

Associate Development And Mentoring – How To Do It, Why To Do It, And Who Benefits

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Practical, personalized mentoring will provide the mentee with a unique and invaluable foundation for becoming a skilled, professional, ethical attorney. The mentor is rewarded by maintaining and enhancing the overall professionalism of the practice of law.

The practice of law is commonly referred to as a “profession.” Professionalism invokes concepts of competence, academic/educational excellence, a professional code of conduct, a culture of civility and inclusion as well as elevated levels of expertise in specified subject matter, to name a few. How to convey these traits to newly admitted attorneys can be a conundrum.

The implementation of attorney mentoring programs is becoming more prevalent across the country. Mentor-mentee relationships can exist within a law firm where both the mentor and mentee work, or between attorneys that work in different firms. Irrespective of that dynamic, challenges exist for both the mentor and mentee.

On the one hand, newly admitted attorneys are typically members of an entirely different generation and ascribe to a different work culture than the more experienced superiors from whom they can receive guidance. For that reason alone, they may not even know what questions to ask or what advice to seek. On the other hand, the more senior attorneys may have little if any experience in conveying critical concepts respecting professionalism from the perspective of a mentor.

One size will not fit all when it comes to developing and mentoring associates. Millennials are different than their predecessor generation; Generation X. Generation X is different than Baby Boomers. Each

generation (of attorneys) presents new and different challenges with regard to professional development.

By definition, new lawyers are typically one of the newer if not the newest member of “the team.” They need to assess when deference to more senior members of the team is appropriate. At the same time, they need to learn how to project appropriate levels of self-confidence; how to function within a new employer’s culture; how and when to seek out guidance; how to incorporate that guidance into their performance; and how to identify and address ethical concerns.

First and foremost, more senior lawyers/mentors have to be available. That means a commitment to expend the necessary amount of time to teach and guide. It also means clearly establishing one’s role; being available with regularity to the new lawyer; genuinely understanding the concerns and issues presented by the new lawyer before providing advice; maintaining confidentiality in the relationship when appropriate and as agreed upon; and being open to input from the mentee.

Establishing and implementing a successful attorney development/mentoring program is, to say the least, a daunting task. Choosing a format for the program, pairing mentors and mentees appropriately, remaining sensitized to diversity issues and appropriate record-keeping/administrative oversight are just a few of the challenges that must be addressed. Exactly how much effort is required? A good illustration can be found in Morris County, New Jersey, where it took approximately 10 years of hard work to gain approval for a formalized mentoring program from the New Jersey Commission on Professionalism in the Law and the New Jersey Board on Continuing Legal Education.

About a decade ago, the former president of the Morris County Bar Association, Mitchell Cobert, embarked on a project to create a protégé/mentoring program for young lawyers. The anticipation then was that there would be difficulty in getting mentors to commit to volunteering their time. In practice, the more senior attorneys proved to be selfless and willing to assist. The difficulty proved to be in attracting newly admitted lawyers to participate in the mentor-mentee environment. The Morris County program, in its infancy stage, failed, as did many other similar programs across the country. Characteristics of the failed programs were consistent: the programs were based on volunteers, were well intended and were typically implemented by the Bar Association, but generally failed due to a

lack of formalization/institutionalization.

Undeterred, the Morris County program, via the efforts of another former president, Jim Youngelson, pursued the input of the New Jersey Commission on Professionalism in the Law, of which he was a member. The Commission is a cooperative venture of the New Jersey State Bar Association, the state and federal judiciary, and New Jersey's three law schools. The Morris County contingent proposed that continuing legal education [CLE] credits be awarded to both mentors and mentee participants in the program, theorizing that the availability of CLE credits would enhance the validity of the program. The Commission agreed and recommended that CLE credits be made available. However, approximately five years ago the Commission referred the issue of awarding CLE credits to the New Jersey Board on Continuing Legal Education. The Board, in turn, sought to vet the issue with the Judiciary. Finally, in early 2019 and after approximately a decade of persistence, the program inclusive of CLE credits for both mentors and mentees was approved by the Board on CLE and the New Jersey Judiciary.

The Commission on Professionalism included in its recommendation that only County Bar Associations be approved as providers. Morris County has been selected as the lead provider of mentor-mentee programming. Program forms have been developed to permit standardization and record-keeping. Volunteer mentors will have to meet minimum years of experience and other standards. Mentor training will be made available through the County Bar Association. Separate lists of mentors and mentees will be published so that participants can attempt to select appropriate partners. A maximum of 6 CLE credits will be available for both mentors and mentees in a given year. The Morris County program will serve as an exemplar for other programs throughout the state. Additional information on the Morris County program can be obtained directly from Mitchell Colbert at his Morristown, New Jersey, offices (973-539-6170) and/or through the Morris County Bar Association's Executive Director, Nancy Bangiola (nbangiola@morriscountybar.com).

Given the enormous challenges for both mentors and mentees, it would not be inappropriate to ask, why bother?

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enhancing the overall professionalism of the practice of law. In their respective roles, each contributes to the elevation of the practice which has both tangible and intangible benefits for all members/participants of the profession. CLE credits provide the proverbial “cherry on top.”

To read the entire article on the Law.com website, [click here](#).

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