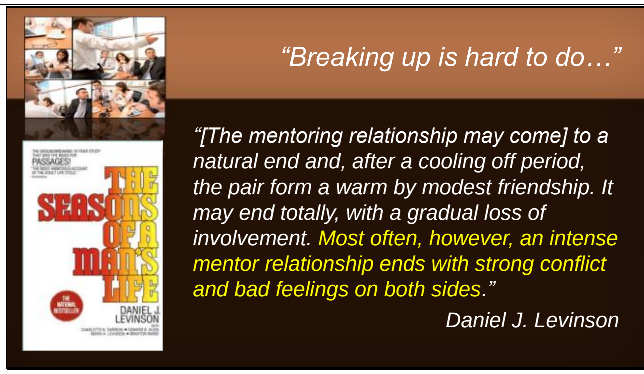

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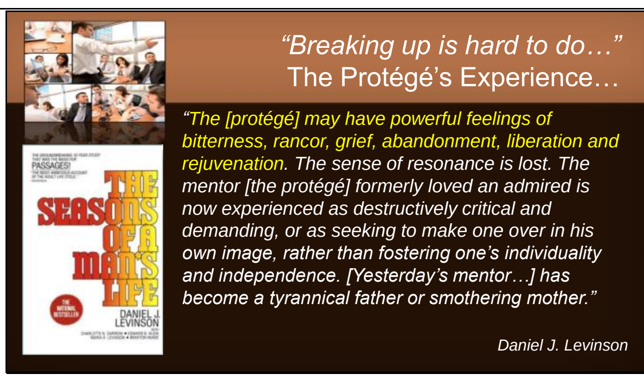

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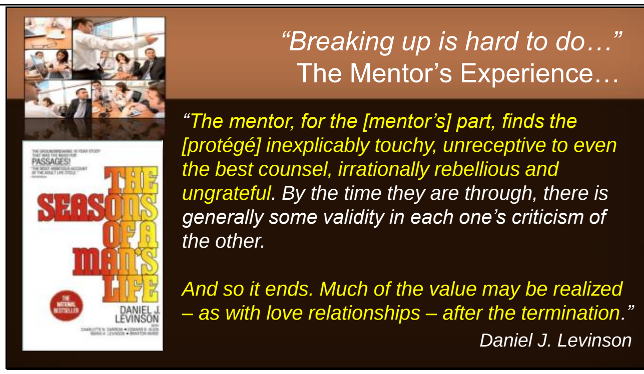

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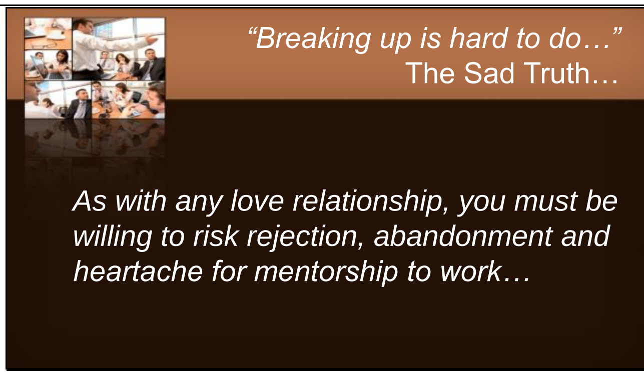

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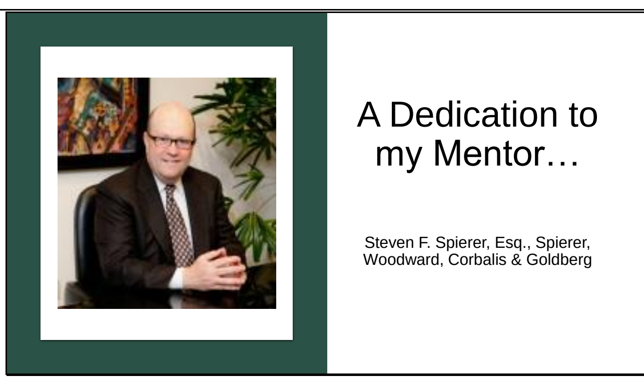

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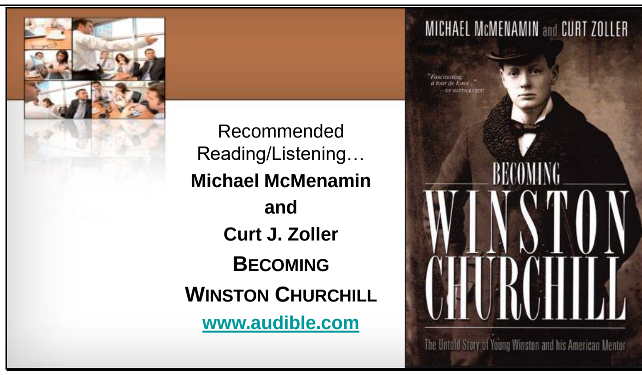

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	Mark E. Lassiter The LASSITER LAW FIRM 60 E. Rio Salado Parkway, 9th Floor Tempe, Arizona 85281 Direct: 480-218-4455 Mob: 602-692-3050 Email: mlassiter@lassiterlawfirm.com Web: www.nadn.org/mark-lassiter	

Illinois Supreme Court
Commission on Professionalism

Lawyer to Lawyer Mentoring Guide

Acknowledgements

The Commission on Professionalism began its exploration of Lawyer to Lawyer mentoring by gathering information and evaluating mentoring programs nationwide. This *Guide* represents the results of our learning about the craft of mentoring. It is a melding of ideas and experiences acquired from examining current research, exploring mentoring principles and practices, and the mentoring work of other state Commissions. Adapting the Georgia and Ohio Commission on Professionalism mentoring resources, the Commission developed this *Guide* to help local court and bar organizations implement Lawyer to Lawyer mentoring programs.

Contents

Circuit-Wide Professionalism Programs

The Commission assists local courts and bar organizations in creating mentoring programs in which experienced lawyers formally support the professional learning and development of New Lawyers. Commission recognized mentoring programs are designed to teach skills, professional values and judgments necessary to practice law in accordance with the highest ideals of the profession.

Our goal is to advance professionalism through learning focused mentoring. By building relationships between beginning and experienced lawyers, we pass on fundamental skills and core values of professionalism essential to the aspirational practice of law.

Introduction

The term “mentor” originated from Greek mythology with the character of Mentor in Homer’s *Odyssey*. Mentor, a friend of Odysseus, was entrusted with the education of Odysseus' son Telemachus. Mentor was a guardian, teacher and counselor to the young boy. Today mentor is defined (Merriam-Webster 4^{th} Edition) as a wise, trusted counselor and teacher. Within the legal profession, mentoring relationships between experienced and New Lawyers facilitate the transfer of valuable information and insight into the practice of law. While legal theory and application can be learned during law school, the practice of law is learned in the workplace, whether in private practice, government service, or public interest work.

Skillful mentoring takes time and attention. This *Guide* offers a process, specific strategies and resources for skillful Lawyer to Lawyer mentoring. How we introduce young lawyers to the profession forms a foundation for their continued growth and development as practitioners. Skillful lawyer mentors stretch and expand their protégés’ abilities and capacities for professional thinking and problem solving. Skillful mentors facilitate the development of civility and ethics through consulting, collaborating and coaching their protégés. Lawyer to Lawyer mentoring honors the rich knowledge base and expertise that continues to accumulate through the years of practice. As a mentor, the experienced lawyer offers both the wisdom of practice and the practice of wisdom while preserving core values of our profession.

This Lawyer to Lawyer Mentoring initiative is designed to be a one-year voluntary experience to support New Lawyers through the transition from law school to the practice of law. Through the collaborative development and implementation of a mentoring agreement and action plan, the experienced attorney mentor counsels and teaches the New Lawyers. The mentoring action plan offers discussion topics and learning experiences to be completed over the course of the one-year mentoring term.

While the present Rules do not authorize mentoring as qualifying for continuing legal education, the Commission envisions establishing a program that will recognize the meaningful learning experience offered to both the New Lawyer and lawyer Mentor. For the future, we look to examining options and assessing possibilities for developing continuing legal education credit for both the mentors and new attorneys who participate in the Lawyer to Lawyer Mentoring programs.

The relationship between the Mentor and New Lawyer is intended to be an on-going relationship for the sole purpose of guiding and teaching the New Lawyer about the practice of law and the issues the New

Lawyer is likely to face in the practice of law. The Mentor shares professional experiences, provides guidance and resources, and engages in dialogue with the New Lawyer in completion of the activities in the Mentoring Plan.

Pairing New Lawyers and Mentors

Thought should be given to the administrative resources and time commitment available on the part of the local circuit/bar association responsible for administering and managing the mentor program.

New Lawyers and Mentors could be paired in the following ways:

1. Based on both Mentor and New Lawyer completing an application indicating interests and background;
2. Based on a completed mentor application from which New Lawyers would rank the top 5-10 Mentors with whom they would like to be paired.

Other considerations include the advantages and disadvantages particular to internal pairings. For example, while a pairing made between a New Lawyer and Mentor within the same department has the advantage of enabling questions specific to the department, a New Lawyer may feel more comfortable asking truly honest or "dumb" questions to someone outside his/her department given the lower likelihood that the Mentor would later be in a position to evaluate the new attorney. However, this potential concern may be outweighed by the additional benefit of enabling the new attorney to form a mentoring relationship with someone senior in his/her department.

New Lawyer Responsibility and Orientation

New Lawyers may elect to be mentored by experienced lawyers in their law firm or office or by lawyers who work outside their law firm. Internal mentoring participants are able to discuss many different matters relating to clients because of the shared responsibility of liability and the confidentiality that extends to office employees. However, a lawyer-client relationship is not established between Mentors and New Lawyers in external mentoring relationships. Accordingly, communications between the Mentor and the New Lawyer are not confidential. All Mentors and New Lawyers will be required to sign an agreement that defines the parameters of the mentoring relationship and limits potential liability. The Mentoring Agreement (Internal Lawyer version or External Lawyer version) must be signed by the Mentor and the New Lawyer at the start of the mentoring term.

The purpose of the mentoring program is to elevate the competence, professionalism and success of New Lawyers. Specifically, the mentoring relationship should foster the development of the New Lawyer's practical skills and increase knowledge of legal customs; should create a sense of pride and integrity in the legal profession; should promote collegial relationships among legal professionals and involvement in the organized bar; should improve legal ability and professional judgment; and should encourage the use of best practices and highest ideals in the practice of law.

An orientation meeting for New Lawyers will be offered by the local circuit or local bar organization implementing the Lawyer to Lawyer mentoring program. The purpose of this orientation is to provide

New Lawyers with an overview of the mentoring program, including its purpose and goals, and to provide useful information about effective mentoring.

Mentor Responsibility and Orientation

The success of this educational program depends upon experienced and reputable lawyers who are willing to commit the time to volunteer as Mentors so that they may convey the core values and best practices of the profession to New Lawyers. Effective lawyer mentors value teaching and counseling new attorneys in the practice of law and personally strive to improve the legal profession through their mentorship.

Mentors must have superior interpersonal skills and the ability to facilitate quality lessons about the best practices and highest values of the legal profession. Before agreeing to serve as a Mentor, a lawyer should honestly evaluate if they possess the skills needed to guide and teach a New Lawyer, if they can devote the requisite time to the activities and experiences with the New Lawyer as required by the Mentoring Plan, if they can demonstrates clear and highly professional habits in the practice of law and management of the lawyer's law practice. Moreover, the qualifications set forth below are minimum standards that must be met to serve as a Mentor. The Mentor must:

1. Be an attorney in Illinois registered active and in good standing;
2. Be admitted to practice law in Illinois for not less than six years;
3. Be respected among judges and peers in the local legal community for ethical and professional conduct; and
4. Never been sanctioned, suspended or disbarred from the practice of law in any state or jurisdiction.

An orientation meeting for lawyers recruited to be Mentors shall be offered by the local circuit or local bar organization administering the Lawyer to Lawyer mentoring program. The purpose of this meeting will be to provide Mentors with an overview of the program, including its purpose and goals, and to provide information and strategies about effective mentoring for New Lawyers.

Mentoring Plan

The Mentoring Plan includes core concepts, skills, activities and experiences framed as actions for the New Lawyer and Mentor. This action plan is designed to facilitate ongoing professional learning and development. Actions are grouped by area of focus. Worksheets with discussion questions accompany each action listed. Focus areas include:

1. Legal Community & Community at Large
2. Law Office Management
3. Personal & Professional Development
4. Ethics
5. Client Communication, Advocacy and Negotiation

While addressing the focus areas, the actions may be customized to the particular practice setting, individual needs and personal goals of the New Lawyer. Alternative actions may be included to take the place of an action listed. Once the New Lawyer and the Mentor determine their plan of action, both sign the Mentoring Plan and the appropriate Mentoring Agreement form.

At the end of the mentoring year, the Mentoring Plan will serve as an evaluative tool to assess the mentoring program process and learning. New Lawyers and Mentors shall engage in a minimum of six one-hour in-person meetings and complete the selected list of actions in Mentoring Plan. Participating in more than the minimum number of meetings is encouraged. Engaging in additional meetings fosters a more meaningful relationship between the New Lawyer and the Mentor and produces a more valuable learning experience for the New Lawyer. The Certificate of Completion may be signed by the New Lawyer and Mentor to verify Mentoring Plan completion.

Responsibility Summary

Mentors

– Participate in Mentor Orientation
– Execute Mentoring Agreement & Plan
– Engage in Six 1-hour Meetings with New Lawyer
– Assess and Certify Completion

New Lawyers

– Participate in New Lawyer Orientation
– Execute Mentoring Agreement & Plan Engage in Six 1-hour Meetings with Mentor
– Receive Certificate of Completion

Local Circuit/Bar Association

– Recruit Mentors
– Sponsor Mentor Orientation
– Sponsor New Lawyer Orientation
– Match Mentors with New Lawyers

Commission

– Facilitate Orientation for Circuit Court
– Provide Mentorship Resources
– Recognize Participant Professionalism
– Disseminate Process and Outcomes

Mentoring Plan

Legal Community & Community at Large

Discussion Worksheet	Action	Completion Date
1	Meet at Mentor's office to develop and sign mentoring plan and agreement. Also meet members of the Mentor's firm/office.	
2	Introduce New Lawyer to other lawyers in the community through ongoing attendance at local bar or specialty association meetings. Discuss local, state, national, specialty and affinity bar association opportunities.	
3	Escort New Lawyer to the local courthouse(s) make appropriate introductions to members of the judiciary, court personnel and clerks of court. Discuss customary rules of civility or etiquette among lawyers and judges in the community.	
4	Introduce New Lawyer to an experienced/senior lawyer working in the New Lawyer's area of interest (potentially outside the New Lawyer's department, such as a pro bono interest), preferably someone outside of the Mentor's firm/office. Organize coffee or lunch outside of the office to facilitate the introduction.	
5	Acquaint New Lawyer with Illinois' various legal services organization and opportunities for lawyers in private practice to engage in pro bono activities.	
Alternative Action		

Law Office Management

Discussion Worksheet	Action	Date Completed
6	Mentor demonstrates how law practice management systems are implemented: a. Time records. b. Records of client-related expenses. c. Billing system. d. Client retainer and/or payment schedules. e. Escrow and trust account, establishing an IOLTA, accounting, auditing, use of interest proceeds, proper procedures for handling client funds and other property. f. Filing system and procedures. g. Document retention plan. h. Calendar reminder systems.	

	i. Information technology system. j. Library and research systems. k. Other resources (publications, seminars, equipment, etc.).	
7	Discuss effective time management skills and techniques.	
8	Discuss practices to maintain client confidentiality.	
9	Discuss how to screen for, recognize and avoid conflicts of interest.	
10	Discuss role and responsibilities of paralegals, secretaries and other office personnel, and how to establish good working relationships with others in same office that are support staff, colleagues or senior partners.	
Alternative Action		
Alternative Action		

