



# The Importance of Mentoring

**G**iving back. That is a large component of what we do at the State Bar of Michigan. Whether it is fundraising for the Access to Justice Campaign, participating in various pro bono projects, or traveling to Washington, D.C., to seek congressional support for funding of the Legal Services Corporation to support civil legal aid, the State Bar and its membership can rightfully take pride in what it gives back to the community.

But to a certain extent, charity should begin at home, particularly with a profession that continually seems to find itself under attack. The problems that the profession is facing—declining business activity, emphasis on short-term profit but not long-term values, and increased competition throughout the profession—are real. They are not just the products of grouchy nostalgia. Nevertheless, a way to increase our “home charity,” a way for the more senior lawyers to give back and concomitantly improve the profession, is through a revitalization of the mentoring process.

By mentoring, of course, I mean the invaluable relationship that a junior lawyer forms with one or more senior lawyers. The senior lawyer gives feedback, guidance, and advice, perhaps unaware that his or her actions serve as lessons for the younger lawyer. The younger lawyer learns from the more senior lawyer how to behave in a host of situations—with judges, clients, opponents, peers, and staff. The younger lawyer has a role model, a guide for conduct in the myriad situations that will confront the lawyer in his or her professional life. Such relationships, while particularly important for young lawyers, can last long into middle age, with the junior—though now experienced—lawyer still seeking advice and support from the senior colleague. Indeed, it could be persuasively argued that no one has ever succeeded without a mentor.

Unfortunately, I believe the time-tested system of one-on-one training is foundering. Doubtless, one reason is the increased pressure on all lawyers to meet client demands and seek new business, particularly in times of economic decline or stagnation. Absent business growth, more senior lawyers hoard work rather than delegate it to junior lawyers. Pressure from clients for partners to do the work themselves and not involve junior associates is a contributing factor. Some clients question the value of less-experienced lawyers and refuse to pay for their time. And yet another reason may be the pressure to clock billable hours; this decreases the time spent on invaluable non-billable activities, including the simple but critically important task of building personal relationships.

Is there a way to recapture the lost habit of mentoring for all lawyers? I think so. Law firms, local and affinity bar organizations, and the State Bar need to realize the importance of mentoring and pick up the mantle. Effective mentoring programs can ensure a better work product and act as a check against malpractice. When a junior lawyer is in a supportive relationship, he or she can ask for help, admit mistakes, and seek assistance before problems become crises. A mentor can help a junior lawyer be more effective in difficult situations—teaching him how to behave in a deposition when opposing counsel is uncivil, what to do when she is the only woman in a negotiating session and her older male opponent makes a suggestive remark,

or simply where to stand in the courtroom when addressing the judge.

The time-honored way to train is to work on a case together. Handling a pro bono case can be a particularly rewarding experience. The senior lawyer oversees the matter and can give the junior lawyer responsibility for significant aspects of it. Such an experience also demonstrates to the junior lawyer the importance of pro bono work.

Although the mentoring burden largely falls on the shoulders of the more senior lawyer, the process itself should be viewed as a two-way street. Young lawyers need to learn how to become self-starters and must take responsibility for the development of their own careers. They need to seek out those who are said to be good trainers and ask to work with them. Young lawyers must not be afraid or too proud to ask for help. Simply stated, they need to become involved in their own mentoring process.

The mentoring process can even begin at the law school level, through programs like the Thomas M. Cooley Law School externship program. Each student at Cooley is required to complete a minimum of three credits of an intense clinical experience. Students can complete those credits by externing with an attorney who serves as their field supervisor. The attorney's role as a field supervisor is exactly that of a mentor. The student shadows the attorney and gains valuable practical experience from projects that the attorney assigns. Since the externship may be the

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student's first work experience in the legal profession, the field supervisor will play a crucial role in shaping the attorney that student will become.

Another great mentoring opportunity is the American Inns of Court. Michigan has a number of Inn of Court chapters, including Centennial Chapter American Inn of Court, Gerald R. Ford American Inn of Court, Michigan State University College of Law American Inn of Court, Oakland County Bar Association American Inn of Court, Thomas M. Cooley American Inn of Court, and University of Detroit/Mercy American Inn of Court. The mission of the inns of court "is to foster excellence in professionalism, ethics, civility, and legal skills." The inns of court have adapted the traditional English model of legal apprenticeship to fit the American legal system, giving members an opportunity to learn alongside colleagues with varying experience.

Membership in each inn is comprised of judges, lawyers, and sometimes law professors and students. They meet monthly to hold programs and discussions on a variety of topics. Membership of an inn is broken down into four categories based on member status and experience: Masters of the Bench, Barristers, Associates, and Pupils. The members are then divided into pupillage teams consisting of members from each category. Each team puts on one program a year and meets outside of the monthly meetings. In addition to the pupillage teams, each less experienced attorney is teamed up with a more experienced member who will act as mentor. This provides a great opportunity for the less experienced attorneys to learn from the more experienced inn members.

Whether it is through individual lawyers and their law firms, bar organizations, law school apprenticeships, or programs like the American Inn of Court, we must revive and revitalize mentoring for the long-term betterment of our profession. The values of the legal profession have historically been passed down by more senior members of the bar to the junior members. Mentoring will do more than train lawyers well. It will restore to our practice much of the enjoyment that has been lost. We owe that to our future generation of lawyers and to ourselves. ♦