

Episodic Mentorship: A Professionalism Tool We Should Sharpen



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To be called to the bar as a solicitor or barrister in Canada, each candidate must fulfill a 10-month articling or staging term as part of the licensing process. The prospective attorney works as a clerk with an approved articling principal who provides an instructional assessment. The candidate also must complete an online professional responsibility and practice course or take a skills course during the articling term. In other professions, physicians have a residency requirement, educators have a one-year student teaching requirement, and skilled trades have apprenticeship and journeymen requirements. Other than graduating from an ABA-approved law school and passing the bar examination, Michigan attorneys have no practical, real world requirements before being fully admitted to the practice of law.

Law schools have attempted to address this practice gap by instituting and staffing clinics, but not all students participate. Before law schools were common in the United States, most people entered the legal profession through reading law, a form of independent study or apprenticeship, under the supervision of an experienced attorney. To nurture new attorneys, other states prescribe mandatory continuing legal education or mentoring relationships. The states of Georgia, South Carolina, and Utah require that new attorneys have mentors.¹

In Michigan, how are young attorneys to learn appropriate ethical and professional behavior, critical skills, work and personal life balances, the specifics of a practice area, and similar transitional aspects of development from young to experienced attorney? Larger law firms mentor their new associates, but only 28 percent of active Michigan attorneys in private practice are in firms of 11 or more attorneys. Of the 72 percent with fewer



Former State Bar of Michigan President Thomas Cranmer (left) and Mount Clemens attorney William Staugaard shared their experiences with Thomas M. Cooley Law School students at the school's Auburn Hills campus on May 8, during the first ever professionalism orientation jointly sponsored by Cooley and the State Bar of Michigan. Highlights of the program were the small group discussions among veteran attorneys, judges, and incoming law school students on a range of topics.

Photo courtesy of Thomas M. Cooley Law School

than 11 attorneys, 38.9 percent are in solo practice. Some local and special-purpose bar associations have traditional mentor/mentee programs, but busy solo and small-firm attorneys are reluctant to commit to a long-term relationship.

The benefits, however, of just a very small investment of time are incalculable. Mentoring episodes will pass on the intricacies of legal practice to the next generation of attorneys. They will engender excitement for learning, develop competency, impart empowerment and sense of worth, increase the desire for connection, and generally contribute to professional development.

Episodic mentorship can occur at State Bar section and local or special-purpose bar association meetings and programs. Sections and bar associations are constantly looking for ways to attract new, younger members. Offering opportunities for mentoring epi-

sodes will boost membership and program attendance. Episodic mentoring can occur at State Bar Annual Meetings and Institute of Continuing Legal Education seminars. Sometimes mentoring episodes can occur at a courthouse where young attorneys can engage experienced attorneys in discussion or through shadowing. With e-mail and other new communication technologies, long distance mentoring is possible. The Florida Bar has an e-mentoring program.

I encourage our experienced members to engage in episodic mentoring. It requires only a few minutes of your time and there are no long-term commitments. Every member has 5 or 10 minutes to mentor a newer attorney. Just as iron sharpens iron, one attorney sharpens another. Allow newer attorneys to observe, question, or engage you in discussion. Younger members should intentionally seek out places to interact with

experienced attorneys and have significant mentoring opportunities. Be receptive when another attorney wants to help.

This call for episodic mentorship has been extended to law students. The State Bar's hugely successful Professionalism in Action program introduced incoming Thomas M. Cooley Law School and Michigan State University College of Law students to ethical issues at a half-day orientation led by judges and top lawyers in the state. All Michigan law schools have now expressed an interest in adopting this program as an element of their orientation. In October, at the State Bar section chairperson orientation, I encouraged sections to plan meetings or programs at law schools. Michigan law schools usually welcome these types of events, especially when students are invited. During October, 15 State Bar sections interested students in membership at a sections fair in Grand Rapids. Many State Bar sections waive dues for law students, thus making it easier to participate in section activities.

By learning together, our profession will continue to serve and protect the public, improve the legal profession in Michigan, and

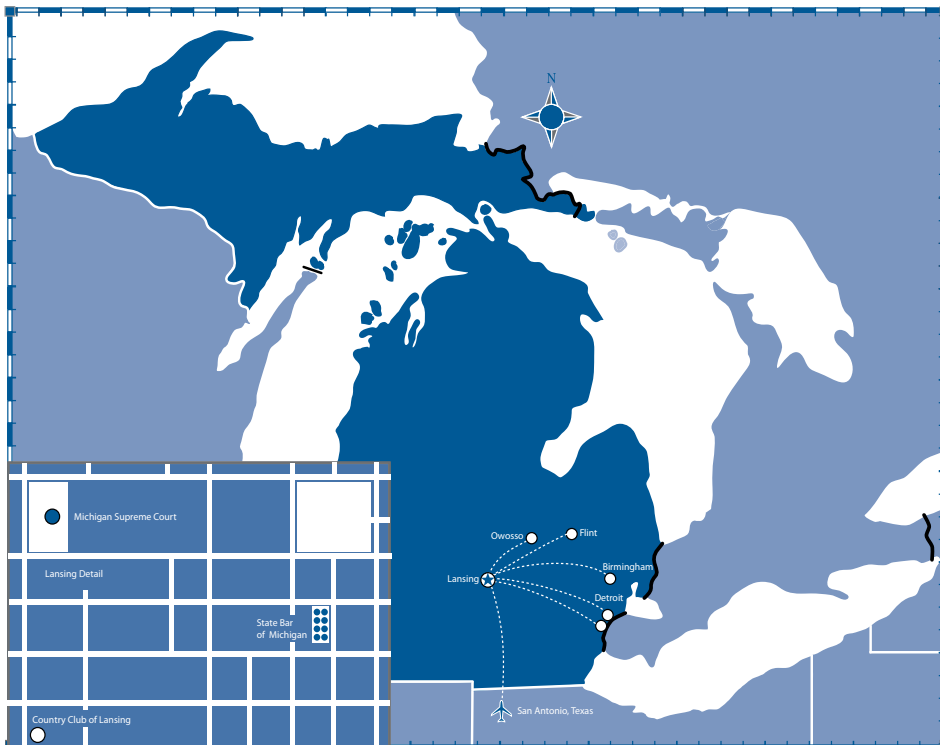
effectively promote access to justice for all. As a profession, we must partner with our newer members to prepare them for the proficient and ethical practice of law at the highest level of professionalism.

Allow me a point of personal privilege: I wish you a very fulfilling and meaningful holiday season. ■

Many of the ideas expressed in this article are from the Portfolio Project at Thomas M. Cooley Law School, headed by Associate Dean Amy Timmer, and a work group investigating ways to empirically measure traditional and episodic mentoring experiences. The work group includes Associate Dean Dawn M. Pickard and Assistant Professor Eileen S. Johnson, Oakland University, Department of Education and Human Services; Associate Deans Timmer and Toy, Thomas M. Cooley Law School; and Executive Director Janet K. Welch, State Bar of Michigan.

FOOTNOTE

1. GA State Bar Rule 8-104(D); Supreme Ct. of South Carolina Order 2009-0723-01; and UT State Bar Rule 14-808.



State Bar President Charles Toy's second-month travels were closer to home.