Personal & Professional Development

Discussion Worksheet	Action	Date Completed
11	Discuss different career paths and identify resources for exploring options. Discuss differences between large firm, small firm, government and non-profit practice and non-traditional legal positions.	
12	Discuss long term career objectives and identify ways to meet those goals. Discuss short term career objectives and identify skills needed to meet those objectives.	
13	Discuss strategies for finding a balance between career and personal life, keeping daily stress in perspective, reconciling job expectations with actual experience and maximizing career satisfaction.	
14	Discuss substance abuse and mental health issues, including warning signs of substance abuse or mental health issues; what to do if the New Lawyer, a colleague or a superior is faced with a substance abuse or mental health problem; and the resources for assistance.	
Alternative Action		

Ethics

Discussion Worksheet	Action	Date Completed
15	Discuss common malpractice and grievance traps and how to recognize and avoid common pitfalls.	
16	Discuss potential resources and procedures for dealing with complicated ethical issues, including conflict of interests.	
17	Discuss appropriate ways to handle situations where the New Lawyer believes another lawyer has committed an ethical violation; the obligation to report misconduct; and the appropriate way to handle a situation where the New Lawyer is asked by a senior member of the firm/organization to do something that is unethical or unprofessional.	
18	Discuss the grievance process and a lawyer's duty to cooperate with a disciplinary investigation.	
Alternative Action		
Alternative Action		

Client Communication, Advocacy and Negotiation

Discussion Worksheet	Action	Date Completed
19	Discuss how to deal with a "difficult" client.	
20	Discuss importance of client communication, how to maintain appropriate ongoing communication (returning telephone calls, email) to keep clients informed.	
21	Discuss proper legal counseling strategies and the duties and responsibilities of advising clients.	
22	Discuss the responsibilities of the client and the lawyer in decision-making, and the best ways to involve a client in their case.	
23	Discuss preparation and proper behavior during depositions and observe deposition.	
24	Discuss how to prepare for negotiation of a legal matter, when and how	

	negotiation is initiated, how to involve the client, ethical and professionalism obligations of negotiators, skills needed to be an effective negotiator and how to acquire them.	
25	Discuss types of alternative dispute resolution such as mediation, arbitration, early neutral evaluation, summary jury trials, etc.	
26	Observe an actual or simulated arbitration. Discuss and evaluate what is observed.	
27	Observe an actual or simulated mediation. Discuss and evaluate what is observed.	
28	Observe actual or webcast of appellate argument in the Supreme Court of Illinois, the Court of Appeals of Illinois, or United States Circuit Court of Appeals.	
Alternative Action		
Alternative Action		

The undersigned Mentor and New Lawyer agree upon the Mentoring Plan of activities and experiences elected above. We pledge that we will devote the time and effort necessary to carry out this Mentoring Plan.

New Lawyer Signature ____ Date _________________

Mentor Lawyer Signature ____ Date _________________

Administrative Forms

Internal Lawyer Mentoring Agreement

I agree to participate in Lawyer to Lawyer mentoring in accordance with the terms of this agreement. I understand lawyer to lawyer mentoring is one component of New Lawyer training in the practice of law within our firm and is intended to include coaching, sharing experiences, learning and ongoing guidance and support. I understand the goals of mentoring include:

1. Fostering the development of the New Lawyer's practical skills;
2. Increase knowledge of legal customs;
3. Creating a sense of pride and integrity in the legal profession;
4. Promoting collegial relationships among legal professionals;
5. Involvement in the organized bar activities;
6. Improving legal ability and professional judgment; and
7. Encouraging the use of best practices and highest ideals in the practice of law.

The New Lawyer agrees to waive all claims against, and to hold harmless, the Mentor for any actions or inactions associated with Lawyer to Lawyer mentoring or with the New Lawyer's participation.

I herby certify that I have read the above Mentoring Agreement and agree to its terms.

New Lawyer Signature ____ Date _________________

Mentor Lawyer Signature ______________________________________ Date _________________

External Lawyer Mentoring Agreement

I agree to participate in Lawyer to Lawyer mentoring in accordance with the terms of this agreement. I understand Lawyer to Lawyer mentoring is one component of New Lawyer training in the practice of law. I recognize that mentoring is intended to include coaching, sharing experiences, learning and ongoing guidance and support. I understand the goals of mentoring include:

1. Fostering the development of the New Lawyer's practical skills;
2. Increase knowledge of legal customs;
3. Creating a sense of pride and integrity in the legal profession;
4. Promoting collegial relationships among legal professionals;
5. Involvement in the organized bar activities;
6. Improving legal ability and professional judgment; and
7. Encouraging the use of best practices and highest ideals in the practice of law.

I acknowledge and will abide by the following rules:

* Any communication between Mentor and the New Lawyer arising out of participation in the mentoring plan is for the sole purpose of guiding and teaching the New Lawyer about the practice of law and the issues that the New Lawyer is likely to face in the practice of law.

* Any communication between Mentor and the New Lawyer is not intended to be the rendering of legal or professional advice to the New Lawyer or his or her clients, and the New Lawyer will not rely upon such communications or cause any client to rely upon them. The New Lawyer will rely solely upon his or her own judgment, legal opinions, or independent research.

* No confidential relationship is formed between Mentor and the New Lawyer as a result of participation in mentoring. The New Lawyer will not identify any client to the Mentor or reveal to the Mentor any client confidence, nor will the New Lawyer seek professional or legal advice from the Mentor about specific legal matters or clients. Instead all discussions about substantive legal matters between the New Lawyer and Mentor will be limited to hypothetical situations.

* Mentor is not assuming any liability or responsibility with respect to any legal matter of the New Lawyer's clients, nor will Mentor render professional services to or take any responsibility for any aspect of representation of the New Lawyer's clients.

* Mentor will not co-counsel any matter with the New Lawyer, nor will Mentor make referrals to or accept referrals from the New Lawyer during the term of their mentoring term.

The New Lawyer agrees to waive all claims against, and to hold harmless, the Mentor for any actions or inactions associated with the lawyer to lawyer mentoring or with the New Lawyer's participation.

I herby certify that I have read the above Mentoring Agreement and agree to its terms.

New Lawyer Signature ____ Date _________________

Mentor Lawyer Signature ______________________________________ Date _________________

Completion Certification Sample

*New Lawyer Name*_ has participated in and completed all of the actions elected in the Mentoring Plan during this mentoring term. We met and discussed core concepts, necessary skills for effective and ethical practice of the law, and a lawyer's aspirational ideas as applied to each action in the plan.

I hereby certify that the above information is true and accurate to the best of my knowledge.

New Lawyer Signature ____ Date _________________

Mentor Lawyer Signature ______________________________________ Date _________________

Discussion Worksheets

Worksheet #1 Mentoring Goals, Expectations, Agreement, Plan

The following goals and expectations are intended to facilitate the discussion between the New Lawyer and Mentor during their first meeting and to prepare them for the joint development of the Mentoring Plan. The Mentoring Plan includes more specific core concepts, lawyering skills, and actions which will address the New Lawyer's goals and expectations.

Mentoring Goals

The New Lawyer should articulate his or her specific goals for the mentoring relationship to assist in the development of a meaningful personalized Mentoring Plan. Discuss together three or more goals the New Lawyer has for the mentoring relationship.

Keep in mind that a goal is something that one wants to achieve. To assist you in reflecting on the goals for the mentoring program, think about how you might complete the following statements:

1. I am most interested in the following topics which are listed in the Actions section of this Mentoring Plan…
2. I have the following personal development plans that I want to achieve in the next year…
3. I need to know more about...
4. I want to strengthen the following skills…
5. In five to ten years, I see myself doing…

Mentoring Expectations

The New Lawyer and Mentor should discuss their individual expectations and resolve any concerns over expectations. Keep in mind that expectations are confident beliefs, strong hopes or presumed notions that a particular result or event will occur. The exercise of listing expectations of the mentoring relationship is intended to help the New Lawyer and Mentor understand one another's perspectives so that neither feels disappointed or betrayed when they do not conform to some expectation that was never made explicit. This discussion is intended to resolve from the outset any unrealistic expectations of each other or of the results expected.

To assist in reflecting on the expectations of the mentoring relationship, think about how you might complete the following statements:

1. I expect that we will meet (how often) for (how long).
2. I expect that you will be otherwise accessible to me (how often and in what capacity).
3. I expect that we will do the following types of activities together…
4. I expect that you will help me to …
5. I expect that you will treat me…
6. I think you need to know this about me…

Internal Mentoring Relationships

1. The New Lawyer should be introduced to other lawyers and personnel in the firm/office. If the office/firm is large and it is not feasible to introduce the New Lawyer to everyone, the New Lawyer should be introduced to at least the partners or supervising attorneys, associates and staff in the division(s) in which s/he will work.

2. Explain from whom the New Lawyer should expect to get work. Do all assignments come through one person? Is the New Lawyer responsible for checking in with a group of people to obtain assignments? To whom does the New Lawyer report?

3. To the extent possible, discuss with the New Lawyer the working styles and preferences of those lawyers in the firm/office for whom the New Lawyer will likely be working. If the Mentor does not have this information, introduce the New Lawyer to other lawyers in the firm who can share this information.

4. Discuss office culture and administrative details, such as the following:

    a. What time new associates are expected to arrive at the office and leave it and how flexible are work hours;
    b. What type of social climate exists among staff; and
    c. What type of office dress is appropriate?

5. Discuss the types of tasks new associates should expect in their first three months, first year, and first three years. Explain how the New Lawyer will obtain practical experience while employed in the firm/office. If there is a formal program for new associates with training over a period of time, explain the structure of that training.

6. Discuss the relationship the Mentor has to the New Lawyer within their office. Make it clear if the Mentor is responsible in whole or part for reviewing the New Lawyer's performance. Discuss whether the Mentor is the New Lawyer's supervisor and if so, what that relationship entails.

7. Distribute to the New Lawyer the firm's policy manual and use it as a resource for issues to be discussed.

External Mentoring Relationships

1. Introduce the New Lawyer to members of the Mentor's firm, including non-lawyer staff.

2. Explain to the New Lawyer each employee's role in the firm and each lawyer's area of practice.

3. Share that which co-workers have accomplished which the Mentor recommends emulating.

4. Discuss activities in which the New Lawyer can engage to obtain practical skills (such as litigation skills) that the Mentor is prohibited from teaching the New Lawyer while in an outside mentoring relationship. For example, the New Lawyer could volunteer at a bar association to act as counsel for disciplinary cases, could get on a Guardian ad Litem list at the local court, or could sign up for probate appointments, etc. Additionally, the Mentor may be able to introduce the New Lawyer to a colleague with whom the New Lawyer could co-counsel a criminal case, or the Mentor may be able to introduce the New Lawyer to a judge who would appoint the New Lawyer to second-chair a case with a competent, professional and experienced first Chair.

5. Share the activities in which the Mentor and/or his or her colleagues participated to obtain their practical experience at the beginning of their career.

6. If possible, distribute to the New Lawyer the Mentor's office policy manual and use it as a resource for general issues to be discussed.

Completing the Mentoring Plan

The New Lawyer and Mentor should discuss the specific activities and experiences in the Mentoring Plan to develop a personalized plan which they will complete together by the end of the mentoring term. Both the New Lawyer and Mentor must pledge to complete the Mentoring Plan by signing it. Both must also sign the separate Mentoring Agreement.

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 New Lawyer.

Worksheet #2 Introduction to Bar Association

The following points are suggested for a discussion about the organized bar, including local, state, national, specialty, and affinity bar association opportunities and the advantages of being involved in bar association activities.

1. Attend any meeting/event of an organized bar association together, and introduce the New Lawyer to other lawyers in attendance at the event.

2. Give the New Lawyer examples of local, state, specialty, and national bar associations and discuss the differences between them. Examples:

   a. Local associations: your county/city bar association;
   b. State associations: Illinois State Bar Association;
   c. National associations: American Bar Association; and
   d. Specialty associations: National Organization of Bar Counsel, Federal Bar Association, Illinois Trial Lawyers Association, American Intellectual Property Law Association, American Immigration Lawyers Association, Association of Corporate Counsel, and American Inns of Court, etc.; and
   e. Affinity associations: Chicago Bar Association Alliance for Women, Hispanic National Bar Association, etc.

3. Provide to the New Lawyer brochures or website links to local, specialty or national associations so that the New Lawyer can review information about each in his or her spare time. See attached Appendix for association website links which may be shared with the New Lawyer.

4. Share with the New Lawyer the association(s), in which the Mentor is a member, the reasons the Mentor chose to be involved in the association(s), the activities the Mentor is involved in at the association(s) and how involvement in the association(s) has benefited the Mentor.

5. Discuss with the New Lawyer what Section(s) or Committee(s) s/he may be interested in joining of particular associations. Is a particular association more well regarded in a substantive area over others (i.e., would the local bar association or state bar association be more helpful to further the New Lawyer's particular interests)?

6. Provide to the New Lawyer examples of activities one can get involved in as a member of an association. Discuss specific reasons why one would want to be involved in those activities.

Bar Association Websites

This list is not meant to be a comprehensive guide to available local, state, national, and specialty bar associations within the state of Illinois, but rather a starting point to facilitate discussion of the benefits of joining such associations.

Local, State, and National Bar Associations

American Bar Association
Bar Association of Metropolitan St. Louis
Chicago Bar Association
Cook County Bar Association
DuPage County Bar Association
Illinois State Bar Association
Kane County Bar Association
Lake County Bar Association
Northwest Suburban Bar Association
South Suburban Bar Association
Southwest Suburban Bar Association
West Suburban Bar Association
Will County Bar Association
Winnebago County Bar Association

Specialty Bar Associations

American Immigration Lawyers Association
American Inns of Court
American Intellectual Property Law Association
Appellate Lawyers Association
Association of Corporate Counsel
Chicago Council of Lawyers
Federal Bar Association
Illinois Association of Defense Trial Counsel
Illinois Judges Association
Illinois Trial Lawyers Association
National Organization of Bar Counsel

Affinity Bar Associations

Advocates Society
Asian American Bar Association of the Greater Chicago Area
Asian American Bar Association
Black Women Lawyers' Association of Greater Chicago, Inc.
Chicago Bar Association Alliance for Women
Chicago Committee on Minorities in Large Law Firms
Cook County Bar Association
African American Bar Association

Decalogue Society of Lawyers
East Central Illinois Women Attorneys Association
Hispanic Lawyers Association of Illinois
Hispanic National Bar Association
Justinian Society of Lawyers
Lesbian and Gay Bar Association of Chicago
National Asian Pacific Bar Association
National Bar Association
National Conference of Women's Bar Associations
National Lesbian and Gay Bar Association
Women's Bar Association of Illinois

Worksheet #3 Introduction to the Courthouse

The following points are suggested to facilitate a discussion about the local courthouse(s) and court personnel.

1. Go to the local courthouse(s), particularly those courts where the New Lawyer will primarily be appearing, and, to the extent possible; introduce the New Lawyer to members of the judiciary, court personnel, and clerks of court.

2. Ask the clerk to provide to the New Lawyer his or her perspective on filing protocols such as cover sheets, number of copies, walking copies through to the judge, etc.

3. Ask the bailiff and/or court clerk to share with the New Lawyers protocols such as whether lawyers are required to check in before a hearing, whether simple or uncontested matters are called ahead of the regular docket, how a lawyer should handle a situation where s/he is covering two cases scheduled at the same time, whether courtesy copies are expected and when, whether draft orders should be proposed with courtesy copies, how far in advance of an appearance the judges receive the files, etc.

4. Introduce the New Lawyer to the court's reporters and discuss the procedure for obtaining a transcript from them.

5. Ask the Judges to whom you introduce the New Lawyer to share any pointers they have for handling a case in front of them.

6. Show the New Lawyer where the clerk's office is, explaining where to go to file pleadings, obtain certified copies of case documents, get journal entries, search the docket, etc. If the Mentor has errands at court (which are non-privileged), invite the New Lawyer to participate in those errands with the Mentor.

