

WESTERN DISTRICT OF WISCONSIN BAR ASSOCIATION MENTORSHIP PROGRAM

June 14, 2011

This packet contains the procedures for the Western District of Wisconsin Bar Association's Mentorship Program, as well as forms for mentors and mentees to use. If you are interested in participating in the program or serving as a mentor, or have any questions regarding the program, simply contact any of the following:

Andrew Clarkowski
Axley Brynelson, LLP
2 E. Mifflin Street, Suite 200
Madison, WI 53703
Direct Line: 608-283-6705
aclarkowski@axley.com

Lynn M. Stathas
Reinhart Boerner Van Deuren s.c.
22 East Mifflin Street, Suite 600
Madison, WI 53703
Direct Line: 608-229-2205
lsthathas@reinhartlaw.com

Richard Briles Moriarty
Assistant Attorney General
Wisconsin Department of Justice
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857
Direct Line: 608-267-2796
moriartyrb@doj.state.wi.us

WESTERN DISTRICT OF WISCONSIN BAR ASSOCIATION MENTORSHIP PROGRAM

The Western District of Wisconsin Bar Association (WDBA) Mentorship Program is intended to match new attorneys with experienced practitioners in the Western District. In light of the fact that there are already excellent mentor programs available, including the Dane County Bar's mentorship program, the intent of WDBA's program is to focus more on sharing procedure and practice tips and expectations for our District Court. However, a broader mentorship experience is also possible, and participants are encouraged to define the scope of their mentor/mentee relationship so that both are comfortable with and enjoy the program.

The Mentorship Program guidelines and procedures set forth below are based in large part on the procedures for the Dane County Bar's program—which are used with permission, and for which we extend our thanks.

Program Parameters. Attorneys in their first 5 years of practice qualify to participate. Practicing attorneys with more than 10 years of practice (preferably with an emphasis on matters before the Western District) qualify to participate as mentors. Mentees may provide the Program with their area(s) of practice/interest (such as civil or criminal litigation) and the Program will seek out and match them with a mentor with the same areas of practice/interest. Appointments are made on an ongoing basis, subject to availability of mentors.

Mentees and mentors have the opportunity to request a change of mentor or withdraw from mentorship, respectively, without disclosing a reason. After two requests for a change or

withdrawals within a one year period, a participant can be disqualified from participating in the Program.

We suggest that mentors and mentees meet at least quarterly. **Among the matters to be discussed could be ethics, professionalism, legal etiquette, civility, relationships with clients, other attorneys, the judiciary and the public, professional work habits, organizational skills and practice management, economics of practicing law, and responsibility and opportunities for pro bono work, bar activities, and community service.**

Parties to the Mentorship Program are cautioned:

1. Not to reveal client confidentiality;
2. Not to engage one another to represent or assist in the representation of a client;
3. Not to use the Program for employment recruitment; and,
4. To respect the time limitations of each other.

The mentoring relationship should foster the development of the mentee's practical skills, increase his or her knowledge of legal customs and create a sense of pride and integrity. The mentoring relationship should improve legal ability and professional judgment and should impart the use of best practices and highest ideals in the practice of law.

GROUND RULES

- Mentor and mentee are to make every reasonable effort to meet in person at least quarterly. Each should be prepared to engage in meaningful discussion.
- Mentors should avoid lecturing, but should exchange ideas with mentees and should share "war stories" with mentees.
- Care should be given to avoid disclosing client identities and confidences and to avoid conflicts of interest should a client's identity be disclosed. The parties must ascertain that no conflict of interest exists before discussing the matter further.
- Mentors are not to be retained by the mentee, nor are they to perform legal services for the mentee. Mentors should avoid even the appearance of existence of an attorney/client relationship.
- Client written consent should be obtained before a detailed conversation takes place about a client's situation and problem.
- Mentees are encouraged to ask questions regarding substantive, practical or ethical issues they may encounter -- even the most basic questions. Telephone calls or emails are appropriate for this purpose, although excessive amounts of contacts for purposes of asking questions should not occur.
- The Mentorship Program is not to be used for employment recruitment.
- Mentors and mentees are to respect the time limitations of each other.

