



**GLOBAL OPPORTUNITIES FOR ADVANCEMENT AND
LEADERSHIP FOR WOMEN IN THE LEGAL PROFESSION**

Guide to Best Practices in Mentoring, Coaching and Championing

Effective mentoring is a strategic business investment with a high rate of return. “[I]n order to survive, PSFs [professional service firms] must revive mentoring, an institution that has been the chief casualty of hyper-competitiveness and rapid growth in these types of firms.”¹ The most important law firm assets are its lawyers; strategic and intentional investment in mentoring assets improves retention of the right people, enhances the capabilities of every lawyer and creates a pipeline of people who are ready for promotion and leadership. Creating a culture where mentoring is a natural attribute of daily interactions enhances a law firm’s ability to meet short and long term strategic goals. For these reasons, mentoring is a priority for Lex Mundi’s member firms and for Lex Mundi Global Opportunities for Advancement and Leadership for Women in the Legal Profession (GOAL), Lex Mundi’s Women’s Initiative.

The objective of this Guide is to provide practical suggestions and steps to enable law firms to acquire increased value and return on investment from time spent on mentoring, coaching and championing lawyers within and outside of their firms. The Guide first notes the key aspects of establishing effective mentoring, then defines mentoring and the terms associated with mentoring in the legal industry. Next, the Guide discusses potential returns on investment available from effective mentoring, including benefits for the mentee and mentor. The Guide then explores

formal and informal delivery mechanisms available for providing effective mentoring, and discusses institutionalizing a culture of mentoring so that it occurs informally on a regular basis. The Guide concludes with a discussion of the benefits of cross-cultural mentoring across gender and race.

Throughout the Guide, practical tips are provided for assessing existing programs or initiating new programs. At the end of the Guide, links are provided to mentoring resources and best practices provided by Lex Mundi member firms.

¹ Why Mentoring Matters in a Hypercompetitive World (Harvard Business Review, January 2008).



"Mentoring is built into the fabric of our firm in the practice group and firm wide levels as well as our women's groups where additional woman-to-woman mentoring is provided. At Michael Best, we regard mentoring as an important process where we encourage and assist our attorneys to reach toward their next goal and to take advantage of the many opportunities provided by the firm. All attorneys at Michael Best can benefit from the exchange of ideas that mentoring facilitates; as a result, our firm and our people are stronger and we are better able to serve our clients. We have all been mentored throughout our lives, and we feel an obligation at Michael Best to continue that process for the future leaders of our firm."

Billie Jean Smith, Partner, Michael Best & Friedrich LLP
(USA, Wisconsin)

Key Aspects of Mentoring

The key aspects of establishing effective mentoring at law firms involve:

- Understanding what mentoring is (and is not)
- Understanding the return on investment of effective mentoring for the firm, its mentors and its mentees
- Understanding what it takes for a firm to have a successful formal mentoring program
- Understanding what it takes for a firm to create and maintain a mentoring culture
- Understanding the pros and cons of utilizing mentoring resources outside the firm

Defining Mentoring Terms

Law Firm Best Practices

- *Training, while imperative, is not mentoring*
- *Mentoring, coaching, modeling and championing involve an investment in professional development and personal growth*
- *Trust is crucial to effective mentoring*

Mentoring is a word that gets overused in a manner that blurs its real meaning. If you asked partners in law firms today if they mentor younger lawyers, the vast majority of them would answer in the affirmative. Then, if you defined mentoring specifically and asked them the same question, very few would provide the same answer. The reason for this disparate result is that partners regularly engage in training more junior lawyers, but training, while essential, is not mentoring.

"Mentoring is of great importance for Roschier's career and personal development work and, therefore, also for the future of the firm. The development of our employees is an ongoing process, where mentoring is one part. Our internal mentoring program is formalized in the way that we have created internal processes making sure that we act consistently and to the purpose of the program. Mentoring at Roschier is deeply embedded in the way we function internally and is indeed part of our culture."

Anna Wrenna, Head of Competence Development, Roschier, Attorneys Ltd. (Finland)

Providing a lawyer the tools and skills necessary to complete a substantive legal assignment is training, not mentoring. For example, when a supervising lawyer provides an explanation of the client's industry or business, provides a memorandum of law written on a similar issue, explains the context for a particular specific assignment or describes the manner in which the assignment should be approached and completed, that lawyer is providing training for the more junior lawyer. Any activity which allows a lawyer to complete a substantive legal assignment is training.



Mentoring is something that should happen in addition to training. Mentoring has a number of forms, each of which will be defined below: mentoring, coaching, modeling and championing. There are no hard distinctions between these four concepts, and, ideally, any lawyer should have access to all four types of investments.

Mentoring is a reciprocal relationship that concerns professional development and personal growth. Both the mentor and the mentee should be getting something out of the relationship. The substantive conversations occurring in the relationship will involve the professional and personal goals and aspirations of the participants. An example of a mentoring topic is a discussion of how the mentee should prepare for the firm's formal evaluation process. "Mentoring occurs when an experienced lawyer takes a personal interest in one with less experience and helps the junior lawyer learn and advance."²

Coaching is a unilateral relationship that involves one party determining a personal or professional goal and seeking assistance in achieving that goal. The coach is sought out because of a particular expertise, a relevant set of experiences, access to opportunities, the ability to provide introductions or respected judgment that are necessary for the person seeking coaching to achieve the goal. A couple of examples of coaching topics that may occur at a law firm: the desire to get involved in a particular professional organization, to meet a specific person or a specific demographic of people, to develop a particular "go to" expertise or to give a speech in a particular forum.