7. Explain the roles of different court staff, including the clerks, the bailiffs, and the Judge's assistants. Discuss the appropriate demeanor with court personnel.

8. Explain the protocol for meeting with a Judge, such as how to get to a judge's chambers, how a meeting should be required, who should be contacted to set up a meeting, etc. Discuss examples of *ex parte* contact and how to avoid it.

9. Discuss when it is appropriate to enter a courtroom that is in session.

10. Discuss how a Judge is customarily addressed in court, at formal functions and events, in social settings, or at the grocery store. Does this custom change depending upon how often you appear before the Judge or the capacity in which you know the Judge? For example, if you are a prosecutor and appear before the same Judge/magistrate every day? Or, if you don't appear before the Judge in court, but you are on a bar association taskforce with him or her resulting in frequent meetings together?

11. Discuss the appropriate attire for lawyers in your local court(s). Discuss how you should advise your client to dress. Does your client's dress depend upon the type of case being litigated? What if your client does not have the proper attire to appear in court?

12. Discuss the local court rules and how they impact your conduct. Discuss how different Judges have different views and interpretations of the local rules, as well as different courtroom practices. To the extent possible, share information in this regard about the preferences of the judges before whom the New Lawyer is likely to appear.

13. Discuss the importance of punctuality in court and the expectations of individual Judges in this regard.

14. Discuss the appropriate demeanor with opposing counsel. How should you address opposing counsel? What if you know opposing counsel well because you often oppose each other in cases? Because you went to law school together? Because you are good friends? How should you react if opposing counsel has been underhanded or dishonest during your case? What types of recourse are there? Discuss tips that the Mentor has for keeping calm during conversations with an opposing counsel who is conducting him or her-self unprofessionally, such as yelling at you, attacking you personally, threatening you, etc.

15. Discuss courtroom technology that is available to litigators such as overhead projectors, VCR/DVD players, microphones, etc. Provide contact information for or introduce the New Lawyer to the court personnel who should be contacted when the New Lawyer is interested.

16. Discuss protocols and advice for e-filing documents with various courts.

17. What is the appropriate demeanor with your clients – in and out of court? Discuss the importance of sensitivity towards your clients.

18. Discuss the importance of associating with local counsel if you are handling a case outside your community. What are the benefits and disadvantages to doing so? How do you go about finding local counsel in another community with which to associate yourself?

19. If you are acting as local counsel with an out-of-state/town lawyer, what is your relationship to each other and to the case? What do you do when the other counsel wants to completely control the litigation and your actions?

20. Discuss etiquette for speaking on and off the record.

21. Discuss court procedure for handling exhibits, examining witnesses, and using the podium in the courts before which the New Lawyer is likely to appear.

Worksheet #4 Networking

The following points are suggested to facilitate a discussion about networking within the legal community and in particular, introducing the New Lawyer to one or more attorneys outside his/her firm/organization with similar interests.

1. Discuss the New Lawyer's interests, including legal and recreational interests. What type of contact(s) would be appropriate and helpful for the New Lawyer to have?

2. Select at least one attorney colleague sharing interests with the New Lawyer, preferably outside the firm if the New Lawyer also practices in the same firm, and arrange for a coffee or lunch meeting to introduce the new attorney to your colleague/friend. What shared interests do they have? What advice would your colleague have for the New Lawyer to open opportunities for the New Lawyer in the shared area(s) of interest?

3. Discuss with the New Lawyer how your own networking experiences and way in which networking has helped you professionally and personally.

   See excerpts and a review of *A Lawyer's Guide to Networking*, sponsored in part by the ABA, http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=CEV06LGNB.

Worksheet #5 Legal Service Organizations and Pro Bono Service

The following points are suggested to facilitate a discussion about pro bono opportunities.

1. Discuss any pro bono activities in which you are involved. What led you to become involved in these matters? What have you gained from these experiences?

2. Discuss ways in which you have developed your skills through pro bono service, or ways in which you have seen colleagues sharpen their skills by taking advantage of pro bono opportunities.

3. If the New Lawyer works in the same firm/organization, discuss the firm's pro bono policy. What hours count toward minimum billables, if applicable? Are there limits to what the firm will "count" toward an attorney's annual hours? Who is the appropriate contact person to express interest in pro bono matters?

4. Discuss ABA/local/state aspirations for levels of pro bono service. Which would be applicable to the New Lawyer?

5. Discuss how the new attorney might bring in a new pro bono matter as a new client for his/her organization. How would the attorney ensure a new client and matter were acceptable to the firm? What are the procedures for opening a new client? What is the conflicts procedure to ensure there are no conflicts in representing the new client?

6. Provide the new attorney with resources from which the new attorney may discover an organization whose work interests him/her. Local and state bar association foundations often list organizations funded on their websites or in their annual reports, which may also provide helpful information.

   See the Illinois Pro Bono Volunteer Opportunity Search website:
   www.illinoisprobono.org/index.cfm?fuseaction=volunteer.showVolunteerOpportunities,

Worksheet #6 Law Office Management

1. The following points are intended to facilitate a discussion about the Mentor's law office, how it is managed, and where to locate resources for learning more information about law office management issues.

2. Take the New Lawyer on a tour of the Mentor's office, explaining how client files in Mentor's office are managed and discussing the best practices for at least the following related issues:

   a. Time records.
   b. Records of client-related expenses.
   c. Billing system.
   d. Client retainer and/or payment schedules
   e. Fee agreements, including setting a fee and common fee agreements, the advantages and disadvantages to each, ethical considerations surrounding each, examples of improper provisions in fee agreements, and the importance of using engagement, non-engagement and disengagement letters.
   f. Escrow and trust accounts, including establishing an IOLTA, the how-to's of account/auditing, use of interest proceeds, and proper procedures for handling funds and other property belonging to client.
   g. Filing system, including procedures for opening and closing files, procedures for conflict checking, creating a checklist for new files, the importance of preparing a case memorandum and case plan, how to document the progress on cases, organizing both the file contents and the office filing system, and file inventory and review procedures.
   h. Document retention plan.
   i. Calendar and "tickler" or reminder system.
   j. Information Technology Systems, including docketing software.
   k. Methods of keeping clients informed about the progress of their matters.

3. Discuss staff, equipment and other administrative issues in Mentor's office, including the best practices for at least the following matters:

   a. Mail distribution procedures.
   b. Procedures for handling telephone calls, including when they should be returned.
   c. Considerations in purchasing office furniture and where it can be purchased.
   d. Library and research systems.
   e. Considerations in purchasing office equipment and the types which are essential and/or most helpful.
   f. Other resources (publications, seminars, equipment, etc.) that a New Lawyer might find particularly helpful in his or her work.
   g. Personnel, including identifying employees who are needed to run the office efficiently and the benefits and disadvantages to hiring different types of employees (*i.e.,* traditional, independent contractor, temporary).
   h. Employee selection, including interviewing techniques, background investigations, extending offers, and maintaining personnel files.
   i. Employment and discrimination laws of which an employer must be aware.

j. Supervising staff, handling employee discipline and preventing the unauthorized practice of law and the unethical practice by associates.
k. Considerations in purchasing liability insurance.

4. Share with the New Lawyer ethical and professional marketing and business development techniques, effective rainmaking tools, and how to create a marketing plan for a firm.

5. Review and discuss the following articles: (list to be expanded/updated and permission to copy into this document)

   a. Dan Pinnington & David Bilinsky, *Implement Appropriate Internal Controls*, LAW PRACTICE TODAY, April 2006.
   b. Reid F. Trautz, *Practice Management Systems and Procedures: What They Don't Teach You in Law School.*
   c. Allison C. Shields, *How to Take Control of Your Practice by Creating Vision and Mission Statements,* GP/SOLO LAW TRENDS & NEWS BUSINESS LAW, Feb. 2006.

Other helpful resources may include:

American Bar Association Law Practice Management Section
http://www.abanet.org/lpm/home.shtml

American Bar Association Young Lawyers Division E-Library
http://www.abanet.org/yld/elibrary/home.html

Worksheet #7 Time Management

The following points are intended to facilitate a discussion about effective time management skills and techniques.

1. Discuss ways to handle situations where the New Lawyer becomes overloaded with work. If in an in-house relationship, discuss realistic expectations about the workload of New Lawyers in your office and ways to cope with those expectations.

2. Share with the New Lawyer techniques you use which have proven successful in the management of your time.

3. Share stress management techniques. Discuss article. Pat McHenry Sullivan, *You Can Find Time to De-Stress,* LAW PRACTICE TODAY, Feb. 2006.

4. Together, work on a practical plan for managing the New Lawyer's time, including how to prioritize work, ways to refuse work without jeopardizing the New Lawyer's reputation or treatment by others, and ways to stay organized.

5. Discuss strategies to achieve the following components to balancing personal and professional life. (For specific strategies, see *Life in the Balance: Achieving Equilibrium in Professional and Personal Life* cited in the Resources Section below.)

   a. How to create expectations from your employer and clients that are compatible with a healthy and balanced lifestyle.
   b. How to give your all at work while saving energy and emotion for family and other interests/activities.
   c. How to maintain physical health with a busy schedule and how doing so contributes to your productivity and success.
   d. How to develop and maintain friendships or other relationships when time seems to be in critically short supply.
   e. How to be efficient and productive at work, as well as how to prioritize and delegate tasks.

Life in the Balance: Achieving Equilibrium in Professional and Personal Life, American Bar Association Young Lawyers Division 2002-2003 Members Service Project, http://www.abanet.org/yld/about/writtenguide03.pdf.

Worksheet #8 Client Confidentiality

The following points are intended to facilitate a discussion about practices for maintaining client confidentiality.

1. Discuss the importance of client confidentiality.

2. Discuss common mistakes which inadvertently cause violations of client confidentiality and share practical pointers in and outside one's office for safeguarding confidential information. Among other things, examples for discussion could include:

    a. Discuss proper procedures for file keeping and ensuring that clients who visit your office do not see information about other client matters;
    b. Discuss the propriety of discussing your client's case in public (even at the courthouse);
    c. Discuss the consequence of discussing confidential information with your client when a third party is present by invitation of your client (like their spouse);
    d. Discuss office procedures for maintaining and destroying client files which impacts client confidentiality; and
    e. Discuss the potential hazards of using email and fax to communicate confidential information about a case.

3. Give specific examples of client information which is confidential and when such information should or should not be revealed, including, among others, the propriety of disclosing that you have been retained by someone, disclosing the name of your client to a third party, sharing information about your client's case to opposing counsel during negotiations, etc.

4. Discuss the appropriate ways to obtain waiver of privilege and the circumstances in which it is likely to be obtained in the New Lawyer's area of practice. Discuss the differences between implied and express waiver and identify conduct which effectuates waiver.

5. Discuss a lawyer's obligations with regard to revealing client fraud.

6. Discuss a lawyer's obligation to maintain confidentiality of clients who consult with the lawyer but who do not hire him or her or who the lawyer ultimately refuses to represent.

7. Discuss a lawyer's obligation to maintain client confidences after the termination of the attorney-client relationship.

8. Discuss the practical concerns that arise when a third party pays for a client's representation and wants to communicate to the client's lawyer about the representation. Discuss the duties owed to the client.

9. Discuss client confidentiality issues likely to arise in the New Lawyer's practice area. For example:

a. When the New Lawyer's client is a corporation, which communications are confidential and with whom at the corporation can the New Lawyer discuss confidential information?

b. When the New Lawyer's client is the government (or a government entity), with whom can the New Lawyer discuss confidential information? What obligation does the New Lawyer have to inform the public about the matters being prosecuted? What obligation does the New Lawyer have to inform the victim of a crime about an investigation or prosecution of a suspect?

10. Discuss practical issues that must be resolved when sharing office space with lawyers not in the same firm regarding safeguarding confidential information of clients. What if the lawyers share staff like a receptionist, secretary or a paralegal?

11. Discuss how to handle a situation where a lawyer inadvertently receives a document containing what appears to be privileged information about an opposing party in pending litigation.

12. Discuss the exceptions that exist in Disciplinary Rule 1.6 (http://www.iardc.org/rulesprofconduct.html#Rule%201.6), allowing disclosure of confidential information, and provide examples of situations where such exceptions would apply.

Share with the New Lawyer your firm's procedures to ensure that the law firm staff does not inadvertently disclose client confidences. Discuss the tips in the article: Kirk R. Hall, *No So Well-Kept Secrets,* http://www.abanet.org/legalservices/lpl/downnloads/secrets.pdf.

Worksheet #9 Conflicts of Interest

The following points are intended to facilitate a discussion about how to screen for, recognize and avoid conflicts of interest.

1. Discuss the importance of adequately screening for conflicts of interest. Share with the New Lawyer the firm's procedure for screening for conflicts (if in an internal mentoring relationship) or the Mentor's office procedure for screening for conflicts (if in an external mentoring relationship).

2. Explain the importance of including prospective clients and declined clients in a conflicts database. Are these clients treated like former clients in terms of conflicts? What does this mean if another client comes along with interests adverse to the prospective client that never hired the lawyer?

3. Discuss different types of conflicts of interest that can arise – particularly in the New Lawyer's practice area(s) or office setting.

4. Give examples of conflicts which can be waived with informed consent. Explain how to document your clients' consent to conflicts.

5. Discuss the substantial relationship test which, when met, prohibits a lawyer from representing a client against a former client. Discuss whether informed consent by the former client can cure the conflict.

6. Discuss the article: Todd C. Scott, *Conflict-Checking Systems: Three Great Ways to Effectively Manage Conflict Checking,* GP/SOLO LAW TRENDS & NEWS Vol. 2, No. 2.

7. Discuss screening walls, when they apply and practically speaking, how a law office manages them. What may the New Lawyer share with others within the same firm if a screening wall exists? What is the office protocol for such matters?

8. Discuss how conflicts are handled when a lawyer changes firms. Should a lawyer be concerned about the same issues when hiring non-lawyer personnel who come from another firm.

9. Discuss the propriety of working on a case where opposing counsel is a spouse, close relative, or any person with whom the lawyer shares a close personal relationship. Does client consent cure the potential problem?

Margaret Graham Tebo, *Make a List, Check It Twice: A Good Conflicts-Checking System Helps Protect You From Ethics Violations,* ABA JOURNAL, Feb 2006.

Harry H. Schneider Jr., *An Invitation to Malpractice: Ignoring Conflict-of-Interest Rules Can Open Pandora's Box,* ABA Standing Committee on Lawyers' Professional Liability On-Line Resources.
http://www.abanet.org/legalservices/lpl/downloads/invitation1.pdf

Harry H. Schneider Jr., *An Invitation to Malpractice (Part II): Once a Conflict of Interest Is Spotted, Take Action Promptly,* ABA Standing Committee on Lawyers' Professional Liability On-Line Resources. http://www.abanet.org/legalservices/lpl/downloads/invitation2.pdf

Lawyers' Professional Indemnity Company, *Managing a Conflict of Interest Situation,* On-line Practice Aids, http://www.practicepro.ca/practice/conflict.pdf.

Lawyers' Professional Indemnity Company PracticePRO Practice Aids: http://www.practicepro.ca/practice

Worksheet #10 Office Personnel Role, Responsibility, Working Relationship

The following points are intended to facilitate a discussion about the roles and responsibilities of paralegals, secretaries, and other office personnel and how to establish good working relationships with others in the same office who are support staff, colleagues, or senior.

1. Explain to the New Lawyer each non-lawyer employee's role in the Mentor's office/firm, including the employee's title, job duties, and relationship to the New Lawyer (if any) if in an in-house mentoring relationship.

2. Discuss the importance of having support staff on your team and treating them with respect.

3. Share suggested "do's and don'ts" of dealing with support staff, colleagues, and those more senior than the New Lawyer. Discuss when it may be appropriate (or not) to discuss potentially controversial issues such as politics or religion.

