

Mentors Teach Young Lawyers How To Be Lawyers

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When I was a newly minted attorney, fresh out of law school, I was ready to take the legal world by storm. A partnership and corner office were in my sights; perhaps there would be an argument before the Supreme Court somewhere down the road. I had a new Brooks Brothers suit that took me two years to pay off, a gorgeous briefcase (graduation gift from the parents), and some bright, shiny ambition to top it all off. Armed with all of that, plus a diploma from a pretty respectable law school and a prize for outstanding trial advocacy, and I was ready to go.

Five years later, I left the practice of law, my confidence in shambles, vowing never to return. While the public version of why I was setting aside the career that had taken seven years and two bar exams to prepare for was readily understandable—I left to care for my two young children—the real reason was less noble: I hated the practice of law, believed I was a spectacular failure, and had concluded that I would never amount to anything in the legal community.

Several years after that, economic necessity forced me back into the workplace, but this time, things were different and when I left that position to take a job closer to home, I was different. Why? Because of a mentor who took the time to teach me all of the things you don't learn in law school. In my case, my boss was unexpectedly called on to try a case for an attorney who had recently become gravely ill. My boss decided that I was going to get the case ready for trial and second chair it with

him. In the space of four months, I learned how to develop a theory of the case, identify the evidence that supported it, draft motions in limine, select and prepare exhibits for trial, pick a jury, argue motions, prepare experts, cross-examine witnesses and—perhaps the hardest part of all—wait for a verdict.

What made this experience so transformative was that someone who himself had been thrust into a stressful and difficult situation took the time to teach a young lawyer how to be a lawyer. That included the terrifying, but ultimately exhilarating, experience of actually opening my mouth in a courtroom, before a jury, and being an advocate. That experience changed my professional life.

The value of attorney mentoring has been recognized by many in our profession. The American Bar Association indicates that 36 jurisdictions offer some type of mentoring program for young attorneys. Some feature mentor/mentee matching programs or provide written materials to help participants outline their goals and expectations and create structure for the mentor/mentee relationship. Other states, such as New Mexico, Utah and South Carolina, require newly barred attorneys to participate in a mandatory, year-long mentoring program in which they are matched with more experienced lawyers who have completed a mentor training program.

These programs surely assist new attorneys to “bridge the gap” between the theoretical education they received in law school and the

actual, hands-on practice of law, but perhaps the most valuable type of mentoring is the day-to-day guidance of a seasoned professional who has the time and interest in nurturing nascent talent. Almost everyone who has accomplished anything in this profession can tell at least one story of an older attorney who furnished that kind of support. However, so many young attorneys I talk to lament the lack of mentoring, and as someone who has been in their shoes, I can sympathize with their frustration. On the other hand, as a shareholder with a robust litigation practice, I can see why the sort of mentoring these young attorneys are looking for doesn't happen more frequently.

Why We Don't Mentor

• Time

The biggest obstacle, by far, to meaningful mentorship is time, or a lack thereof. Senior attorneys have relentlessly busy caseloads that demand their time. Others are involved in vigorous marketing and devote hours to client development. Still others have formidable billable hour demands, and much of what constitutes valuable mentorship isn't billable. Although engaging a young attorney to help with a big project can ultimately prove a worthwhile experience for all, the supervision and teaching required to get the mentee up to speed and able to work independently can be significant. Factor in any time constraints that may play a role (such as an impending trial date), and the potential mentor may simply conclude that it's easier to do things herself.

• Talent

Some attorneys aren't well suited for the role of professor, and being a mentor can involve a lot of teaching. I'm naturally impatient, and I get bored and frustrated when the person I'm working with doesn't immediately "get it." A good teacher understands that the educational process is a series of trial and error. Some in

the legal profession have no aptitude for this sort of relationship, and the patience and encouragement necessary to teaching may not be your thing.

• Tradition

There are some in the profession who believe that mentoring shouldn't be necessary—that is, once an attorney is hired to do a job, he should know how to do it, even if the ink on their diploma is still wet. This "throw the baby in the water and see if she swims" approach may work with some, but I've also met a lot of really good attorneys who needed a little bit of guidance at first and then quickly developed the necessary skills they needed and were able to work independently from that point onward.

The Benefits of Mentorship

It seems pretty obvious how a new attorney might benefit from the mentor/mentee experience, but what too many more experienced attorneys may forget is that mentoring has positives for the mentor, too.

