

Handbook
for

The Missouri Bar
Mentoring Program

The Need for a Mentoring Program

Many informal mentoring relationships have been in existence for years. Oftentimes, older or more experienced lawyers took it upon themselves to take a new lawyer in their community “under their wing”. Solo practitioners often had lunch together or met at courthouses to “talk over” issues before them, and they helped each other. More experienced lawyers in firms helped a lawyer new to the firm to get “up to speed” and they were there to lend an ear.

These relationships do still exist today, but they are not as prevalent as they once were. This may be caused by a significant increase in the number of new lawyers being admitted each year and the intensified competition for clients. Attitudes have changed about helping each other, which is not healthy for the profession.

Benefits of a Mentoring Relationship

The benefits of a mentoring program extend beyond the more experienced lawyer mentoring a newly admitted lawyer. Lawyers who completed their education before technology was commonly used could greatly benefit from a younger lawyer mentoring them in the use of computers and other technology to improve the efficiency of their practices and allow them to remain competitive and serve their clients better. Small firm practitioners, especially those practicing solo, could benefit from a mentor to aid with practice management assistance or simply someone to help explore ideas on a particular case. Given today’s competitive market, lawyers in large firms, government or who work as in-house counsel are often unsure whether they should ask questions of their supervising lawyer for fear that it may compromise their future. A mentor could be the answer. Lawyers with disciplinary grievances due to their inexperience, could benefit from a mentor. Malpractice claims could potentially be avoided or reduced because of the assistance of a mentor to a less experienced lawyer. Lawyers doing pro bono work outside of their practice area could benefit from a mentor with more experience in that area.

Mentoring can help improve relationships among lawyers and promote camaraderie among the profession. The public could benefit from improved professional services through the assistance of their lawyer’s more experienced mentor. Perhaps it is simply the right thing to do to pass on a legacy of mentoring that seems to have declined among contemporaries.

How the Program Works

The program provides for a one-on-one assigned match for one year. Protégés will request a mentor from the program administrator at The Missouri Bar. Every effort will be made to match those with similar interests, practice areas, size of practice, special abilities, geographic location, even gender and ethnicity, if that’s important to the Protégé. Mentors will be encouraged to meet with the Protégé on a reasonably frequent basis and to stay in contact by telephone or e-mail. Protégés are not to use the mentor as a crutch—they should serve their own clients and use their own skills. Protégés are also to provide their own legal advice to their clients. Mentors will simply provide general advice, assistance and wisdom.

Project Goal

The goal of the Mentoring Program is the fulfillment of our professional obligations, to maintain competence in the legal profession, and assist to improve the legal profession.

Project Objectives

- Address practical concerns and problems in the practice of law.
- Create networking opportunities and skills.
- Introduce Protégés to the inner workings of the legal system.
- Help Protégé understand the unspoken rules of the legal system.
- Help Protégé gain exposure and visibility in the legal community.
- Help Protégés make intelligent and informed choices about their career.
- Address issues and relationships across practice specialties.
- Share professional values.
- All of the above or others not listed depending on the needs of the Protégé.

Expected Results

Participating Protégés will be more knowledgeable and comfortable about the aspects of the legal system and the practice of law, as shown by increased confidence level.

Mentoring

Mentoring can be described as a relationship between those with certain knowledge, skills and connections and those who desire those skills, knowledge, and connections to further their own personal and professional growth.

It is an intense and selective process marked by personal interest on the part of a mentor in an individual's growth or development. Mentors have an interest in cultivating talent and are more likely to be concerned with the need of the individual than the needs of the organization. A mentor can have several roles—teacher, coach, positive role model, confidant, opener of doors, protector, sponsor, leader. It is not necessarily a pragmatic process with immediate consequences, but can have long-range effects on the career of the partner.

Mentoring is not a new idea in career and professional development.

Surveys of successful business people indicate that many level executives had assistance early in their career from someone who showed them the ropes and shared experiences, successes, and failures. Other information shows that executives who have had a mentor earn more money at a younger age, are better educated, are more likely to follow a career plan and in turn, sponsor more individuals than executives who have not had a mentor.

Commitment and Responsibility of Mentor

At some point in the relationship the mentor should provide one or more of the following: teach, guide, advise, counsel, sponsor, role model, validate, motivate, protect, communicate, friend, tutor, coach, etc. The mentor should be able to pick and choose the most appropriate role, given the circumstances, his/her position in the organization, and the personality and position of the partner.