4. If the New Lawyer has an assistant, secretary and/or paralegal, explain the types of task that are appropriate (and inappropriate) to ask each of them to do.

5. If in an internal mentoring relationship, discuss other support resources, such as reference librarians or a Word Processing department, and when it would be appropriate to assign work to them.

6. If in an in-house mentoring relationship, discuss the office culture in terms of the types of tasks New Lawyers are expected (although perhaps not told) to do rather than support staff. For example, if in an office where many lawyers share one secretary, do the newer lawyers make their own changes to documents, make their own copies, etc. so that the secretary can focus on doing those tasks for the more senior lawyers? Are New Lawyers expected to type their own documents on their own computer and assistants expected to "format" them, or are New Lawyers expected to dictate their documents for transcription by their assistants?

7. If in an in-house mentoring relationship, discuss any considerations or prohibitions in asking support staff to put in time outside of normal office hours, including whether requests for overtime must be approved, whether overtime requests must only be made on a limited basis, how much advance notice is typically expected when asking staff to stay later than normal office hours, etc.

8. If in an in-house mentoring relationship, discuss the specific skills and knowledge each support staff member has from which the New Lawyer can learn or benefit.

9. Make suggestions about how to handle difficult situations where the New Lawyer's assistant/secretary is not performing as expected. If mentoring in-house, explain any procedures that are in place to address this type of problem.

10. Discuss the types of behavior that constitute the unauthorized practice of law in Illinois and to the extent possible, define the "practice of law." Discuss an attorney's ethical obligation to

prevent the unauthorized practice of law and provide specific tips on how to prevent non-lawyer personnel from inadvertently (or intentionally) engaging in it.

11. Discuss the office policies that are in place to prevent the unauthorized practice of law by non-lawyer staff.

12. Share with the New Lawyer appropriate ways to monitor the work product of support staff for which the New Lawyer is ultimately responsible as an attorney.

13. Suggest appropriate ways for the New Lawyer to socialize and get to know other attorneys and judges in the community.

14. Discuss the types of social or office behaviors that could be perceived as detrimental for a New Lawyer's career, both with colleagues inside and outside of the New Lawyer's office.

15. If mentoring in-house, discuss the office culture with regard to decision-making and the New Lawyer's authority to do so.

Worksheet #11 Career Paths

The following points are provided to facilitate a discussion about different career paths for lawyers, the environments in different types of practice settings, and the resources for exploring career options.

1. Discuss the different types of law practice. For example, government or public office, private practice, large firm vs. small firm vs. solo practice, corporate, environmental, the judiciary, non-traditional legal positions, legal aid.

2. Share with the New Lawyer your experiences and the environments in the different practice settings in which you have worked. Invite another experienced lawyer to discuss with you and the New Lawyer his or her experiences in different practice settings.

3. If the Mentor specializes in an area of practice, share with the New Lawyer how you acquired the expertise in that area. Why did you choose to practice in that concentration? Discuss how to secure a position in your practice concentration.

4. Describe to the New Lawyer your typical day with respect to things such as court appearances, trial work, research and writing, client contact, discovery, mediation/dispute resolution, hours/vacation/benefits/quality of life, etc.

5. Share with the New Lawyer what you enjoy most and least about your practice area. What or who was most instrumental in developing your practice expertise? What has been your greatest achievement?

6. If the New Lawyer is not in the type of practice s/he would like to be in long-term, the Mentor should try to introduce the New Lawyer to lawyers in the field s/he would like to explore.

7. Discuss networking opportunities that would coincide with the New Lawyer's objectives.

8. Share with the New Lawyer tips for succeeding in the practice of law, especially in the practice setting in which the New Lawyer works.

For more information on potential resources, see:

ABA-CLE Career Counsel, www.abanet.org/careercounsel

NALP Career Paths, www.nalp.org/careerpaths/index.php

Worksheet #12 Long Term Career Objectives

The following points are suggested to facilitate a discussion about the New Lawyer's long-term career objectives and ways to achieve them.

1. Discuss the attached article Kathleen Brady, *Navigating Detours on the Road to Success*, LAW PRACTICE TODAY, March 2005.

2. Discuss the different types of law practice. For example, government or public office, private practice, large firm vs. small firm vs. solo practice, corporate, environmental, judicial clerkships, non-traditional legal positions, legal aid.

3. Share with the New Lawyer the long-term goals you had as a New Lawyer. Discuss how and why those goals changed and/or the successes and failures you had in reaching those goals. Discuss what you have achieved and what career goals you have now.

4. Share with the New Lawyer how you would do things differently in pursuing your career objectives if you had a chance to start over.

5. If the New Lawyer is not in the type of practice s/he would like to be in long-term, the Mentor should try to introduce the New Lawyer to lawyers in the field s/he would like to explore.

6. Discuss networking opportunities that would coincide with the New Lawyer's objectives.

7. Discuss how bar association involvement can enhance career exploration and opportunities.

8. Discuss the New Lawyer's resume and suggest activities in which s/he should engage to strengthen it toward meeting his or her career goals. Suggest ways for the New Lawyer to develop professionally and to distinguish him or her self from others.

9. Assist the New Lawyer in creating a five-year plan stating career objectives and strategies for meeting them.

For other potential resources, see:

ABA Career Counsel www.abanet.org/careercounsel/home

Worksheet #13 Balance between Career and Personal Life

The following points are intended to facilitate a discussion about balancing career and personal life, putting daily pressures into perspective, reconciling job expectations with actual experience, and maximizing career satisfaction.

1. Share with the New Lawyer techniques to create and maintain balance between personal and professional life. Share your own experiences, including successes and failures, in finding balance between your personal life and career.

2. Discuss strategies to achieve the following components to balancing personal and professional life. (For specific strategies, see *Life in the Balance: Achieving Equilibrium in Professional and Personal Life* cited below.)

    a. How to create expectations for your employer and clients that are compatible with a healthy and balanced lifestyle.
    b. How to give your all at work while saving energy and emotion for family.
    c. How to maintain physical health with a busy schedule and how doing so contributes to your productivity and success.
    d. How to make nutritious choices at home, at work or on the road and how doing so maximizes performance and energy levels.
    e. How to plan ahead for the challenges of caring for children or aging parents.
    f. How to develop and maintain friendships or other relationships when time seems to be in critically short supply.
    g. How to foster professional relationships.
    h. How to be efficient and productive at work, as well as how to prioritize and delegate tasks.

3. Share stress management techniques. Discuss the article: Pat McHenry Sullivan, *You Can Find Time to De-Stress*. LAW PRACTICE TODAY, Feb. 2006.

4. Discuss how to reconcile job expectations with the actual experience at work. Discuss the New Lawyer's expectations for his or her job, identify the aspects of his or her job which do not meet those expectations, determine together whether the expectations are realistic, and discuss ways to make changes which will positively affect the work experience.

5. Discuss ways to maintain a positive attitude at work and create a positive work environment to maximize enjoyment of work.

6. Discuss the importance of identifying an individual in the work setting who can help answer questions about the culture of the office and how to balance your career and personal life. If mentoring in-house, help the New Lawyer identify that person (if it is not the Mentor).

7. Discuss ways to positively deal with the criticism of employers and clients.

8. Discuss the "do's" and "don'ts" of leaving a job because of job dissatisfaction, including the following tips:

a. Do work hard until you leave. If you are in the process of looking for another job, it will be easier to find one while you still have one.
b. Don't burn bridges by leaving on bad terms. You never know when and how you will have to interact with a member of your old firm in the future, or whether you will want to come back to your old firm.
c. Do be careful about the reasons you say you are leaving. To keep the relationships you have built intact, keep your reasons for leaving focused on the positive growth you expect by moving on rather than the negative experience you had which caused you to want to leave.
d. Don't forget to mend difficult relationships before you go. Find something nice to say and shake hands with those you had problems with at your old employer so that you will be remembered as pleasantly as possible.
e. Do stay in touch with your old employer. Maintain the good relationships you built because an old employer always has influence over your career and your reputation.

Life in the Balance: Achieving Equilibrium in Professional and Personal Life, American Bar Association Young Lawyers Division 2002-2003 Members Service Project
http://www.abanet.org/yld/about/writtenguide03.pdf

Sharon Meit Abrahams, *100 Plus Pointers for New Lawyers on Adjusting to Your Job,* A.B.A. Publishing (August, 2004)

Kathy Morris et al., *Ask the Career Counselors…Answers for Lawyers on Their Lives and Life's Work,* A.B.A. Publishing (2003)

M. Diane Vogt et al., *Keeping Good Lawyers: Best Practices to Create Career Satisfaction,* A.B.A. Publishing (Nov. 2000)

George W. Kaufman, *Lawyers Guide to Balancing Life and Work: Taking Stress Out of Success,* A.B.A. Publishing (July 1999)

Julie M. Tamminen, *Living with the Law: Strategies to Avoid Burnout and Create Balance,* A.B.A. Publishing (Aug. 1997)

Worksheet #14 Substance Abuse and Mental Health Issues

The following points are provided to facilitate a discussion about substance abuse and mental health issues in the legal profession, including possible warning signs, what to do if the New Lawyer is faced with a substance abuse or mental health issue, and resources for assistance.

1. Objectively discuss the legitimate goals of mandatory substance abuse instruction which include raising the attorney population's consciousness regarding the problems of chemical dependency, informing all attorneys of how to detect, prevent and assist impaired attorneys, and increasing awareness of available assistance programs.

2. Review the Illinois Lawyers Assistance Program (http://www.illinoislap.org/) and discuss the statistics regarding substance abuse and mental health problems among lawyers.

3. Share with the New Lawyer experiences, if any, that you have had dealing with an impaired lawyer or judge and how you handled (or should have handled) the situation(s).

4. Discuss the signs and symptoms of chemical dependency.

5. Discuss with the New Lawyer your experience (if any) with noticing the signs and symptoms of chemical dependency in someone with whom you worked. Talk about how to professionally address that type of situation.

6. Discuss the most professional ways for dealing with the following situations:

    a. The judge before whom you appear seems to be impaired.
    b. The opposing counsel in your case attempts to negotiate with you while s/he appears to be impaired.
    c. The opposing counsel in your case appears with his or her client at a deposition or hearing and you suspect s/he is impaired.
    d. Your client appears for a hearing impaired.

7. Discuss a lawyer's personal and professional duties to assist their colleagues if they suspect impairment.

8. Discuss a lawyer's heightened responsibility to a client who is mentally impaired.

Worksheet #15 Common Malpractice and Grievance Traps

The following points are intended to facilitate a discussion about common malpractice and grievance traps and how to recognize and avoid common pitfalls.

1. Discuss common malpractice mistakes, particularly in the New Lawyer's practice area(s), and share ways to avoid them. Discuss the malpractice traps and tips suggested in the article: ABA Standing Committee on Lawyers' Professional Liability, *Top Ten Malpractice Traps and How to Avoid Them,* http://www.abanet.org/legalservices/lpl/downloads/ten.pdf

2. Discuss common grievance problems that arise, particularly in the New Lawyer's practice area(s), and ways to avoid them.

3. Give the New Lawyer practical pointers on the types of practices in which s/he should engage to minimize client dissatisfaction and client complaints, including the best ways to communicate with your client and to involve your client in their representation.

4. Share with the New Lawyer your firm's procedures to ensure that the law firm staff does not inadvertently disclose client confidences. Discuss the tips in the article: Kirk R. Hall, *Not So Well-Kept Secrets,* http://www.abanet.org/legalservices/lpl/downloads/secrets.pdf.

5. Suggest resources that the New Lawyer can consult for making important ethical decisions, including the following:

   a. Provide suggestions for finding ethics counsel and when such action is recommended.
   b. Identify other helpful ethics materials, where they can be found, and the importance of supplementing general ethics resources with independent research on Illinois' disciplinary case law.
   c. Identify ethics inquiry services of bar associations.
   d. Discuss procedures for requesting or researching ethics advisory opinions of bar associations.

6. Discuss the reasons for maintaining malpractice insurance and considerations for choosing the right policy. Discuss the attached *Checklist for Purchasers of Professional Liability Insurance* of the ABA Standing Committee on Lawyers' Professional Liability, http://www.abanet.org/legalservices/lpl/insurancechecklist.html.

7. Discuss the best time to involve a malpractice carrier into a claim against you for malpractice liability or ethical misconduct.

8. Discuss the impropriety of settling claims for malpractice with your client.

9. Discuss the impropriety of asking your client to sign a fee agreement which provides for arbitration in the event of a fee dispute, malpractice claim or ethical misconduct allegation.

Worksheet #16 Dealing with Others and Ethical Issues

The following points are intended to facilitate a discussion about appropriate ways (including ethical concerns, etiquette, etc.) for dealing with others on behalf of your client.

1. Discuss a lawyer’s ethical obligation to be honest with other parties and the court in all dealings with them.

2. Discuss the importance of dignified, honest, and considerate transactions.

3. Discuss the importance of reputation and how a lawyer’s conduct dealing with others in a case is pivotal to his or her reputation.

4. Share “best practices” with the New Lawyer on how to appropriately deal with others on behalf of your client.

5. Share with the New Lawyer stories of attorneys who have ultimately harmed their client because of their incivility and lack of consideration in dealing with opposing counsel, the judge or the jury, or because they failed to properly and fully represent their clients.

6. Share with the New Lawyer stories of attorneys who have encountered ethical difficulties due to a failure to adequately communicate with their clients, colleagues within their organization, opposing counsel, and the court.

Worksheet #17 Unethical and Unprofessional Misconduct by Another Lawyer

The following points are provided to facilitate a discussion about a lawyer's obligation to report lawyer misconduct, including the appropriate way to handle situations where the New Lawyer believes another lawyer has committed an ethical violation and where the New Lawyer has been asked by a senior member of the firm to do something that is unethical or unprofessional.

1. Review Disciplinary Rule 8.3 (http://www.iardc.org/rulesprofconduct.html#Rule%208.3) and discuss a lawyer's obligation to report lawyer/judge misconduct, including the reasons why lawyers should report other lawyers' misconduct and to whom such misconduct should be reported.

2. Discuss the concept of "unprotected knowledge" in the context of the misconduct .

3. Discuss the types of factors which should be considered in determining whether misconduct should be reported to a tribunal, disciplinary agency, prosecutor's office, or other authority.

4. Discuss the following situations and suggest the most appropriate authority (if any) to whom the conduct should be reported and the reasons therefore:

    a. Continuous discovery abuse by opposing counsel;
    b. Opposing counsel filing frivolous lawsuits or lawsuits merely to harass your client;
    c. Egregiously unprofessional conduct during litigation;
    d. Suspected theft by a attorney of a former client's funds;
    e. Suspected financial misconduct by a lawyer who is guardian for an incompetent person;
    f. An attorney's failure to pay expert fees or other costs of litigation;
    g. Theft of IOLTA monies by a lawyer in your firm;
    h. Abusive and disrespectful behavior toward counsel and/or witnesses by a judge;
    i. Client neglect because of suspected substance abuse or mental health issues of another attorney;
    j. Erratic and unfair behavior by a judge because of suspected substance abuse or mental health issues;
    k. Opposing counsel representing a party with whom there is a conflict of interest; and
    l. Unauthorized practice of law by an attorney licensed in a jurisdiction other than Illinois.

5. Discuss a lawyer's obligation to assist in and provide information about a lawyer or judge's conduct in an inquiry by a tribunal or other authority investigating that lawyer or judge.

6. Discuss the appropriate action for a New Lawyer who suspects that a partner in the firm has committed misconduct. Discuss the procedure when an associate in the firm is suspected of misconduct.

7. Discuss what the New Lawyer should do if s/he does not know whether a partner or associate's conduct is inappropriate, but s/he suspects that it might be.

8. Discuss what the New Lawyer should do if a superior in the New Lawyer's firm instructs the New Lawyer to do something that the New Lawyer believes to be unethical, such as under/over-reporting billable hours. If the pairing is internal, what internal resources exist, if any?

