

Mentoring 101

Lawyers read the same books and refer to the same body of law. So why is one lawyer more successful than another – financially, personally and professionally?

Ability and drive provide only part of the answer. What often sets these lawyers apart is that they have acquired the **skills and wisdom** to more effectively apply the information and knowledge that all lawyers share. Some acquire it through “the school of hard knocks.” Others have been guided by a more experienced lawyer – either inside or outside their firm – and often have become more successful more quickly.

They have benefited from mentoring: the process of passing on skills and wisdom.

What is a mentor?

Mentors can be friends, colleagues, teachers or complete strangers, who typically have more experience in a relevant area. The mentoring relationship can be “formal,” with set roles, responsibilities and expectations, such as those found in the associate mentoring programs of larger law firms. More often than not, the relationship is informal, with the mentor acting as a sounding board for the less experienced practitioner. Mentors typically play four complementary, overlapping roles:

- Coach – show how to carry out a task or activity;
- Facilitator – create opportunities for learners to use newly acquired skills;
- Counsellor – help mentees explore the consequences of potential decisions;
- Networker – refer mentees to others when their own experience is insufficient.

For example, a mentor can help the mentee learn a new way to tackle a problem by

challenging the mentee’s working assumptions, and encouraging the exploration of new solutions – often with the assistance of other senior counsel.

Why do we need mentoring?

Mentees gain very personal, highly effective, real-world legal training that comes with the added benefit of the experience of the mentor. Networking opportunities enhance the mentee’s professional and personal growth. They interact with more senior members of the bar from whom they otherwise might be isolated. This breaking down of barriers means junior counsel get more diversity in their experience and more opportunity to present their abilities directly to those who could affect their career path.

Mentors also benefit – and not only through the personal satisfaction that comes with giving back to the profession or “repaying a debt” if they themselves were once mentored. For the senior lawyer, mentoring is another way of networking. Today’s new lawyer could one day be a junior partner whose skills you may need to rely on for a future file. Firms mentor to groom juniors and evaluate their abilities, with an eye to making them a partner some day.

But equally important are the very practical, risk management aspects of mentoring.

In today’s practice climate, the risks of being sued are very real. And the reality of claims is that it is a breakdown of the lawyer-client relationship – not actual errors or a lack of knowledge of law – that

is the single largest cause of claims. How do juniors learn about non-technical aspects of lawyering – about necessities such as proper file management, client communication, and situation handling, none of which can be found in a book or article? These skills and wisdom are only available from a mentor.

Incivility in the profession is another concern – and an underlying cause of claims. Helping juniors appreciate the potential consequences of a sharply worded letter, coaching juniors on how to conduct themselves in a civil manner in court or in meetings, fostering respect for the professionalism of the opponent: These are the “skills” that a mentor can best teach – for the benefit of the mentee and the profession as a whole.

Mentors also say that mentoring sharpens their own risk management skills. By helping others to manage the risks of practising law and determine the procedures and tools to use, mentors discover that mentoring is often a refresher in law, strategies and attitudes.

Mentoring is a win-win situation. The mentees gain new skills and wisdom. Mentors gain insight into their own abilities and get the satisfaction that comes from a sense of giving back to the profession. Mentoring can help reduce claims, which benefits both the individual and the profession, and it contributes to a better practice climate.

LPIC Claims Examiner David Clark is a strong proponent of mentoring and is involved with an LPIC mentoring initiative in which he mentors junior counsel working on LPIC files at several law firms.