Administrator's Role

The administrator of this program will be responsible for monitoring the day-to-day operation of the program. Duties include:

- Maintaining a database of prospective mentors to serve the program.
- Assigning mentors to Protégés based on the request of the Protégé, whenever possible.
- Call mentors periodically to see how things are going or to share new ideas generated by the Protégé.
- Be available for anonymous and confidential airing of concerns or grievances.
- Obtain information from the mentor's high-lighting activities they have shared with their Protégés.
- Try to collect data that will show that the Mentoring Program has made a positive difference in the lives of the participants as well as in the legal profession.
- Ask mentors and Protégés to fill out evaluation forms that give them a chance to share their reactions to the program.

Oversight Committee Role

- Set policy governing the operation of the program.
- Monitor and oversee the operation of the program.
- Approve mentor applications for participation in the program.

The
Mentoring
Relationship

The Mentor Defined

In mythology, Mentor was a valued friend to whom Ulysses entrusted the care of his son Telemachus, while the father traveled the world in his 10-year odyssey. The mentor/partner relationship is far deeper than that of sponsor/protégé. Sponsors are press agents; mentors are everything implied in the definition “trusted counselor and guide.”

Dalton, Thompson and Price (Organization Dynamics, Summer, 1977) identify a “Mentor Stage” and note “that stage’s...increased responsibility...for guiding, directing and developing other people.” Hanson, writing in *Personnel Journal*, September, 1997, says that mentorship accrues to people “who have begun to work in more than one area, who stimulate others through ideas and information, and who...serve as Mentors to young professionals.” Mentors must possess a wide knowledge of the organization—especially its informal structures and processes—lest their advice be perceived as, or actually be, invalid.

Many effective mentors are self-appointed. Nobody told them to provide counsel or assigned them to high-potential newcomers. To the degree that mentorship is informally volunteered and executed, it is close to the Maslovian “generativity” identified by Valliant in *Psychology Today*, September, 1977: “Seeing others become fruitful in their jobs; improving the company’s position.”

Mentors possess genuine generosity, compassion and concern. They listen in the best Rogerian sense, hearing feelings as well as ideas. The relationship most effectively exists outside normal boss-subordinate patterns, because bosses administer rewards and punishments. They are thus apt to be perceived as limited and non-objective.

Caring is the core of this relationship. The Protégé cares because of the help received, and thus affection and respect may be influenced by gratitude. The mentor may care as the parent cares; mentors thus risk disappointment, failure, rejection. The Protégé is in control of the relationship.

This may seem strange: after all, mentors can always withdraw their counsel and their energy. In practice, however, mentors can function only when Protégés permit them to do so; wisdom can be imparted only when receivers seek it or are willing to listen.

There is considerable risk for the mentor: the risk of being wrong in counsel or in the manner of dealing with the Protégé, the risk of rejection. Mentors who express the pain of this rejection (“They ought to listen!” “They ought to want me and my experience!”) are often perceived as ingrates rather than as trusted guides and counselors.

Protégés face possible consequences, too: bad advice may hurt career and emotional poise; dependencies are established. These may be either counterproductive or valuable. They are counterproductive when the Protégé relies too much on the mentor or when the mentor dominates. When productive, they are among the most satisfying relationships.

- Don’t assume that the relationships you have developed successfully will work equally well for the Protégé.
- Ensure that the Protégé is not dazzled by your influence. Put your influence to the test: note how often the Protégé speaks up when you are around, whether he/she is picking up any of your quirks.
- Don’t try too hard to shield the Protégé from mistakes that are bound to happen through inexperience.
- Avoid confining the Protégé’s growth potential to your limitations.

There can be drawbacks in the mentor/Protégé relationship. Mentors take risks with people. Expectations should be made clear from the beginning to avoid disappointment. Overdependency on a mentor, a tendency of the Protégé to accept mistakes are just a few problem areas that can develop. In most cases, however, the benefits far exceed the disadvantages.

There are great rewards for effective mentor relationships. Protégés can feel significant as individuals—not merely as a manipulated commodity. The relationship should provide a prevailing sense of

humaneness because the mentor/Protégé relationship involves great intimacy, a sharing of value systems and feelings, a disclosure of personal data, achievements and confessions.