9. Suggest resources that the New Lawyer can consult for making important ethical decisions, including the following:

   a. Identify the procedure for obtaining in-house ethics advice (if you are in an in-house mentoring relationship).
   b. Provide suggestions for finding outside ethics counsel and when such action is recommended.
   c. Identify other helpful ethics materials, where they can be found, and the importance of supplementing general ethics resources with independent research on Illinois disciplinary case law when the ethics resources reviewed are not based on Illinois' Code of Professional Responsibility.
   d. Identify ethics inquiry services of bar association(s).

10. Discuss procedures for requesting or researching ethics advisory opinions of bar associations or the Illinois Supreme Court Attorney Registration and Disciplinary Commission.

Worksheet #18 Grievance Process and Disciplinary Investigation

The following points are provided to facilitate a discussion about the grievance process and disciplinary investigation procedures in Illinois, and the role of the Attorney Registration and Disciplinary Commission ("ARDC").

1. Explain the role of the ARDC to the New Lawyer, and each attorney's responsibility to register annually with the ARDC and to remain in good standing. See http://www.iardc.org/ for more information.

2. Discuss any situations in which you have had involvement with the ARDC, such as filing a complaint regarding another attorney with the ARDC. How was the issue handled?

3. Discuss the types of conduct that would merit a disciplinary investigation. Have you witnessed any such conduct?

4. If the New Lawyer works in the same firm/organization, is there an internal process of which he/she should be aware?

Worksheet #19 Dealing with Difficult Clients

The following points are intended to facilitate a discussion about how to deal with "difficult" clients.

1. Discuss why lawyers should be concerned about difficult clients.

2. Share with the New Lawyer an example of a difficult client you had, how you handled him or her, how the difficult relationship affected the representation, what you might have done differently, etc.

3. Identify characteristics of difficult clients of which the New Lawyer should be aware at the earliest contacts with the potential client, as well as how to factor that into accepting the potential representation.

4. Identify client behaviors that occur during representation which indicate your client is angry or dissatisfied. Provide suggestions of the best and most professional ways to address the client and handle their anger.

5. Review and discuss the following:

    a. NOELLE C. NELSON, CONNECTING WITH YOUR CLIENT at 69-87 (1996); Carole Curtis, *Dealing with the Difficult Client,* http://practicepro.ca/practice/pdf/DealingDifficultClientCaroleCurtis.pdf

    b. Illinois State Bar Association and ISBA Mutual Insurance Company, *New Lawyer Survival Guide: Advice from the Trenches on How to Live Your Life in the Law,* 2003.

6. Discuss the importance of talking to a client as early as possible about realistic expectations of the representation, the scope of the representation, and the fee arrangement. Explain how discussing these (and other) issues can help to prevent misunderstandings and disagreement in your attorney-client relationship.

Worksheet #20 Client Communication

The following points are intended to facilitate a discussion about the importance of client communication and how to maintain good on-going communication, including the use of retention and fee agreements, keeping clients informed about matters, confirming things in writing, being on time, etc.

1. Share with the New Lawyer a personal example of how failing to communicate clearly with your client caused problems in the relationship. Conversely, share with the New Lawyer a personal example of how communication with your client prevented or resolved problems that could have ended the attorney-client relationship.

2. Provide tips to the New Lawyer on effective communication. Read and discuss the article: Stewart Levine, *Essentials of Effective Communication,* LAW PRACTICE TODAY, Feb. 2006.

3. Share best practices for communicating with clients, including practices like the following:

   a. Sending copies of pleadings and correspondence to your clients.
   b. Keeping clients involved in making decisions in their cases.
   c. Returning calls personally and promptly.
   d. Utilizing staff to provide exceptional customer service.
   e. Confirming instructions and/or advice in writing.
   f. Clarifying reasonable expectations about the representation.
   g. Clarifying your role and scope of the representation from the outset and as it changes.
   h. Explaining clearly the fee arrangement.
   i. Promptly providing detailed billing records to your clients.
   j. Being respectful to your clients in all communications.
   k. Respecting clients' time.
   l. Making sure your client understands the steps of the process, including what will happen next and the appropriate way to respond.

4. Discuss ways that a New Lawyer can improve his or her client relations skills.

5. Discuss professional and ethical ways to thank a client and receive thanks/gifts from a client. Review and discuss the attached article. Wendy Werner, *How to Thank a Client,* LAW PRACTICE TODAY, June 2005.

6. Discuss different types of client relationships (*i.e.*, people clients, government clients, corporate clients, etc.) and provide tips for the best and most professional communication practices with the type of clients that the New Lawyer will have.

7. Discuss how a lawyer clearly defines the scope of representation in a retainer or engagement letter.

8. Discuss how to talk about fees with your client.

9. Discuss how to set a fee with your client.

10. Share with the New Lawyer samples of fee agreements and engagement letters that you use in your practice. Or, if mentoring in-house, share with the New Lawyer the fee agreements and engagement letters which are used in your firm.

11. Explain to the New Lawyer why certain provisions are either included in your fee agreement or excluded from your fee agreement.

12. Discuss when terminating the lawyer-client relationship is appropriate and suggest the best ways to proceed and document doing so.

The following may also be a helpful resource to share with the New Lawyer: *Managing the Lawyer/Client Relationship*, PRACTICEPRO (Provides suggestions and checklists for communicating with your client.) http://www.practicepro.ca/practice/Lawyer_Client.pdf.

Worksheet #21 Proper Legal Counseling Techniques

The following points are provided to facilitate a discussion about proper legal counseling techniques, and duties and responsibilities of advising clients.

1. Discuss the different roles a lawyer plays with clients in advising them. Discuss the aspirational goals which encourage sharing with clients non-legal considerations for their informed decision-making. Discuss the importance of not delving into areas which are outside a lawyer's expertise. Discuss how a lawyer balances these considerations.

2. Provide examples of the types of decisions in the Mentor's practice in which s/he involves the client. Share tips on counseling the client for each of those decisions.

3. Discuss the importance of being sensitive to emotional aspect of clients' cases but not becoming emotionally involved in their matters. Discuss what you should do if you do become emotionally invested in your clients' cases.

4. Discuss the ethical obligations a lawyer has in advising his or her clients. What does it mean to make sure clients are informed in their decision-making? What should you do if your client elects a course of action against your advice?

5. Discuss the basic elements and techniques for counseling a client, including the following:

   a. Talking to the client about time. How long the case will take, what could delay it, what the opposition could do to prolong it, etc.
   b. Considering cost. What types of expenses should be expected, how much the case could end up costing.
   c. Discussing the upsides and downsides of the case.
   d. Focusing the interview. How to outline what will happen during the meeting with the client and keep on track.
   e. Being a good listener.
   f. Advising fully on all relevant considerations or consequences to a course of action.
   g. Following up.
   h. Informing the client of privilege issues when the client wants a third party involved during meetings.

Worksheet #22 How to Involve Clients in Their Case

The following points are intended to facilitate a discussion about the responsibilities of the client and the lawyer in decision-making and the best ways to involve a client in their case.

1. Discuss the ethical importance and necessity of involving clients in decision-making in their cases.

2. Provide examples of the types of decisions in the Mentor's practice in which s/he involves the client, including among other things the way, in which the client is involved, the reasons for involving the client in those instances, and the reasons for not involving the client in certain decisions which the Mentor makes.

3. Discuss the difficulty in knowing what instructions are given (or not given) by a client and some traps that a lawyer (particularly in the New Lawyer's practice area) can fall into regarding identifying the client instructions.

4. Share best practices that the Mentor has adopted in his/her practice to document client instructions for his/her files, including confirming in writing to the client the instructions which were given and the steps which were or were not taken.

Worksheet #23 Depositions

The following points are intended to facilitate a discussion about tips for preparation for and proper behavior during depositions.

1. Share with the New Lawyer examples of ways *not* to behave in depositions. Discuss the potential consequences for improper behavior. To the extent that you have experienced a lawyer acting improperly in depositions, share those experiences with the New Lawyer.

2. Discuss how to properly advise and prepare your client or witness for a deposition. What constitutes improper advice and/or preparation?

3. Discuss professional ways to handle a situation where opposing counsel is acting improperly or unprofessionally during a deposition.

4. Discuss the types of disputes which would warrant calling a judge for resolution during a deposition.

5. Review the civil and local rules regarding depositions.

6. Review and discuss the following articles from the ABA Young Lawyer Division e-Library.

   Amanda G. Main, *Litigation 101: Deposition Dos and Don'ts,* http://www.abanet.org/yld/elibrary/fall05/13DepositionDosandDonts.pdf;

   John A. West, *Deposition Practice: A Personal Perspective*, http://www.abanet.org/yld/elibrary/fall05/14DepositionPractice.pdf;

   Scott Palmer Mason, *Litigation 101: An Overview for Preparing to Take Your First Deposition* http://meetings.abanet.org/webupload/commupload/YL406000/relatedresources/OverviewForTakingYourFirstDeposition.pdf;

   Joseph Siprut, *Litigation 101: Defending Your First Deposition*, http://meetings.abanet.org/webupload/commupload/YL406000/relatedresources/DefendingYourFirstDeposition.pdf

Worksheet #24 Negotiations

The following are intended to facilitate a discussion about the most important points about negotiating with another lawyer and potential issues associated with negotiations.

1. Discuss how a lawyer should prepare for negotiation of a legal matter, including when and how negotiation should be initiated, particularly in the New Lawyer's area of practice.

2. Discuss ways to involve the client in negotiation.

3. Share with the New Lawyer tips for negotiating with an attorney with years of experience, a friend, someone with whom you do not get along, etc.

4. Discuss the ethics and professionalism issues in negotiating on behalf of your client. In particular, discuss the duty to disclose facts which have a material impact on the negotiation as stated in Rule 4.1.

5. Talk about the skills that are needed to be an effective negotiator and how to acquire them.

6. Share "best practices" with the New Lawyer on how to appropriately deal with others on behalf of your client. Review the tips in the attached article. Jeffrey D. Diener, *When Negotiating, Shed Your Armor,* THE YOUNG LAWYER, Vol. 10, No. 7, May 2006.

7. Share with the New Lawyer stories of attorneys who have ultimately harmed their client because of their incivility and lack of consideration in dealing with opposing counsel, the judge or the jury.

Worksheet #25 Alternative Dispute Resolution

The following points are provided to facilitate a discussion about the types of alternative dispute resolution (such as mediation, binding and non-binding arbitration, high-low arbitration, early neutral evaluation, court-annexed arbitration, summary jury trials, etc.) and the benefits and disadvantages of each.

1. Discuss the aspiration to counsel clients on how to resolve disputes by alternative methods. Should an attorney try to influence his or her clients to pursue a method of alternative dispute resolution? Read and discuss the attached article. Arnie Herz, *Lawyers as Everyday Peacemakers: Reframing the Attorney-Client Relationship for Optimal Conflict Resolution in the 21st Century and Beyond,* www.legalsanity.com/articles-19-.html.

2. Describe situations where a client may be better served by avoiding litigation. Discuss the principles in the article: Stewart Levine, *Developing the Attitude of Resolution,* LAW PRACTICE TODAY, Sept. 2005.

3. Discuss the following types of alternative dispute resolution (among others you think of), the types of cases for which those forms of ADR are typically used, and the benefits and disadvantages of each:

   a. Mediation
   b. Binding and non-binding arbitration
   c. High-low arbitration
   d. Early neutral evaluation
   e. Court-annexed arbitration
   f. Summary jury trials
   g. Private judges

4. Share with the New Lawyer stories of your successes with ADR.

5. Discuss when to consider ADR as a possible means for resolving a case (particularly in the New Lawyer's practice area) and how to talk to your client about it.

6. Identify local resources for attorneys who would like to use ADR for resolving cases, including local ADR programs, court programs, mediation or arbitration services, etc. Are any of the courts in which the New Lawyer practices requiring mediation or arbitration before proceeding to court? Discuss training opportunities and other resources for lawyers who are interested in becoming mediators or arbitrators.

Worksheet #26 Arbitration Observation And Discussion

The following points are provided to facilitate a discussion about the process of arbitration and how arbitration compares to litigation.

1. Describe situations where a client may be better served by opting for arbitration, as opposed to mediation or litigation.

2. Discuss when it would be appropriate to advise a client to include a mandatory arbitration clause in agreements. What are the benefits? Disadvantages? What are considerations in drafting such clauses?

3. Discuss your personal experiences with arbitration or find a colleague with whom the New Lawyer may discuss his/her experience. For more information on arbitration, see the American Arbitration Association, http://www.adr.org/ or JAMS, http://www.jamsadr.com/

4. Invite the New Lawyer to observe arbitration, either one of your own or arrange for the New Lawyer to observe a colleague's arbitration.

5. Contact the administering local circuit/bar association to see if any judges or other attorneys would be willing to have the New Lawyer observe arbitration and discuss the experience briefly with the New Lawyer. What aspects of the arbitration made an impression on the New Lawyer?

6. If you have represented a client in arbitration, discuss your preparation and strategy with the New Lawyer. How did you prepare your client for the arbitration? How did you prepare for arbitration, and in what ways, if any, did it differ from your preparation strategy for litigation?

7. Share your reflections on previous arbitrations with your New Lawyer. What might you do differently for your next arbitration?

8. Discuss your process for selecting an arbitrator. What qualities do you and your colleagues look for in determining the best fit for a mediator? As a reference, it may be helpful to consult the JAMS or AAA websites provided above to review and discuss arbitrator biographies with the New Lawyer.

Worksheet # 27 Mediation Observation and Discussion

The following points are provided to facilitate a discussion about the process of mediation and the different approaches to mediation.

1. Describe situations where a client may be better served by avoiding litigation, and in which mediation in particular (as opposed to arbitration) may be the preferred option.

2. Discuss when it would be appropriate to advise a client to include a mediation clause in agreements, requiring parties to try mediation before litigating. What are the benefits? Disadvantages? What are considerations in drafting such clauses?

3. Discuss what different types of mediation you have experienced (namely, facilitative, evaluative, or transformative) and the benefits or disadvantages of each.

4. Invite the New Lawyer to observe a mediation, either one of your own or arrange for the New Lawyer to observe a colleague's mediation.

5. If you have represented a client in mediation, discuss your preparation and mediation strategy with the New Lawyer. How did you prepare your client for the mediation? How did you prepare for mediation, and in what ways, if any, did it differ from your preparation strategy for litigation?

6. Share your reflections on previous mediations with your New Lawyer. What might you do differently for your next mediation?

7. Discuss your process for selecting a mediator. What qualities do you and your colleagues look for in determining the best fit for a mediator? As a reference, it may be helpful to consult the JAMS (http://www.jamsadr.com/) or other websites to review mediator biographies with the New Lawyer.

8. If the New Lawyer is interested in learning more about the mediation process or becoming trained as a mediator, contact the Center for Conflict Resolution, www.ccrchicago.org, to inquire about upcoming mediation skills trainings or CLE offerings on mediation and related topics in Chicago. In addition, area law schools and continuing education programs may be good resources for mediation introductory programs and skills training.

Worksheet #28 Appellate Courts

The following points are provided to facilitate a discussion about appellate courts and techniques and tips for effective oral argument.

1. Observe together several appellate arguments in the Supreme Court of Illinois, Illinois appellate district court, or United States Circuit Court. Observe the different styles of argument and discuss what was effective and ineffective. If you cannot attend oral arguments in person and together, watch Illinois Supreme Court arguments via streaming video on-line or have the New Lawyer attend arguments without you and discuss them later.

2. Provide suggestions for preparing for oral argument. Share with the New Lawyer exercises that you or members of your firm engage in to prepare for oral argument.

3. Discuss techniques for being effective during your argument, including such things as choosing the most important issues to raise during argument, avoiding misstating or overstating the facts or law in a case, being honest in response to questions, re-focusing on the issue you were addressing before being interrupted with questions, excluding emotion from argument, having a conversation with the justices (as opposed to reading from a script), managing your time, etc.