GUIDELINES

A. Basic Mentoring Concepts

- **Teaching** - The mentor should share with the mentee some of the specific skills and knowledge necessary for successful job performance or otherwise assist in the mentee'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 mentee 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 mentee. 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 mentee may benefit from experience that has taken a lifetime to accumulate.
- **Counseling** - The mentor may provide emotional support in stressful times. The mentor should listen to the mentee's concerns and communicate an empathetic understanding of those concerns. In addition, the mentor often helps the mentee clarify career goals and develop plans of action to achieve those goals.
- **Role Modeling** - The mentor serves as a person whom the mentee can emulate. Role modeling usually occurs subtly as an outcome of the relationship rather than by conscious design by either mentor or mentee.
- **Validating** - The mentor should evaluate, possibly modify, and finally endorse the mentee's goals and aspirations.
- **Motivating** - Validating involves helping mentees believe in their goals. In motivating, the mentor should provide the encouragement and impetus for the mentee 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.
- **Communicating** - The mentor should establish open lines of communication through which concerns can be discussed clearly and effectively. Expertise means little if it cannot be communicated.

B. Tips for Successful Mentoring

1. For the Mentor

- Do engage in the mentoring relationship prepared to exert energy and from time to time to experience frustration.
- Don't expect the mentee to adopt your precise style or comport themselves in the very shadow of your image.
- Do make yourself available at identifiable times and for briefer, impromptu questions. Don't frustrate your mentee by being unavailable or inaccessible, impatient or amnesiac about how hard the practice of law was for you in the earlier years.
- Do work consciously on your listening skills and create an atmosphere in which inquiries can be freely posed.
- Don't avoid the harder questions requiring judgment, but avoid being judgmental. Don't give up. Even if your efforts don't show tangible or consistent results, remember that mentoring is a long-term process and an important act, in and of itself.

2. For the Mentee

- Do be mindful of your mentor's schedule.
- Don't schedule a mentoring meeting and fail to show up on time.
- Do take initiative. Your mentor is likely to be busier than you are.
- Don't take offense if your mentor has to cancel a session or is a bit difficult to reach from time to time.
- Do express gratitude for your mentor's involvement and energies on your behalf. Don't take for granted how demanding it can be for most attorneys to mentor others.
- Do your part to develop the relationship so that your mentor will trust you and embrace his or her role in your career.

- Don't quarrel with the advice your mentor provides -- listen well, reach across your differences to accept the guidance you sought and need.

3. Things a Mentor Can Do

- Tell a career story. Share the highs and the lows of your career path.
- Mentor may want to use his/her personal influence to help the mentee gain exposure to special training, such as CM/ECF training or CLEs geared to federal practice.
- Talk about what you do:
 - General description of your job
 - Major tasks, subtasks, specific responsibilities
 - How your 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 stalled 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 and how you acquired them
 - Your recommendations to others for acquiring these skills and 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 your work
 - Obstacles or barriers you had to overcome to get where you are now

4. Things a Mentee 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 help.
- Interview your mentor about his or her career path. What were the barriers to overcome, the pitfalls along the way, about learning 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.

5. Things That Both Can Discuss

Talk About How Your Career Goals Affect Your Personal Life

- Family time
- Leisure time
- General health/diet/exercise
- Stress factors: tension, fatigue, burn-out
- Stimulation factors: 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 mentee can develop a satisfactory association where both are committed to meeting their responsibilities. By allowing each other the freedom to openly discuss and work on professional issues, without censure and on a regular basis, the mentee and mentor are well on their way to an enjoyable, stimulating and rewarding experience.

MENTORSHIP AGREEMENT-MENTOR

I, _____ agree to participate in the Mentorship Program of the Western District of Wisconsin Bar Association.

I have agreed to mentor _____.

I have read and understand the attached Ground Rules and Guidelines of the Mentorship Program and agree to observe their requirements.

My participation in the Mentorship Program is for the period of one year, but may be terminated by the Mentee at any time or by me with or without stating a reason for termination.

Dated this ____ day of _____, ____.

Mentor

MENTORSHIP AGREEMENT-MENTEE

I, _____ agree to participate in the Mentorship Program of the Western District of Wisconsin Bar Association.

I have agreed to be mentored by _____.

I have read and understand the attached Ground Rules and Guidelines of the Mentorship Program and agree to observe their requirements.

My participation in the Mentorship Program is for the period of one year, but may be terminated by the Mentor at any time or by me with or without stating a reason for termination.

Dated this ____ day of _____, ____.

Mentee