The Mentoring Relationship

Mentoring is a mutual relationship between individuals and benefits both parties. The Protégé may receive benefits as:

- Encouragement, support and affirmation
- The opportunity to explore new ideas and alternatives
- Contacts to new individuals and groups that can aid her/him in their job career
- Information about the informal relationship or politics within the professional community
- Stimulus to challenge himself/herself to achieve new goals and confidence to try





The mentor can equally benefit in the relationship. A mentor receives the satisfaction of helping someone grow and succeed. There is an exchange of information and knowledge which can cause the mentor to reexamine his/her own standards of philosophy. The mentor gains enjoyment in seeing the results of his/her own knowledge, expertise, and influence. Self esteem can be bolstered as the mentor is admired and respected.

There is trust in the relationship demonstrated through acceptance and confidence. The mentor is not threatened by the success of the individual by encourages growth and equality.





Mentor/Protege Roles

Mentoring normally develops between individuals as a natural extension of their professional or personal relationship. The goal of this program is to create that situation.

Mentor's Role:

-  Meet with Protégé at least once a month and keep in contact by telephone or e-mail in the interim
-  Work collaboratively with the Protégé to develop an action plan.
-  Provide support, counseling, network system and knowledge of community resources
-  Periodically evaluate progress and report results to administrator.

Protégé's Role:

-  Meet with mentors at least once a month and keep in contact by telephone or e-mail in the interim. Contact administrator as needed.
-  Identify barriers to advancement and collaborate with a mentor to develop a plan to overcome the barriers.
-  Be willing to candidly discuss issues and consider advice.
-  Periodically evaluate progress and report results to administrator.

Guidelines for Mentors

- Listen and try to address Protégés' concerns on a level which allows them to participate in a thoughtful discussion.
- If mentors find that Protégés are unable to focus their questions or concerns, mentors should guide Protégés to a topic.
- Whenever possible, mentors should exchange ideas with Protégés rather than lecturing.
- Whenever possible, mentors should share their "war stories" with Protégés to help them both feel more comfortable and learn from the mentor's good and bad experiences.
- If mentors are unsure about any aspect of their advice, they should consult with their colleagues about how they might handle the issue.
- Protégés have been advised that when they are discussing a particular case, they should pose their questions in the form of "fact patterns," not only to avoid disclosing their clients' identities but also to avoid any potential conflicts of interest. If a client's identity must be disclosed, the mentor shall ascertain that no conflict of interest exists before responding.
- Mentors shall not be required to perform any research as a result of inquiry.

- Neither shall mentors accept employment as co-counsel, nor shall Protégés refer their clients to mentors to handle cases. Mentors are cautioned that they should take appropriate steps to avoid even the appearance of the existence of an attorney/client relationship with the Protégé's clients. Mentors are, however, encouraged to provide Protégés with names of other attorneys who could act as co-counsel or to whom cases may be referred. Mentors may wish to modify their conflicts system to retrieve all matters on which the mentor is adverse to the Protégé.
- Mentors shall remind Protégés that any detailed conversation about the specifics of the problem and situation of a client may require prior written consent from the client before making such disclosure. Mentors maintain the duty to report serious unethical conduct under Supreme Court Rule 8.3(a).
- All mentors agree to abide by the guidelines stated herein.

Guidelines for Protégés

Below are some points to keep in mind when working with mentors.

- Mentors serve on a voluntary basis. Therefore, Protégés should be careful not to become an undue burden.
- The Missouri Bar makes no representations as to the knowledge or experience of the mentors.
- The Mentor Program does not contemplate mentors rendering professional services to Protégé's clients, and Protégés must ultimately exercise their own independent professional judgement on behalf of their clients.
- When discussing a particular case, Protégés should pose their questions in the form of "fact patterns," to avoid disclosing their clients' identities and to avoid any potential conflicts of interest. If a client's identity must be disclosed, the mentor shall ascertain that no conflict of interest exists before responding to the inquiring Protégé.
- Protégés should not: (a) ask mentors to perform any legal research as a result of inquiry; (b) ask mentors to accept employment as co-counsel; or (c) refer clients to mentors to handle their cases. Mentors are cautioned that they should take appropriate steps to avoid even the appearance of the existence of an attorney/client relationship between mentor's and Protégé's clients. Protégés may wish to modify their conflicts system to retrieve all matters on which their mentors are adverse to the Protégés.
- Protégés are reminded that any detailed conversation about the specifics of the problem and situation of a client may require prior written consent from the client before making such disclosure. Failure to obtain this consent may violate Rule 1.6(a) of the Rules of Professional Conduct.
- Mentors are also reminded that any attempts to exonerate themselves from or limit liability to one's clients for possible malpractice claims is prohibited. This program is intended to provide general assistance, but it is not a means to provide Protégés with answers to case specific questions or to protect Protégés from their own professional responsibility.
- Protégés are encouraged to ask questions regarding substantive, practical or ethical issues which they may encounter. Protégés should not be afraid to ask even the most basic questions. Remember that mentors probably had similar experiences when they began the practice of law and that mentors will be more than happy to answer questions.
- The Mentor Program is designed to last one year; however, this period may be extended upon mutual consent.