4. Review the suggestions and tips provided in articles: Hon. Danny J. Boggs, *Appellate Advocacy from a Judge's Perspective,* ABA Young Lawyer Division e-Library; John M. McCoy III, *Litigation 101: Handling Your First Appeal.*

5. Discuss unwritten guidelines for oral arguments such as proper attire, how to address the Court, when and where to check in before arguments, who may sit at Counsel's table, etc.

6. If you can arrange it, designate a time for the New Lawyer to check in with the bailiff and meet one of the Justices.

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Connecting lawyers. Inspiring change.

Illinois Supreme Court Commission on Professionalism
Lawyer-to-Lawyer Mentoring Program

Mentoring Program Guide

For Program Administrators

Revised Edition 2017

Contents

Welcome and Introduction

Thank you for your interest in the statewide Illinois Supreme Court Commission on Professionalism Lawyer-to-Lawyer Mentoring Program. You are joining over 80 organizations across the state offering this valuable Program to their employees, members or alumni. Bar associations, law firms, law schools and government agencies all have somewhat different objectives in sponsoring the Program, but all share a common goal: *to promote integrity, professionalism and civility among the newest members of our profession through the passing on of the wisdom and experience of more experienced attorneys*. At the same time, experience has shown that reverse mentoring occurs. As a result of the year long mentoring relationship, mentors also gain perspectives and a renewed sense of pride in the profession from their mentees.

The Illinois Supreme Court Commission on Professionalism ("Commission") developed this *Lawyer-to-Lawyer Mentoring Program Guide* to assist and support organizations in developing mentoring programs that meet the requirements and intent of Illinois Supreme Court Rule 795(d)(11), making those who complete the program eligible for professional responsibility CLE credits. We are confident that you and your colleagues will find the program both enjoyable and beneficial.

Acknowledgements

The Commission worked closely with a statewide Mentoring Advisory Committee to develop the content of the Program Guide. The Program Guide was developed from an examination of current research, an exploration of mentoring principles and practices across the country, feedback from the Circuit-Wide Professionalism Initiative of the 17th Judicial Circuit of Illinois, and from the experiences and the legal mentoring work of other states. The Commission gratefully acknowledges in particular the Georgia Chief Justice's Commission on Professionalism, the Ohio Commission on Professionalism, and the 17th Judicial Circuit of Illinois for their contributions.

After five years of implementation, the Commission formed another statewide advisory committee to consider feedback and the feasibility of expanding the mentoring program to additional participants. This Mentoring Expansion Advisory Committee recommended that Supreme Court Rule 795 be amended to allow more lawyers to participate as both mentors and mentees. The recommendation was approved by the Commission, recommended to the Court, and adopted by the Court in late 2016. The Mentoring Expansion Advisory Committee continues to explore expanding the availability of mentoring in two areas: 1) to attorneys in career transition; and 2) in order to promote the retention and advancement of women and under-represented minorities.

Mentoring Expansion Advisory Committee

Lewis Check
Baker McKenzie

Hon. Margaret Frossard
The John Marshall Law School

Thomas R. Jakeway
17th Judicial Circuit Court

Melissa B. Muller
State Farm

Chloé G. Pedersen
Fletcher & Sippel LLC

Peter L. Rotskoff
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Ruta Stropus
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René A. Torrado, Jr.
Corboy & Demetrio

Cheryl Hudson Wright
Holland & Knight LLP

Kenya Jenkins-Wright
IL Guardianship &
Advocacy Commission

Provisions of Illinois Supreme Court Rule 795(d)(11)

Lawyers completing a comprehensive year-long structured mentoring program, as either a mentor or mentee, may earn credit equal to the minimum professional responsibility credit during the two-year reporting period of completion, provided that the mentoring plan is preapproved by the Commission on Professionalism, the completion is attested to by both mentor and mentee, and completion occurs during the first five (5) years of the mentee's practice in Illinois.

Goals of the Commission in Implementing Rule 795(d)(11)

Mentoring creates an opportunity for an experienced lawyer mentor ("mentor") to provide professional guidance and share practical knowledge and skills with a new lawyer mentee ("mentee") during the critical transition from law student to legal practitioner. Although legal theory and application can be learned during law school, the practice of law is learned in the workplace, whether in private or corporate practice, government service, or public interest work. An effective and successful mentoring program elevates the competence, professionalism and success of new lawyers.

Skillful mentoring takes time and attention. How the mentors introduce mentees to the profession forms a foundation for their continued growth and development as practitioners. Strong mentors stretch and expand the mentee's abilities and capacities for professional thinking and problem solving. These mentors also facilitate the development of civility and ethics through consulting, collaborating, and coaching their mentees. By building relationships between new and experienced lawyers, the fundamental skills and core values of professionalism essential to the practice of law are passed on to a new generation of attorneys.

Illinois Supreme Court Rule 795(d)(11) added Lawyer-to-Lawyer Mentoring as an activity that may satisfy the professional responsibility CLE credit in order to:

1. Promote integrity, professionalism, and civility;
2. Advance the commitment to eliminate bias and divisiveness within the legal system;
3. Raise awareness of professional responsibility issues; and
4. Spread best practices and the highest ideals in the practice of law.

To advance these goals, the Commission has developed a process, specific strategies, and resources for skillful Lawyer-to-Lawyer Mentoring, described in this *Mentoring Program Guide*, the accompanying *Mentoring Plan* and the *Mentoring Plan Supplement* for program participants.

Program Development and Implementation

In creating the Program, the Commission and Advisory Committee determined that sponsoring organizations can provide more successful pairings of mentors and mentees than could the Commission or its staff. Additionally, such organizations are better equipped to assist and guide the mentoring process, for example, by providing venues for team gatherings of the mentoring pairs, opportunities for networking, and education around one or more of the *Mentoring Plan* activities. Thus, the Commission invites any law firm, law school, bar group, corporation, court judicial district, or state, county or local government agency in Illinois to submit an application to offer their mentoring program as part of the Lawyer-to-Lawyer Mentoring Program.

The Commission encourages organizations applying to offer a mentoring program to utilize this *Mentoring Program Guide* and the related *Mentoring Plan* to guide their program development. The *Program Guide* sets forth the required program minimum standards to meet Commission approval, and the *Mentoring Plan* provides a template of discussion topics and learning experiences for the mentor and mentee to complete over the one-year mentoring term.

The *Program Guide* and *Mentoring Plan* may be adopted in whole, or may be modified as needed to provide flexibility and address the interests of the organization developing the Program. The Commission is available to assist organizations in tailoring mentoring programs that will meet approval standards.

Organizations may submit their mentoring programs for approval by completing the Commission's Organization Application.The mentoring programs submitted to the Commission for approval shall include descriptions of the following components according to the standards delineated in this *Program Guide*:

1. Program Administration
2. Mentee Qualifications
3. Mentor Qualifications
4. Orientation for Mentor and Mentee
5. Mentoring Relationship and Term
6. Mentor and Mentee Responsibilities
7. Mentoring Plan

1. Program Administration

The first steps in running your organization's mentoring program are completing the Commission's online application form and designating a Program Administrator. The job of the Program Administrator is not difficult, but does take about eight to ten hours in the first year, depending on the number of participants in the particular program.

The Program Administrator is responsible for collecting mentee and mentor applications and confirming that each potential participant satisfies the eligibility requirements, found herein. The Program Administrator is also responsible for matching mentors with mentees, organizing an orientation session for the mentoring pairs, and monitoring the mentoring pairs' progress throughout the mentoring term of one year. They should ensure that each participant completes an online *Mentoring Agreement* at the onset of the Program and, at the end of the mentoring term, an online *Plan Completion Attestation* and *Survey*. **All participating lawyers are required to complete a brief survey evaluating their experience with the Program which accompanies the online Attestation form.**

Following their completed *Attestations* at the conclusion of the year-long term, the Program Administrator should instruct the lawyers to complete the Commission's online application for their professional responsibility CLE certificates. Alternatively, the Program Administrator may submit the applications on behalf of the attorneys. Program Administrators should maintain copies of the executed *Mentoring Agreements* and *Plan Completion Attestation* forms for a period of three years after their program completion dates as required under Illinois CLE rules. All files may be retained in hardcopy or electronic formats.

During the menroing term, we recommend that Program Administrator contact mentoring participants quarterly by phone or email to answer any questions and to make sure each pair is making progress on their Mentoring Plan.

Finally, to the extent extenuating circumstances prevent either lawyer from completing the Program, or if the mentoring relationship is not working, the Program Administrator should use their best efforts to reassign mentors and mentees so that as many participants as possible can have success in the Program.

Administration Checklist:

- ✓ Submit Organization Application to Commission for approval
- ✓ Collect mentee and mentor applications
- ✓ Confirm participant eligibility
- ✓ Facilitate the matching of mentors with mentees in accordance with preferences
- ✓ Organize the Program orientation session
- ✓ At or shortly after the orientation session, confirm with all participants that they have submitted their online *Mentoring Agreements*
- ✓ Conduct quarterly *Progress Surveys* (highly recommended)
- ✓ At the end of the one-year Program term, instruct lawyers to complete the online *Plan Completion Attestation* and **required** *Survey*
- ✓ Instruct lawyers to complete the Attorney Application for CLE credits, or complete the applications on their behalf
- ✓ Maintain a record of participants and program completion dates for three years

2. Mentee Qualifications

Rule 795(d)(11) requires that a mentee complete the Program "within the first five years of his or her practice." As a practical matter, this means that in order to complete a one-year long program within the first five (5) years of practice in Illinois, the mentee **must begin the program no later than four (4) years after being admitted to the Illinois bar.**

A mentee seeking to participate in the mentoring program and earn the professional responsibility credit must meet the following minimum standards:

- Be registered on the Illinois ARDC Master Roll of Attorneys as active, or has sat for the Illinois Bar exam and is awaiting admission to the bar, or has submitted an application for admission by motion under Rule 705;
- Practices law in Illinois or intends to practice law in Illinois; and
- Begins the mentoring program prior to a date four (4) years after the mentee's admission date in Illinois.

Mentees who meet these eligibility requirements and choose to participate in the Lawyer-to-Lawyer Mentoring Program may complete and submit the *Mentee Application,* or an application of the Program Administrator's design, to the Program Administrator.

3. Mentor Qualifications

The success of any Lawyer-to-Lawyer Mentoring Program depends upon experienced and dedicated lawyers who are willing to commit the time to serve as mentors, and to personally convey the core values and best practices of the profession to new lawyers. In order to be effective, lawyer mentors should a) value teaching and counseling new attorneys in the development of professional habits, b) strive to improve the legal profession through their mentorship, and c) possess superior interpersonal skills and the ability to facilitate quality discussions about the best practices and highest values of the legal profession.

Rule 795(d)(11) requires that a mentor be "in practice for a minimum of five years." A lawyer seeking to serve as a mentor shall meet the following minimum standards:

- Be registered on the Illinois ARDC Master Roll of Attorneys as active and in good standing;
- Has been licensed to practice in the highest court of law in any USA state, territory, or the District of Columbia for no fewer than a combined five (5) years; and
- Never have been suspended or disbarred from the practice of law in any state or jurisdiction, and have no formal disciplinary complaints pending.

Lawyers meeting these eligibility requirements and choosing to participate in a Lawyer-to-Lawyer Mentoring Program may complete and submit a *Mentor Application,* or an application of the Program Administrator's design, to the Program Administrator.

Finally, with respect to judges serving as mentors, although the Commission recognizes the invaluable insight and experience that a currently sitting judge could share with a new lawyer mentee, eligibility of judges to serve as a mentor, within the context of an approved mentoring program under Rule 795(d)(11), is limited to retired judges only.

4. Program Orientation

After participants have been identified and matched by the Program Administrator or his or her designees, each Sponsoring Organization shall present an orientation session designed to provide mentors and mentees with an overview of the Program, including its purpose and goals. Orientation participation is **mandatory** for all mentors and mentees participating in the program, and does **not** count as one of the minimum eight required in-person meetings.

As described below, the orientation should include an explanation and review of the activities and documentation that must be completed in order to satisfy the Program requirements. In addition, the orientation session should address effective communication, problem-solving strategies, and the resources that are available to assist participants in building a successful mentoring relationship.

The orientation program may be offered live or via a distance learning method. Live orientation programs are strongly encouraged because they can serve as a starting point in developing not only the relationship between the mentor and mentee, but also relationships with the other program participants and individuals in the legal community. Further, live orientation programs have the advantages of being able to ensure that all necessary materials and documentation are received and understood by the mentoring participants.

While organizations are free to tailor orientation content to the needs of their particular mentoring program, there are certain elements required to advance the effective implementation of Rule 795(d)(11). With the input of organizations, law firms, and others, the Commission developed an orientation PowerPoint presentation which presents these required elements for use in conjunction with Commission-approved mentoring programs. This Orientation presentation may be used and adapted by organizations.

Topics to be addressed in the orientation include:

1. Program goals, including the objectives of your organization
2. Mentoring relationship and term
3. Mentoring agreement, mentoring plan & resources
4. CLE credit process
5. Generational communication
6. Problem-solving

5. Mentoring Relationship and Term

The mentor may be either internal or external to the mentee's place of work. There are decided advantages to both internal and external pairings which should be considered in matching the mentees with mentors. Internal mentoring participants are able to discuss many different matters relating to clients because of the shared responsibility of liability and the confidentiality that extends to office employees. External mentoring participants may feel a greater sense of comfort in discussing sensitive workplace matters with someone who is not a co-worker. When possible, the desires of both the mentor and mentee should be taken into account.

At the start of the mentoring term, the participants must complete an online *Mentoring Agreement* which defines the parameters of the mentoring relationship and limits potential liability for external mentoring pairs, if applicable.

To earn professional responsibility credit for participation in a Lawyer-to-Lawyer Mentoring Program under Rule 795(d)(11), participants must complete the Program within the one-year mentoring term. (The Program Administrator may grant reasonable extensions at his or her discretion.) Although the structured mentoring period is only one year, it is hoped that participants will choose to continue the relationship after the term is over.

Mentoring CLE credit is available only for completion of one mentoring program by a mentor–mentee pair at a time. Multiple pairings may occur, but CLE may only be earned under one qualifying pair for the term. Nevertheless, participants, both mentors and mentees, may repeat the Program and earn additional CLE credit. Consult the MCLE rules for carryover allowances and other considerations.

6. Mentor and Mentee Responsibilities

The first activity that the mentoring pair will participate in together is the required orientation, although, as noted above, this does not count as one of the minimum eight required in-person meetings. As part of the orientation (or shortly thereafter), the mentor and mentee will complete the online *Mentoring Agreement*, and together create a *Mentoring Plan.* Specifically, the mentee and the mentor will discuss and determine their planned topics of discussion and shared professional experiences and formalize the content of their own individual *Mentoring Plan*.

This *Mentoring Plan* will guide the activities of the mentoring pair over the term of the Program. It is the shared responsibility of the individual mentee and mentor to complete their *Mentoring Plan* during the one-year mentoring term.

The mentoring that will qualify for professional responsibility CLE involves the development of a specialized professional relationship within which learning occurs. Frequent interaction between the mentor and mentee is encouraged. While communication will likely occur through a variety of means, including e-mail, telephone, and text messaging, <u>at least eight (8) in-person meetings during the course of the year are required, unless the pair has been granted the Distance Mentoring Excpetion (see Section 6.1. below).</u>

At the end of the one-year Program term, the Program Administrator should instruct lawyers to complete the online *Plan Completion Attestation* and **required** *Survey*. Then, the lawyers may complete the Attorney Application for CLE credits, or it may be completed on behalf of the applicants.

