

Oregon State Bar

Oregon State Bar New Lawyer Mentoring Program

The issue of how new lawyers transition to the legal profession has long been a concern among bar leaders. There are elements of being a highly competent and professional lawyer that are difficult to address in the law school environment. In previous generations, “apprentice” programs were a common model for complementing the cognitive learning of law schools with the practical realities of running a professional law practice and working with clients, opposing counsel, and courts. Indeed some form of apprentice/mentoring continues to exist to some degree in many large firms and/or specialty bars.

However, the changing nature of the profession and the economics of modern practice have significantly limited the opportunities for new lawyers to learn the attributes of professional lawyers through one-on-one guidance.

The Oregon Supreme Court and the OSB have created the New Lawyer Mentoring Program to fill that gap. The program requires most new lawyers in Oregon to work with a mentor as they transition from student to practitioner. The objective is to offer the new lawyer a resource to guide them through the challenges of that early transition, and to reinforce the core values of competence and professionalism in the bar’s newest members. The program curriculum has six components but allows the mentor and new lawyer a great deal of flexibility in how they address each area.

Following are answers to many of the questions we are likely to hear from both mentors and new lawyer participants. If you have other questions, please direct them to program administrator Kateri Walsh at mentoring@osbar.org, or (503) 431-6406.

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Frequently Asked Questions

What is the main objective? The program is designed to assist new lawyers in developing the practical skills and judgment to practice in a highly competent manner and to instill the ethical and professional values that characterize excellent lawyers.

Is this new approach unique to Oregon? The Oregon program is modeled after programs in Georgia and Utah that have received accolades for enhancing the transition from student to practitioner, and giving new lawyers a firm grounding in both the practical realities of being a lawyer, and the professional and ethical approach that leads to greater career success. The Oregon design emphasizes flexibility in its approach, giving mentor and new admittee opportunity to shape a curriculum to meet individual needs.

How will each new lawyer's "curriculum" be structured. The curriculum includes six components, each designed with the flexibility to tailor it directly to the needs of the new lawyer. New lawyers will work with their mentors to develop an individualized Mentoring Plan covering the six components:

- 1) Introduce new lawyers to the legal community;
- 2) Rules of Professional Conduct, Professionalism and Cultural Competence
- 3) Introduction to Law Office Management,
- 4) Successful Client Relationships;
- 5) Career Development, Public Service, Bar Leadership and Work/Life Balance.
- 6) Practical Area Basic Skills.

What are some examples of elected and required activities? Some examples include a review and discussion of the Rules of Professional Conduct and common ethical issues that arise in practice; joint attendance at a local bar meeting or other specialty bar event; introduction to law office management issues such as billing systems, case management and trust account rules; participation in a client interview; drafting of a fee agreement; discussion of effective client interaction/communications; attendance or participation in trial preparation or deposition; a tour of the courthouse and introductions with members of the judiciary; or a visit or meeting with local legal aid providers.

How will mentors be identified and recruited? The OSB has recruited mentors for the initial NLMP session this sprint. A larger recruitment effort will launch soon to invite all eligible members to join the effort in advance of the Fall NLMP session beginning in November.

How will new lawyers and mentors be matched? Matches will take place three different ways. New lawyers can recruit their own mentor from relationships they have developed in the legal community; they can be paired with an in-house mentor from their firm or place of employment; or the Oregon State Bar will match new lawyers to mentors based primarily on geographic proximity and practice areas of interest. Where requested, the OSB will attempt, though cannot guarantee, to consider other such as

age, gender or ethnicity. Mentors must have seven years of experience as an attorney, in Oregon or elsewhere, and must have no disciplinary prosecutions pending. They will also need to be approved by the Oregon Supreme Court, although the NLMP program will make provisional matches frequently, and then submit those names to the court for approval.

What sort of training will be involved for the mentors? Mentors will be responsible for reviewing the NLMP Manual in detail, and viewing a short online training video. In addition, staff will work closely with mentors to ensure they fully understand the core components of the program. Other programming may be developed and presented for participation on a volunteer basis.

Does the new lawyer still have the 1st-year MCLE requirement in addition to the Mentoring Plan?

Yes. The NLMP does not replace the Minimum Continuing Legal Education requirements for new admittees. (MCLE Rule 3.3(b)). However, upon successful completion of the NLMP, new lawyers are awarded six MCLE credits that can be carried forward into their first three-year reporting period.

Will the new member be fully licensed to practice law before completing the program? Yes. During the one-year training program, the new lawyer is a fully licensed Oregon attorney with all of the rights and responsibilities of bar membership.

What if a participant fails to complete the program? He or she could file for an extension if there are extenuating circumstances. If an extension is not granted, the participant would lose their license to practice until the program is completed.

What is the expected time commitment for both parties? We anticipate that the time commitment will vary between different mentor partnerships. The general guideline is that we expect mentors and new lawyers to meet monthly for roughly 90 minutes, so the mentor can expect to spend 18-24 hours over the course of the year. The time commitment for the new lawyers may be slightly higher, as they will have primary responsibility to complete some specific tasks in the curriculum. Many of those tasks, however, will be those the new lawyer would be encountering naturally in a new law practice.

Will there be any cost associated with participation? The cost will be \$100, due from the new lawyer upon completion of the program.

Will mentors receive MCLE credit? Yes. Mentors may claim eight MCLE credits upon completion of the plan year. If another lawyer assists with the mentoring, the credits must be apportioned between them.

What happens to some of the existing mentoring programs around the state? Oregon has long benefited from established mentoring programs operated by local bars, specialty bars, law schools and law firms. We identified most of those established programs and involved them in developing the OSB program. The OSB program incorporates many elements from those successful programs. Many of those programs will need to modify their curriculums slightly to support the NLMP, and will become partners with the OSB in moving forward. If an in-house firm program adjusts to fit in the core elements of the program, for instance, it would continue to operate with those modifications and could meet the requirements of the NLMP.