Program Flexibility

This program will allow for some shifting when matches of mentor and Protégé are not right. If either party feels the relationship is not working, it is best to discuss the concerns with the administrator and if necessary to allow the relationship to dissolve and rematch the parties with others.

Protégés have the option to withdraw from the program at the meeting stage if they feel the program doesn't offer the right kind of relationship for them or that they're unable or unwilling to devote the time and energy the program demands.

What Mentors Should Do

Behaviors that are generally accepted as mentoring include teaching, guiding, advising, counseling, sponsoring, role modeling, validating, motivating, protecting and communicating. However, a mentor should not be expected to perform all of these functions. Few people can or will perform all ten mentoring behaviors at high level of competence. Mentors will gradually initiate these behaviors as the relationship develops.

In general, mentoring behaviors should include:

- 🧑‍🎓 **Teaching**—The mentor should share with the Protégé some of the specific skills and knowledge necessary for successful job performance or otherwise assist in the partner's career development. The method of instruction can be formal or informal, direct or subtle.
- 🧑‍🎓 **Guiding**—Every profession has its “unwritten rules,” and the more experienced mentor should orient the Protégé in these.
- 🧑‍🎓 **Advising**—Teaching and guiding are mentoring behaviors usually initiated by the mentor while advising often occurs in response to a request by the Protégé. The difference between the advice of mentors and the advice of others should be the quality of the advice. The mentor should be imparting wisdom based on a high degree of competence and extensive experience. In a relatively short time span, the Protégé may benefit from experience that often has taken a lifetime to accumulate.
- 🧑‍🎓 **Counseling**—The mentor should provide emotional support in stressful times. The mentor should listen to the Protégé's concerns and communicates an empathic understanding of those concerns. In addition, the mentor often helps the Protégé clarify career goals and develop plans of action to achieve those goals.
- 🧑‍🎓 **Sponsoring**—The mentor's influence or clout provides growth opportunities for the partner.
- 🧑‍🎓 **Role Modeling**—The mentor serves as a person whom the Protégé can emulate. Role modeling usually occurs subtly as an outcome of the relationship rather than by conscious design by either mentor or Protégé. The mentor's traits and behaviors become a blueprint that the Protégé unconsciously uses to pattern his or her own manner.
- 🧑‍🎓 **Validating**—The mentor should evaluate, possibly modify, and finally endorse the Protégé's goals and aspirations. In essence, the mentor bestows his or her blessings on the Protégé's aspirations, suggesting they are realistic goals.

If a mentor cannot at least accept the possibility of the Protégé achieving his or her aspirations, it is doubtful whether the mentor relationship can be maintained for very long.

- 🧑‍🎓 **Motivating**—Validating involves helping Protégés believe in their goals. In motivating, the mentor should provide the encouragement and impetus for the Protégé to act toward achievement of those goals. Whether done through a “kick in the pants” or a “pat on the back,” the end result is action. Some mentors are drill sergeants; others are cheerleaders.
- 🧑‍🎓 **Protecting**—The mentor should serve as a buffer for the Protégé's risk taking. He or she provides a safe environment where the Protégé can make mistakes without losing self-confidence. The Protégé learns not only how to succeed, but also how to fail without feeling defeated. This aspect of mentoring makes it easier for Protégés later to make decisions or otherwise act when faced with uncertainty.
- 🧑‍🎓 **Communicating**—The mentor should establish open lines of communication through which concerns can be discussed clearly and effectively. Communication is insufficient by itself to insure good mentoring. However, the effectiveness of the other nine mentoring behaviors is largely determined by the mentor's effectiveness as a communicator. Expertise means little if it cannot be communicated.

We suggest that you both make a commitment to bring up issues of concern that may arise from time to time during the course of the mentoring relationship. One way to make sure you stay current on these issues is to check in with each other during your regular meetings. Here are some suggested questions:

- What's going well for each of us?
- What's not going well for each of us?
- What changes would each of us suggest?