Mentor and Mentee Checklist

- ✓ Participate in program orientation
- ✓ Develop *Mentoring Plan* and provide signed copy to Program Administrator if requested
- ✓ Submit your online *Mentoring Agreement* at or soon after your orientation
- ✓ Participate in a minimum of eight (8) face-to–face meetings over the one-year term
- ✓ Participate in discussions and activities as a pair
- ✓ Attest to completion by completing the online *Plan Completion Attestation* and **required** Mentoring Survey
- ✓ Complete the online CLE application to obtain professional responsibility CLE credit

6.1 Distance Mentoring Exception

In certain circumstances, a mentor and mentee who do not live or work near each other would make an ideal mentoring pair. Further, members of a matched mentoring pair may encounter changes to their circumstances that make regular in-person meetings prohibitive. As a way to enable such pairs to benefit from participation in the program, at the Program Administrator's discretion, an exception to the requirement that at least eight meetings must be held in person may be granted.

<u>To qualify for the exception:</u>

1. The mentoring pair must demonstrate a compelling need to use distance mentoring to participate in the program (not just convenience).
2. At least three of the minimum eight required meetings must be held in-person, preferably at the beginning of the program term.
3. Up to five of the minimum eight meetings may be held virtually, with the use of a video-assisted communication channel, such as Skype, FaceTime or videoconferencing.
4. Initial and continued qualification for the exception is at the sole discretion of the Program Administrator.

7. Mentoring Plan

The *Mentoring Plan* defines the learning experiences or curriculum for each mentoring pair. Each Sponsoring Organization provides mentees and mentors an approved template *Mentoring Plan* that outlines core concepts, skills, activities and experiences framed as actions. As noted above, a Sponsoring Organization may use the Commission's *Mentoring Plan*, or adapt it to meet its objectives.

In developing their individualized *Mentoring Plan,* each mentoring pair must select and complete at least one specific action item in each of the following five categories of the professional responsibility CLE requirements (see Rule 794(d)(1)):

1. Professionalism
2. Legal Ethics
3. Civility
4. Diversity and Inclusion
5. Wellness, Mental Health and Addiction

The actions may be customized within each category to the particular practice setting, individual needs or goals, and the experience of the mentor. All categories of the *Mentoring Plan* form contain blank "alternative action" lines to allow participants to agree upon substitute or additional action items. The Program is designed to be very flexible: to the extent interests or needs change during the course of the mentoring relationship, the mentoring pair may agree to add, delete or substitute an activity from their original Plan.

The mentor and mentee may engage in as many of the actions as are of mutual interest, taking the mentee's interests, and the mentor's experience, into account. Action items may be addressed via social networking and other technology supports, so long as the minimum eight required in-person meetings are held (see exception under Section 6.1 above). Finally, mentoring pairs are encouraged to supplement the *Mentoring Plan* with other mutually interesting actions they discover over the mentoring term, as well as to discuss concepts that are introduced in the new lawyer's Basic Skills course. Engaging in additional meetings will not result in receiving more CLE credit.

Mentoring pairs also may decide to group into mentoring teams in order to foster collaboration, broaden exposure to diverse practice areas, and extend additional resources and support to program participants. Program Administrators can facilitate these group meetings by sharing contact information among all mentoring pairs, and organizing group events.

The Commission has developed a companion document to support the implementation of the *Mentoring Plan.* This *Mentoring Plan Supplement* provides activities, discussion items and references for each action item in the *Mentoring Plan* template. The Program Administrator should distribute the *Mentoring Plan Supplement* to the mentoring pairs at or shortly after the orientation session to guide and supplement their learning and discussion.

Professional Responsibility CLE Credit

As the one-year term comes to an end, the Program Administrator should send each mentor and mentee an online link to have them complete the *Plan Completion Attestation* and brief survey. They may then apply for CLE credit using the online Mentoring CLE application form.

Alternatively, the Program Administrator may complete the applications on each attorney's behalf. Upon review of each application, the Commission will issue a Professional Responsibility CLE Certificate via email directly to the lawyer with a copy to the Program Administrator for retention for the required three years under MCLE rules.

Upon successful completion of the Program and application for credit, each lawyer will receive a total of six (6) hours of professional responsibility CLE credit. For mentors, the total credit hours will be granted for the year in which the mentoring term concludes, or can be carried over to the next reporting period. For new lawyers, credits may be applied to meet the first-year Basic Skills CLE requirements, even before completing the Program, or can be carried over into the first two-year reporting period. **Partial credit is not available**. Consult the MCLE rules for carryover allowances and other considerations.

Thank you again for your greatly appreciated assistance and participation in the Program, and for your contributions to professionalism in Illinois. We at the Commission thank you!

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Illinois Supreme Court Commission on Professionalism
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Appendix

Sample Forms for Program Implementation
(online forms use is **required**; hardcopy versions may be supplemented at your discretion)

1. Mentee Application (see online form)
2. Mentor Application (see online form)
3. Internal Lawyer Mentoring Agreement (if mentor and mentee work for same employer; see online form)
4. External Lawyer Mentoring Agreement (if mentor and mentee work for different employers; see online form)
5. Mentoring Plan
6. Progress Survey
7. Plan Completion Attestation (see online form)

1. Mentee Application

Name:
Address:
Phone:
Undergraduate School:
Law School:

Attorney Registration No.:
Date of Admission to Illinois bar:
E-mail:
Major:

Are you currently employed in a legal position? ☐ Yes ☐ No

Employer:

Your Practice Type:
- ☐ Solo practice
- ☐ Of counsel
- ☐ Law firm
- ☐ Government office/court
- ☐ In-House corporate counsel
- ☐ Non-legal job
- ☐ Other:______________________

Size of firm/organization:
- ☐ 1 lawyer
- ☐ 2-9 lawyers
- ☐ 10-39 lawyers
- ☐ 40 + lawyers

Location of your practice:
- ☐ Large urban area
- ☐ Medium-sized city
- ☐ Small city/Rural area

If necessary to match you to a mentor other than the one(s) you request, the following preferences will be considered:

I prefer a mentor that practices in the following area(s) of law: ☐ No Preference

- ☐ Admin/governmental
- ☐ Antitrust litigation
- ☐ Arbitration/mediation
- ☐ Bankruptcy
- ☐ Business/commercial
- ☐ Criminal
- ☐ Elder
- ☐ Employment/labor law
- ☐ Environmental
- ☐ Family/Domestic
- ☐ Federal practice
- ☐ General practice
- ☐ General litigation
- ☐ Health
- ☐ Immigration
- ☐ Intellectual property
- ☐ International
- ☐ Juvenile
- ☐ Practice management
- ☐ Personal injury/property damage
- ☐ Probate/trust/estate
- ☐ Real estate/landlord tenant
- ☐ Social security
- ☐ Sports/entertainment
- ☐ Tort and insurance
- ☐ Taxation
- ☐ Traffic
- ☐ Trial work
- ☐ Workers comp
- ☐ Other:_________________

I prefer a mentor with the following: (Check all that apply): ☐ No Preference

Type of Practice:
- ☐ Solo practice
- ☐ Of counsel
- ☐ Law firm
- ☐ Government office/Judge
- ☐ In-House corporate counsel
- ☐ Non-legal job
- ☐ Other: ________________________________

Size of firm/organization:
- ☐ 1 lawyer
- ☐ 2-9 lawyers
- ☐ 10-39 lawyers
- ☐ 40+ lawyers

Location of practice:
- ☐ Large urban area
- ☐ Medium-sized city
- ☐ Small city/Rural area

I prefer a mentor with skills in the following area(s): (Check all that apply)

☐ Appeals
☐ Computer/technology
☐ Law practice management
☐ Regulatory board appearances
☐ Research
☐ Ability to discuss substance abuse and mental health issues
☐ Ability to be a resource for involvement in bar activities
☐ Ability to be a resource for involvement in pro bono activities
☐ Ability to assist with assessing career paths
☐ Ability to advise on balancing career and home life
☐ Ability to advise on running a successful solo practice
☐ Other:____

Please check the manner by which you would like to be matched to a mentor:

☐ Match me to any qualified mentor.

☐ Match me to any mentor who matches the specified preferences above.

☐ Match me to a mentor that I request. I would like to request one of the following mentors.

Name of Mentor: Contact Information:

Name of Mentor: Contact Information:

☐ Match me to a specific mentor as recommended by my employer.

Name of Mentor: Contact Information:

Please provide any additional information that you want the Program Administrator to take into consideration for matching a mentor.

My signature below confirms that I wish to participate in the Lawyer-to-Lawyer Mentoring Program and I acknowledge that I will be awarded professional responsibility continuing legal education credit only when all program requirements are completed.

Mentee Signature: Date:
____

2. Mentor Application

Name: Attorney Registration No.:
Law Firm Name/Court/Employer:
Address
Phone: E-mail:
Undergraduate School: Major:
Law school:

Please check all of the following that apply:
☐ I am an attorney on the Illinois ARDC Master Roll of Attorneys as active and in good standing.
☐ I have been admitted to practice law in the highest court of law in any USA state, territory, or the District of Columbia for no fewer than a combined five (5) years.
☐ I have never been suspended or disbarred from the practice of law in any state or jurisdiction and have no formal disciplinary complaint pending.

Please indicate what prompted you to become a mentor (check all that apply to you):
☐ I believe that mentoring is a way of "giving back" to the profession.
☐ I have participated in a mentoring program before and am renewing my commitment.
☐ I was encouraged to be a mentor by a judge, court, or bar association.
☐ My employer encouraged or asked me to participate.
☐ A mentee asked me to be his/her mentor.
☐ I heard about the program and decided to apply on my own initiative.
☐ Other:

Please selected up to three areas which best describe your practice:

☐ Admin/governmental	☐ Federal practice	☐ Probate/trust/estate
☐ Antitrust litigation	☐ General practice	☐ Real estate/landlord tenant
☐ Arbitration/mediation	☐ General litigation	☐ Social security
☐ Bankruptcy	☐ Health	☐ Sports/entertainment
☐ Business/commercial	☐ Immigration	☐ Tort and insurance
☐ Criminal	☐ Intellectual property	☐ Taxation
☐ Elder	☐ International	☐ Traffic
☐ Employment/labor law	☐ Juvenile	☐ Trial work
☐ Environmental	☐ Practice management	☐ Workers comp
☐ Family/Domestic	☐ Personal injury/property damage	☐ Other

Check those which apply to your employment:

Type of Practice:	Size of firm/organization:	Location of practice:
☐ Solo practice	☐ 1 lawyer	☐ Large urban area
☐ Of counsel	☐ 2-9 lawyers	☐ Medium-sized city
☐ Law firm	☐ 10-39 lawyers	☐ Small city/Rural area
☐ Government office/Judge	☐ 40+ lawyers	
☐ In-House corporate counsel		
☐ Non-legal job		
☐ Other:		

Check any or all of the following skills which you possess:

☐ Appeals
☐ Computer/technology
☐ Law practice management
☐ Regulatory board appearances
☐ Research
☐ Ability to discuss substance abuse and mental health issues
☐ Ability to be a resource for involvement in bar activities
☐ Ability to be a resource for involvement in pro bono activities
☐ Ability to assist with assessing career paths
☐ Ability to advise on balancing career and home life
☐ Ability to advise on running a successful solo practice
☐ Ability to discuss handling law school debt
☐ Other:

Please check the way that you would like to be matched to a mentee:

☐ Match me to any mentee that you deem appropriate.

☐ Match me to any mentee whose specified preferences are a match to my practice and interests.

☐ There is a particular mentee who would like me to be his or her mentor, and we have agreed to participate in this program together:

Name of Mentee: Contact Information:

☐ My employer has a Lawyer-to-Lawyer mentoring program for our firm or legal organization and requests that I be paired with the following mentee in our firm or legal organization:

Name of Mentee: Contact Information:

Please provide any additional information that you want the Program Administrator to take into consideration for matching a mentee.

My signature below confirms that I wish to participate in the Lawyer- to- Lawyer Mentoring Program and I acknowledge that I will be awarded professional responsibility continuing legal education credit only when all program requirements are completed.

Mentor Signature: Date:

3. Internal Lawyer Mentoring Agreement

(Complete if Mentor and Mentee work for the same employer)

We, ________________________, Mentor, and ________________________, Mentee, agree to participate in the Mentoring Program in accordance with the terms of this agreement. We understand lawyer-to-lawyer mentoring is one component of new-lawyer training within our firm and is intended to include coaching, sharing experiences, learning and ongoing guidance and support. We understand the goals of mentoring include:

1. Fostering the development of practical skills;
2. Increasing knowledge of legal customs;
3. Creating a sense of pride and integrity in the legal profession;
4. Promoting collegial relationships among legal professionals;
5. Involvement in organized bar activities;
6. Improving legal ability and professional judgment; and
7. Encouraging the use of best practices and highest ideals in the practice of law.

We hereby certify that we have read the above *Mentoring Agreement* and agree to its terms.

Mentee Signature: ________________________ Date: ________________________

Mentor Signature: ________________________ Date: ________________________

4. External Lawyer Mentoring Agreement

(Complete if Mentor and Mentee work for different employers)

We, ________________________, Mentor, and ________________________, Mentee, agree to participate in the Mentoring Program in accordance with the terms of this agreement. We understand lawyer-to-lawyer mentoring is one component of new-lawyer training in the practice of law. We recognize that mentoring is intended to include coaching, sharing experiences, learning and ongoing guidance and support. We understand the goals of mentoring include:

1. Fostering the development of practical skills;
2. Increasing knowledge of legal customs;
3. Creating a sense of pride and integrity in the legal profession;
4. Promoting collegial relationships among legal professionals;
5. Involvement in organized bar activities;
6. Improving legal ability and professional judgment; and
7. Encouraging the use of best practices and highest ideals in the practice of law.

We acknowledge and shall abide by the following rules:

- Any communication between Mentor and the Mentee arising out of participation in the Mentoring Plan is for the sole purpose of guiding and teaching the Mentee about the practice of law and the issues that the Mentee is likely to face in the practice of law.

- Any communication between Mentor and the Mentee is not intended to be the rendering of legal or professional advice to the Mentee or his or her clients, and the Mentee shall not rely upon such communications or cause any client to rely upon them. The Mentee shall rely solely upon his or her own judgment, legal opinions, or independent research.

- No confidential or lawyer-client relationship is formed between Mentor and the Mentee as a result of participation in the Mentoring Program. The Mentee shall not identify any client to the Mentor or reveal to the Mentor any client confidence, nor shall the Mentee seek professional or legal advice from the Mentor about specific legal matters or clients. Likewise, the Mentor shall not identify any client to the Mentee or reveal to the Mentee any client confidence, nor shall the Mentor seek professional or legal advice from the Mentee about specific legal matters or clients. Instead, all discussions about substantive legal matters between the Mentee and Mentor shall be limited to hypothetical situations.

- Mentor is not assuming any liability or responsibility with respect to any legal matter of the Mentee's clients, nor shall Mentor render professional services to, or take any responsibility either directly or indirectly for any aspect of representation of the Mentee's clients.

- Mentor shall not co-counsel any matter with the Mentee, nor shall Mentor make referrals to or accept referrals from the Mentee during the term of their mentoring term.

We hereby certify that we have read the above *Mentoring Agreement* and agree to its terms.

Mentee Signature: ______________________ Date: ______________________

Mentor Signature: ______________________ Date: ______________________

5. Mentoring Plan

1. Professionalism

Elected	Plan Supplement	Action	Completion Date
	1A	Introduce mentee to other lawyers in the community, in a variety of practice areas, through attendance at bar association (national, state, local and affinity) meetings and other networking opportunities.	
	1B	Meet at the local courthouse(s) and make appropriate introductions to members of the judiciary, court personnel and clerks of court. Discuss customary rules of civility or etiquette among lawyers and judges in the community.	
	1C	Acquaint mentee with access to justice issues, various Illinois legal services organizations, and opportunities to engage in *pro bono* activities. If appropriate, work together on a pro bono matter, charitable event, or public service project.	
	1D	Discuss law office management matters: a. Time records. b. Records of client-related expenses. c. Billing system. d. Conflict check procedure. e. Client retainer and/or payment schedules. f. Fee agreements. g. Escrow and trust account, establishing an IOLTA, accounting, auditing, use of interest proceeds, proper procedures for handling client funds and other property. h. Filing system and procedures. i. Document retention plan. j. Calendar reminder systems. k. Information technology system. l. Methods of keeping clients informed about progress of their matters. m. Library and research systems. n. Other resources (publications, seminars, equipment).	
	1E	Discuss effective time management skills and techniques.	
	1F	Discuss how to staff a large litigation or transactional matter, including what is involved in effectively allocating firm and client resources.	
	1G	Discuss importance of client communication, how to maintain appropriate ongoing communication (returning telephone calls, email) to keep clients informed.	
	1H	Discuss proper legal counseling and the duties and responsibilities of advising clients.	
	1I	If applicable, discuss how to develop business in an effective and professional manner.	

