

The Changing Face of Mentorship in the Legal Profession

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Our profession is evolving to include alternative forms of legal service delivery. Our courtrooms and nonprofit legal aid organizations are already adapting to the use of technology in the justice system. Our clients are increasingly demanding that their attorneys use both cloud-based technologies in their practices to reduce legal fees and to communicate with them online. So it's not surprising that the way we mentor and train young attorneys also needs to evolve.

The structure and staffing of law firms has changed drastically over the last decade to meet the needs of the current legal marketplace and the changing demands of cost-conscious clients. Even with these changes, the practical knowledge and hands-on experience provided by the time-honored mentoring relationship in the legal professional remains extremely relevant both for our profession and the public we serve. It may be even more important given the increasing number of law students entering the profession and the ever-widening gap in access to justice in our country.

In order for lawyers and law firms to finance mentoring, the nature of mentoring itself will need to adapt. Larger law firms may have the money to fund mentoring programs for new associates through apprenticeships, shadowing or secondments, but for the growing number of solo and small firm practitioners in the profession the economics of these formal arrangements is unaffordable. We also must help the pool of newly licensed lawyers who have found themselves jobless after being downsized as the economy tanked. How do these lawyers get that training?

There is no single solution. Both the firms and the lawyers in need of mentoring should be responsible for making sure that adequate training in whatever form it takes is part of the routine in making client-safe lawyers.

The responsibility to become client-safe should not fall solely on the young lawyer. Those of us who have been blessed with good mentors recognize that for the relationship to work, both parties must find value in the tradition, whether it's monetary, intrinsic or both.

A combination of methods may offer the best solution for a newly licensed attorney or law student seeking a mentoring relationship including law school legal clinics, externships, practical skills-based courses and supervised pro bono work. These methods may provide a different form of training and might serve different purposes depending on the new attorneys' chosen practice area and firm structure.

Tech-savvy young lawyers also may benefit from technology-based mentoring.

While there may well be no replacement for live, person-to-person contact in an office, courtroom or conference room, technology is offering good alternatives. Live, streaming videos of courtroom proceedings might be a worthy substitute for a young lawyer who might not otherwise have the opportunity to "sit in" next to an experienced attorney in a courthouse. Clients probably would be happy not to pay to train young lawyers either.

Web-based legal education communities, such as [Solo Practice University](#), also are stepping in to fill the mentoring void. Some progressive law schools are developing online educational programs that focus on practice management skills and pull together 3L law students with experienced and new practicing lawyers for a diverse learning environment. Certificate programs and MOOCs (massive open online course), such as the Topics in Digital Law Practice MOOC sponsored by [CALI](#) earlier this year, provide additional educational opportunities that include law students and academics but are not limiting in who may receive this form of supplemental or continuing education. These online programs and resources may allow newly licensed attorneys and law students to find multiple mentors online that can provide them with knowledge on a variety of issues from practice management to substantive law.

In some ways this new, hybrid form of mentorship that combines technology-based education and training with traditional mentor-to-mentee relationships may provide lawyers with a more well-rounded background and perspective on the practice of law. While they may not receive direct face time with an experienced attorney or be able to watch them in action with a client or in the courtroom, young lawyers may learn at their own pace, explore the areas of law that they might want to practice in a firm or as a solo, and hone in on the skills that they will need to be responsible for delivering legal services to their clients.

They might find bar association sponsored, practice-specific listserv or part-time mentors that can provide young lawyers with many different opinions on a single legal question. While this type of community benefits young lawyers by giving the option of many mentors, it also allows them to use and develop their own judgment in weighing the different responses and practices.

For better or worse, here is one thing, however, that technology may not be able to replicate: teaching humility to young lawyers.

In any web-based form of mentoring, a young lawyer will never be asked to carry boxes of case files to a trial, spend hours sorting through piles of discovery materials searching for references to a particular matter or have paralegals and legal secretaries on hand to guide them through the day-to-day rules and customs of the local courthouse. Though this experience may help young lawyers build character and engage in the process, it is questionable whether these exercises really teach a lawyer how to be client safe.

If humility is necessary to building a strong practitioner, then constructive and even harsh criticism can still be provided to the work of an associate online. Today, associates and mentors can review documents online, engage in desktop sharing via video conferencing where the experienced attorney can redline a legal brief and point out in real-time online the needed changes all while watching the associate squirm on the video feed.

Indeed video conferencing opens up a world of mentoring opportunities. Video conferencing tools currently used to meet with prospective or existing clients can be adapted into training tools for young lawyers not working in traditional law office or who are solos or in small firms where they need mentorship on a particular matter. With the permission of all parties involved, a recording of a deposition could be watched live or later by a mentee of the firm who has an interest in learning more about deposing techniques and client advocacy.

Even paralegals and other administrative staff can help share the wealth of information they've gained with young lawyers and law students. For example, paralegals or firm administrators could play a role in mentoring a new attorney about the practical business of operating a law practice or dealing with clients, providing good customer service or handling difficult collections issues. Oftentimes it's not the experienced partners in a firm that know how to handle these business-critical matters, yet in order to be "client-safe", it's critical that mentees understand this other side of running a practice.

The answer to which form of mentorship or combination of the above methods is needed really depends on the individual mentee. We all learn differently and while one time-honored method might work for some associates, it may be less effective for others. It may also be easier for busy, experienced

attorneys to serve as part-time or “on-demand” mentors rather than financing a full-time associate as a mentor. Using cloud-based technology to communicate with those mentees can make the most effective use of the mentor’s time. Rather than having a single mentor or mentee, the parties may have several and get the benefit of multiple opinions and experiences in their practice areas.

As an attorney who has been blessed with both wonderful in-person mentors while working in a law firm, and then as solo who works with several online mentors across the country, I am grateful that these new opportunities for mentorship exist. I would encourage other seasoned attorneys to consider all of the ways in which they might impart wisdom to the next generation of lawyers, whether it’s in the office, online or a combination.