Tips for Successful Mentoring

One mentor defined his conception of the role by illustrating the difference between his first experience, which fell short of his expectations, and his second one, which is highly successful, emphasizing the following criteria for his success:

Making the Time

By consistently setting specific times to meet at least monthly for discussion and ensuring that a schedule is kept.

Challenging

By developing an "Action Plan" asking, "What do you hope to accomplish? Is your plan realistic?" If the individual overlooks important considerations ask, "Did you think about...? Have you considered this alternative?"

Reinforcing

The steps of "Action Plan." Is the Protégé actively following the plan?

Understanding

The role, knowing what to expect of oneself. Check with Protégé. Are you providing the necessary coaching and support?

Feeling

Personal satisfaction for contributing to professional development.

What to do
In the

Mentoring Relationship

Mentoring in Action










A successful relationship will be facilitated if the mentor gets to know the Protégé, his/her personal interests, needs, career goals and expectations.

Mentors should be willing to share their own experiences, successes and failures and their observations regarding the work place, the community and life in general.








Mentors also facilitate personal and professional contacts. They help the Protégés by introducing her/him to others. These contacts increase opportunities.

The development of an action plan will be the first step in beginning the relationship. The plan should outline goals and expectations of both the mentor and Protégé and be the foundation of the next year.

Things a Mentor Can Do







-  Tell a career story. Share the highs and the lows of your career path.
-  Spend one visit with the Protégé discussing her/his needs and aspirations, a second visit with the studying legal system and a third visit developing action plans for the next year.
-  Help establish an action plan for the Protégé.
-  Mentor may want to arrange for Protégé to attend high level meetings or other activities.
-  Mentor may want to use his/her personal influence to help the Protégé gain exposure to special training.
-  Ask Protégé to select a book or article on something relating to his/her career field and report on the reading to you.
-  Help Protégé write short-range and long-range career development plans.
-  Complete actual projects together. Find ways to work together (e.g. discussing actual case strategy and or the legal implications of a management decision.)
-  Talk about what you do:
 - General description of your job
 - Major tasks, subtasks, specific responsibilities
 - How you job fits into the total organization
 - How you spend a typical day
 - Personal qualities needed for this type of work
 - General opportunities for advancement
 - Effects of economics on your specific job and on your occupation in general
 - Other jobs you could do with your skills
 - How you got started in your job
 - Other jobs you have held, skills you developed from them, their relationship to your present job
 - Skills you had to learn specifically for this job; how you acquired them
 - Your recommendations to others for acquiring these skills: suggestions you would give someone applying for your job
 - What you like most and least about your job
 - What you would change if you could
 - Interpersonal skills you find most important in your work and why
 - Attitudes and values that are important to you and how they are reflected in you work
 - Obstacles or barriers you had to overcome to get where you are now

Things a Protege Can Do

-  Identify goals for the mentoring relationship and discuss them with your mentor.
-  Share successes with your mentor: a case you recently won, or a strategy that worked well.
-  Do some thinking and planning about career direction and goals. Identify how the mentor can help you meet these goals, and ask specifically for the help.
-  Interview mentor about career path: What were the barriers to overcome, the pit-falls along the way, the learnings from failures as well as successes, etc.
-  Be clear about what you want from your mentor at any given time: do you want advice right now, a sympathetic ear to listen, or help with problem solving? Don't be afraid to ask for the specific type of support you want in different situations.
-  Discuss a legal issue you are exploring.
-  Discuss the issue of integrating personal/family life with career objectives. Share your own experiences.

Things That Both Can Discuss

Talk About How Your Career Goals Affect Your Personal Life

-  Family time
-  Leisure time
-  General health/diet/exercise
-  Stress factor: tension, fatigue, burn-out
-  Stimulation factor: excitement, challenge, opportunity
-  Where your present activities fit into your life: Lifetime career or stepping stone to something else

A successful relationship of any kind requires both parties to want the relationship to work. This is especially true in a mentoring situation where mentor and Protégé can develop a satisfactory association if both are committed to meeting their responsibilities. By allowing each other the freedom to openly discuss and work on professional issues, without censure, on a regular basis, the Protégé and mentor are well on their way to an enjoyable, stimulating and rewarding experience.

Welcome to The Missouri Bar Mentoring Program!

**Wishing you an enjoyable and rewarding relationship.
Good Luck!**