	1J	Discuss types of alternative dispute resolution such as mediation, arbitration, early neutral evaluation, summary jury trials, and collaborative representation.	
	1K	Observe one of the proceedings referred in 1L. Discuss and evaluate what was observed.	
	1L	If you work in a government setting, introduce the mentee to respective roles of other agencies, and to representatives thereof.	
	Alternative Action		
	Alternative Action		

2. Legal Ethics

Elected	Plan Supplement	Action	Completion Date
	2A	Discuss practices to maintain client confidentiality.	
	2B	Discuss how to screen for, recognize, and avoid conflicts of interest.	
	2C	Discuss roles and responsibilities of paralegals, secretaries and other office personnel, and how to establish good working relationships with support staff and colleagues.	
	2D	Discuss the responsibilities of the client and the lawyer in decision-making, and the best ways to involve a client in their case.	
	2E	Discuss preparation and proper behavior during discovery.	
	2F	Discuss how to prepare for negotiation of a legal matter, when and how negotiation is initiated, how to involve the client, ethical and professionalism obligations of negotiators, skills needed to be an effective negotiator and how to acquire them.	
	2G	Discuss common malpractice and grievance traps in your practice area or setting, and how to recognize and avoid common pitfalls.	
	2H	Discuss potential resources and procedures for dealing with complicated ethical issues, including conflict of interests.	
	2I	Discuss appropriate ways to handle situations where lawyer believes another lawyer has committed an ethical violation; the obligation to report misconduct; and the appropriate way to handle a situation where a mentee is asked by a senior member of the firm/organization to do something that is unethical or unprofessional.	

	2J	Discuss the grievance process and a lawyer's duty to cooperate with a disciplinary investigation.	
	2K	Attend a public hearing at the ARDC's Chicago or Springfield office (see ILARDC hearings schedule) and discuss the proceedings.	
	Alternative Action		
	Alternative Action		

3. Civility

Elected	Plan Supplement	Action	Completion Date
	3A	Discuss the Commission's Survey on Professionalism and how issues of incivility impact the legal profession and the administration of justice.	
	3B	Discuss the professional conduct duties of the lawyer to the client and to the administration of justice.	
	3C	Discuss strategies for managing incivility and highly charged situations.	
	3D	Discuss how to deal with a "difficult" client.	
	Alternative Action		
	Alternative Action		

4. Diversity and Inclusion

Elected	Plan Supplement	Action	Completion Date
	4A	Develop an awareness of diversity and inclusion issues in the legal profession by reading recent published studies and articles, and discussing them.	
	4B	Discuss personal experiences involving diversity and inclusion in your academic or work setting/s.	
	4C	Discuss what your organization or employer has done, or could do, to increase diversity and inclusion.	
	4D	Attend a diversity awareness or training workshop or CLE, and discuss.	
	Alternative Action		

5. Wellness, Mental Health and Addiction

Elected	Plan Supplement	Action	Completion Date
	5A	Discuss various career paths such as large firm, small firm, government and non-profit practice, corporate counsel, and nontraditional legal positions and identify resources for exploring options.	
	5B	Discuss long term and short-term career objectives and identify ways to achieve them.	
	5C	Discuss strategies for finding a balance between career and personal life, keeping daily stress in perspective, reconciling job expectations with actual experience and maximizing career satisfaction.	
	5D	Discuss prominence of substance abuse and mental health issues in the legal profession; review warning signs of substance abuse or mental health problems; what to do if the mentor, mentee, a colleague, or a superior is faced with a substance abuse or mental health problem; and the resources for assistance.	
	Alternative Action		
	Alternative Action		

6. Progress Survey

Name: Date:

A. Are you are the mentee or mentor?
- ❍ Mentee
- ❍ Mentor

B. Are you in an in-house or outside mentoring relationship?
- ❍ In-house relationship
- ❍ Outside relationship

C. Did your orientation provide sufficient guidance for you to begin your mentoring relationship?
- ❍ Yes
- ❍ No

If no, what would have been helpful?

D. How many of the minimum eight required in-person meetings have occurred to date?
- ❍ One
- ❍ Two
- ❍ Three
- ❍ Four or more

E. Have you developed a mentoring relationship that supports open communication and learning?
- ❍ Yes
- ❍ No

F. Have you had any difficulties completing the selected activities in your mentoring plan?
- ❍ Yes
- ❍ No

If yes, please explain.

G. Are you using the Mentoring Plan Supplement to facilitate some or all of your discussions?
- ❍ Yes
- ❍ No

H. Are you benefiting from your participation in mentoring?
- ❍ Yes
- ❍ No

J. Anything else you want to share?

7. Plan Completion Attestation

We, _______________________Mentor, and _______________________, Mentee, completed our *Mentoring Plan* on or before _______________ (date) and met the minimum eight in-person meeting requirement. During our meetings, we focused on the skills for professional and ethical practice of law and examined the lawyer's aspirational ideals as applied to action items elected in our *Mentoring Plan*.

I hereby attest that the above information is true and accurate to the best of my knowledge.

Mentee Signature: Date:

I hereby attest that the above information is true and accurate to the best of my knowledge.

Mentor Signature: Date:

In order to receive professional responsibility CLE credit, lawyers must submit a completed copy of this form to your Program Administrator. You may then apply for your CLE credits via the Commission's Attorney Application.

2CIVILITY™

Connecting lawyers. Inspiring change.

Illinois Supreme Court Commission on Professionalism
Lawyer-to-Lawyer Mentoring Program

Mentoring Plan
For Mentors and Mentees

Revised Edition 2017

SUPREME COURT OF ILLINOIS

CHAMBERS OF
CHIEF JUSTICE LLOYD A. KARMEIER

1100 SOUTH MILL STREET
PO BOX 266
NASHVILLE, IL 62263
(618) 327 9751
FAX (618) 327 9756

Dear Colleague:

On behalf of the Justices of the Illinois Supreme Court, I thank you for your participation in the Lawyer-to-Lawyer Mentoring Program.

This program creates an opportunity for an experienced lawyer to provide professional guidance and share practical knowledge and skills with a new lawyer during the critical transition period from law student to legal practitioner. Mentoring programs serve two important goals: (1) the development of relationships between new and more experienced lawyers; and (2) providing education on professional responsibility topics. Completion of this program also qualifies for 6.0 Professional Responsibility CLE credits.

Your commitment to this year-long undertaking should benefit not only you but also the profession at large. Good mentoring is extremely valuable for building and maintaining an identity and common purpose in our profession.

Please accept our gratitude for your time and effort in this worthy endeavor.

Very truly yours,

Hon. Lloyd A. Karmeier, Chief Justice
Illinois Supreme Court

Welcome to the Illinois Supreme Court Commission on Professionalism's Lawyer-to-Lawyer Mentoring Program

This document contains all the information you will need to successfully complete the Lawyer-to-Lawyer Mentoring Program. Please contact your Program Administrator when questions arise.

Mentor and Mentee Program Requirements and Checklist

☐ **1. Participate in the Program Orientation.**

Chances are that you are reading this while sitting at your program orientation session. Today, you will be asked to do three things:

a. **WATCH** a brief Program Orientation presentation on the history and logistics of the Program;
b. **COMPLETE** the *Internal or External Lawyer Mentoring Agreement* at 2civility.org/programs/mentoring/ (your Program Administrator may want a hard copy as well); and
c. **DEVELOP** your Mentoring Plan with your mentoring partner (see pages 4-6).

The *Mentoring Plan* is intended to serve as a guide or roadmap for the mentor and mentee relationship. It lists action items grouped by the five areas of the professional responsibility requirements in Illinois Supreme Court Rule 794(d): Professionalism, Legal Ethics, Civility, Diversity & Inclusion, and Wellness, Mental Health & Addiction.

As a pair, you should incorporate as many of the action items as feasible into your *Mentoring Plan* and customize your plan to the particular practice setting, individual needs, and personal goals of the mentee. To satisfy the requirements of the mentoring program and receive CLE credit, your completed Plan must include at least one activity from each of the five categories. Note that there are blank lines in each category where you can designate your own activity.

Together, you and your mentoring partner should develop a personalized plan for the one-year mentoring term by discussing the specific action items in the attached Plan, deciding upon the concepts, skills, topics, and shared professional experiences you'd like to address during the one-year mentoring term.

☐ **2. Participate in a minimum of eight (8) face-to-face mentoring sessions.**

Once you have agreed upon your Plan, you will hold a minimum of eight (8) in-person meetings over the course of the one-year mentoring term. Again, you must complete at least one activity from each of the five areas of professional responsibility requirements over the course of these meetings.

Some suggestions to enhance your mentoring experience:

a. The particular action items or activities you select are not set in stone. To the extent interests, needs, or opportunities change during the course of the mentoring relationship, you can agree to add or substitute an activity you may not have initially selected.
b. Consider putting your first few meetings on your calendars today; this will get you off to a strong start.
c. To facilitate the dual purpose of education and relationship-building, we recommend neither rushing to complete the action items in a shorter time period, nor waiting until the end of the one-year term.

d. See the corresponding section of the Mentoring Plan Supplement for additional information on a particular action item. The Supplement suggests activities, discussion topics and references for each action item in the *Mentoring Plan*.

□ **3. Complete the online requirements at the end of your year-long mentoring term.**

As your mentoring year comes to a close, on or after the anniversary date of your Orientation, all mentors and mentees must:

a. **COMPLETE** the *Plan Completion Attestation* at 2civility.org/programs/mentoring/ (your Program Administrator may want a hard copy as well); and
b. **COMPLETE** the brief year-end Mentoring Survey required by the Commission that accompanies the Attestation.

Thereafter, mentors and mentees may complete the *Mentoring CLE Application* at 2civility.org/programs/mentoring/ to obtain **six (6) hours of Professional Responsibility CLE credit** under Supreme Court Rule 795(d)(11). Please note that no partial credit will be given. You should receive a certificate of completion via email within 1-5 business days of submission.

Thank you again for participating, and for your contributions to professionalism in Illinois.
We at the Commission hope that you will find the Program rewarding!

Mark C. Palmer
Professionalism Counsel
Illinois Supreme Court Commission on Professionalism
mark.palmer@2civility.org

1. Professionalism

Elected	Plan Supplement	Action	Completion Date
	1A	Introduce mentee to other lawyers in the community, in a variety of practice areas, through attendance at bar association (national, state, local and affinity) meetings and other networking opportunities.	
	1B	Meet at the local courthouse(s) and make appropriate introductions to members of the judiciary, court personnel and clerks of court. Discuss customary rules of civility or etiquette among lawyers and judges in the community.	
	1C	Acquaint mentee with access to justice issues, various Illinois legal services organizations, and opportunities to engage in *pro bono* activities. If appropriate, work together on a pro bono matter, charitable event, or public service project.	
	1D	Discuss law office management matters: a. Time records. b. Records of client-related expenses. c. Billing system. d. Conflict check procedure. e. Client retainer and/or payment schedules. f. Fee agreements. g. Escrow and trust account, establishing an IOLTA, accounting, auditing, use of interest proceeds, proper procedures for handling client funds and other property. h. Filing system and procedures. i. Document retention plan. j. Calendar reminder systems. k. Information technology system. l. Methods of keeping clients informed about progress of their matters. m. Library and research systems. n. Other resources (publications, seminars, equipment).	
	1E	Discuss effective time management skills and techniques.	
	1F	Discuss how to staff a large litigation or transactional matter, including what is involved in effectively allocating firm and client resources.	
	1G	Discuss importance of client communication, how to maintain appropriate ongoing communication (returning telephone calls, email) to keep clients informed.	
	1H	Discuss proper legal counseling and the duties and responsibilities of advising clients.	
	1I	If applicable, discuss how to develop business in an effective and professional manner.	
	1J	Discuss types of alternative dispute resolution such as mediation, arbitration, early neutral evaluation, summary jury trials, and collaborative representation.	
	1K	Observe one of the proceedings referred in 1J. Discuss and evaluate what was observed.	
	1L	If you work in a government setting, introduce the mentee to respective roles of other agencies, and to representatives thereof.	
	Alternative Action		
	Alternative Action		

2. Legal Ethics

Elected	Plan Supplement	Action	Completion Date
	2A	Discuss practices to maintain client confidentiality.	
	2B	Discuss how to screen for, recognize, and avoid conflicts of interest.	
	2C	Discuss roles and responsibilities of paralegals, secretaries and other office personnel, and how to establish good working relationships with support staff and colleagues.	
	2D	Discuss the responsibilities of the client and the lawyer in decision-making, and the best ways to involve a client in their case.	
	2E	Discuss preparation and proper behavior during discovery.	
	2F	Discuss how to prepare for negotiation of a legal matter, when and how negotiation is initiated, how to involve the client, ethical and professionalism obligations of negotiators, skills needed to be an effective negotiator and how to acquire them.	
	2G	Discuss common malpractice and grievance traps in your practice area or setting, and how to recognize and avoid common pitfalls.	
	2H	Discuss potential resources and procedures for dealing with complicated ethical issues, including conflict of interests.	
	2I	Discuss appropriate ways to handle situations where lawyer believes another lawyer has committed an ethical violation; the obligation to report misconduct; and the appropriate way to handle a situation where a new lawyer is asked by a senior member of the firm/organization to do something that is unethical or unprofessional.	
	2J	Discuss the grievance process and a lawyer's duty to cooperate with a disciplinary investigation.	
	2K	Attend a public hearing at the ARDC's Chicago or Springfield office (see ILARDC hearings schedule) and discuss the proceedings.	
	Alternative Action		
	Alternative Action		

3. Civility

Elected	Plan Supplement	Action	Completion Date
	3A	Discuss the Commission's Survey on Professionalism and how issues of incivility impact the legal profession and the administration of justice.	
	3B	Discuss the professional conduct duties of the lawyer to the client and to the administration of justice.	
	3C	Discuss strategies for managing incivility and highly charged situations.	
	3D	Discuss how to deal with a "difficult" client.	
	Alternative Action		

4. Diversity and Inclusion

Elected	Plan Supplement	Action	Completion Date
	4A	Develop an awareness of diversity and inclusion issues in the legal profession by reading recent published studies and articles, and discussing them.	
	4B	Discuss personal experiences involving diversity and inclusion in your academic or work setting/s.	
	4C	Discuss what your organization or employer has done, or could do, to increase diversity and inclusion.	
	4D	Attend a diversity awareness or training workshop or CLE, and discuss.	
	Alternative Action		
	Alternative Action		

5. Wellness, Mental Health and Addiction

Elected	Plan Supplement	Action	Completion Date
	5A	Discuss various career paths such as large firm, small firm, government and non-profit practice, corporate counsel, and nontraditional legal positions and identify resources for exploring options.	
	5B	Discuss long term and short-term career objectives and identify ways to achieve them.	
	5C	Discuss strategies for finding a balance between career and personal life, keeping daily stress in perspective, reconciling job expectations with actual experience and maximizing career satisfaction.	
	5D	Discuss prominence of substance abuse and mental health issues in the legal profession; review warning signs of substance abuse or mental health problems; what to do if the mentor, mentee, a colleague, or a superior is faced with a substance abuse or mental health problem; and the resources for assistance.	
	Alternative Action		
	Alternative Action		