• Better Employees

The time you spend training a young attorney will likely translate into a better work product and, ultimately, less supervision on your part. Once an attorney learns how to draft pleadings the right way, the time required of you to review and amend those early drafts will decrease. With sufficient training, your young attorney will be able to work independently and ultimately should be able to take on the work you're too busy to do. The more qualified and well trained your attorneys, the "deeper the bench." Should an emergency arise that makes it impossible for you to cover a deposition or attend a hearing, you will have the confidence of knowing that your young colleague will be able to step in seamlessly and represent your client ably.

- **Less Turnover**

People who feel able to reach out to their supervisors for guidance and believe that there is someone available to help them figure things out tend to feel more valued and, ultimately, more invested in the work of the organization. Taking the time to train young associates means that they will likely stick around and become good attorneys who can work independently, represent clients, and provide a solid return on your investment.

- **Weeding Out the Unqualified**

Although it may become quickly apparent that a young lawyer isn't working out, an involved mentor can often spot potential issues—whether related to work product, attitude, or professionalism—before those problems become readily apparent in the form of disgruntled clients or bad results. Sometimes these concerns can be addressed and fixed, but in other cases, it may be necessary to let the attorney go. Better to have that information sooner rather than later.

How to Be a Good Mentor

There are lots of ways to provide guidance to a new attorney. Here are a few pointers to keep in mind.

- Mentoring doesn't have to be a formal process. Some programs have worksheets and milestones, specific topics to be covered and mandatory "face time" meetings. All of that can be helpful, but the best mentoring probably occurs on a more informal, day-to-day level.
- Not every moment spent together has to be a "mentoring moment." If you have a new associate who does a lot of work for you, take time to get to know each other on an informal basis. It will make both of you more invested in the process.
- Allow for the mentee to be the "expert" when appropriate. Perhaps your new

colleague had another career and brings the knowledge and expertise gained from that past endeavor to his new practice. Let him teach you something once in a while—it will boost his confidence and make him feel that he has something to offer. Again, this increases the level of investment in the work of the organization.

- Along the same lines, make your mentee feel like part of the team and that she has something valuable to share. A brand new associate may not have much experience in actual legal work, but she may have other skills that can be put to good use. Is she a "people person?" Then maybe she's the one who takes the client for a walk while the jury is out. Is she good at organizing and synthesizing facts? Let her take the lead in organizing large discovery projects or document reviews. Include her in team meetings, hold her accountable for her tasks so that she has something to report on, and applaud her efforts to the team.
- You don't have to—and shouldn't—be the only mentor. If you're lucky enough to work in a firm with several senior attorneys, all of you have something to offer a young attorney. One of you may be terrific in the courtroom, another a phenomenal writer, a third the "client whisperer." All of you have something to teach, and the young attorney benefits from the diverse expertise and knowledge of many. In other words, "it takes a village."
- Remember that, as a mentor, your job is to provide helpful information, not to spend hours reliving your glory days by telling war stories. Certainly, your past experiences may provide concrete examples of the points you are trying to impart, but being a mentor shouldn't become "story time" for your mentee as you revel in your past exploits.

- Praise your mentee’s efforts to your colleagues, and do it in her presence. As I used to say to an attorney who criticized me for doing just that, “No one ever died from being praised.” It is a valuable commodity that rarely fails to yield more good work, and praise can be in short supply when you’re a new attorney.
- Share the times when you’ve messed up. Young attorneys tend to think that they are the only ones who make mistakes and may put their senior partners on a pedestal. It’s vitally important to demonstrate that we are all human and occasionally make mistakes, regardless of our years of experience.
- Listen. Ask what’s going on. Inquire about whether your mentee is having any problems. Be available, empathic, and kind.
- Remember what it felt like to be a new attorney, which means being both undeservedly arrogant and understandably terrified of failing. Forgive your young charges their unearned bravado and hubris—you were like that once, too.
- Know when it’s time to stop being a mentor. The goal of mentorship is to help someone who is inexperienced make a transition, learn skills, and become independent. If the mentee is ever going to make anything of himself, at some point

you have to step aside and let him succeed—or fail. If you’ve done your job, and if your mentee is invested in the process, he will probably succeed. Let him step out of your shadow and shine.

Being an attorney carries a great deal of responsibility and stress. None of us knew how to do this job on day one, and some of us are still trying to figure it out. All of us would probably have been grateful for a competent, caring mentor, and those of us who were lucky enough to find one—even after several years in the profession—can testify as to how that experience made us better attorneys. We all benefit from mentoring, and there’s no doubt that you have something to offer. Trust me—you’ll be glad you did.



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