Modeling is an opportunity to get to see someone experienced in "action." Some examples of modeling opportunities available at law firms include:

- A partner takes an associate to see the argument of a motion for which that associate did some research
- A senior associate takes a more junior associate to see a deposition the senior associate is taking in a case they are both working on
- A partner includes an associate at the table he/she has purchased for a civic event
- A partner invites an associate to lunch with a client

- A partner includes an associate in the group attending an industry conference and takes responsibility for introducing the associate to key players
- A partner takes an associate on a pitch to a potential client
- A partner invites an associate to see him/her give a speech at an outside professional organization

Modeling opportunities are rarely time that can be billed by the associate. Instead, it is an opportunity for the associate to invest in his or her career, by (1) getting a chance to see how "it" is done, (2) creating social capital with the partner or senior associate providing the model, and (3) demonstrating willingness to take the initiative and make an investment in his or her success.

The fourth variety of mentoring that should be available at law firms is championing. A champion is a mentor who gives the mentee a road map for success, "sits" down next to the mentee and navigates as the mentee implements the road map, and then "pounds the table" for the mentee when necessary. For example, on critical topics such as getting the right assignments, managing the evaluation, and compensation processes and partnership decisions, a champion shares the "secret" rules, assists the mentee in creating a game plan that has a high probability of succeeding, and then becomes an advocate for the mentee, as necessary. Another way to think about this concept is utilizing the analogy of a labyrinth for a workplace. A champion allows you to view the labyrinth from the top; that view provides the mentee a much clearer idea of how to successfully maneuver to the center than standing in front of a wall with a choice of right or left.³ Given the impact of the economy on the legal industry and the focus on profits per partner and revenue per lawyer as key financial indicators for law firms, it is increasingly difficult to make partner at a law firm, especially an equity partner. It has become almost a necessity to have a champion to successfully maneuver the pathway to partnership and master all the skills required of today's equity partners.

When moving from mentoring and coaching to modeling, and, ultimately, to championing, the level of trust necessary to establish and maintain the relationship continues to increase. Research done by the Minority Corporate Counsel Association relating to lawyers at private practice law firms, found that "trust involved a belief in the ability of the mentor

² *Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring* (Minority Corporate Counsel Association, page 9).

³ *Women and the Labyrinth of Leadership* (Harvard Business Review, September 2007).



or mentee to serve their needs and interests” and manifested itself specifically in these desires:

- Mentees “wanted to know that the mentor was a ‘go-to person’ who can get things done; would accept them for who they are; would not be judgmental or negative if the mentee sought help or asked questions; would speak up for them if the need arose;” and
- Mentors “needed to know that the mentees were capable, diligent and performing well.”⁴

Moreover, the mentee has to be in a position to demonstrate that they are worth the investment – that the mentee does high quality work and views their future to be with the firm. “The truth is that in today’s PSFs [professional service firms], with their limited resources, associates can no longer just expect to be assigned a mentor; they also have to learn to attract one.”⁵ More senior lawyers are unlikely to invest time and effort in mentees who do not appear to be “keepers” or who are not interested in staying.

Return on Investment

Law Firm Best Practice

- **Educate lawyers about the potential returns on an investment in mentoring**

Time spent mentoring can rarely be billed to a client and most law firm compensation systems do not directly value mentoring. Consequently, understanding the return on investment from effective mentoring is an important prerequisite to establishing a meaningful mentoring program or culture. There are material benefits to the mentee, the mentor and the firm for engaging in an active mentoring program as follows:

Benefits for the Mentee. Effective mentoring provides numerous benefits to mentees, including the following:

- Timely constructive feedback
- Access to the “secret” or “informal” criteria necessary to succeed
- Meaningful opportunities to create and enhance social capital at the firm
- A realistic view of how the mentee is being personally and professionally perceived by others

- The ability to access the due diligence necessary to develop a realistic career plan and to leverage the mentee’s efforts to implement a career plan

Benefits for the Mentor. Effective mentoring provides numerous benefits to mentors, including the following:

- Personal satisfaction from contributing to the development of another
- Loyalty from associates
- Access to information, perceptions and perspectives from a different level at the firm
- Ability to create leverage in the mentor’s practice and at the firm by having more junior lawyers ready for increasing responsibilities
- Improve profitability as more lawyers understand and take ownership of their path to success

Benefits for the Firm. Effective mentoring provides numerous benefits to the firm, including the following:

- Improved morale and satisfaction among lawyers
- Increased retention of the “right” people
- Decreased expenses due to lower attrition rates of the wrong people
- Increased teamwork
- Increased client satisfaction as the turnover on legal teams decreases and the competency and professionalism increases
- Improved sustainability of the business model and client relationship and short and long term profits as more lawyers are ready for promotion and leadership opportunities

The promotion of meaningful mentoring as a specific best practice for retention and promotion is discussed in the report of the *National Association of Women Lawyers Action for Advancing Women Into Law Firm Leadership* (July 2008) (“NAWL Action”). Informal mentoring relationships and formal mentoring programs positively impact a firm’s ability to “raise” complete lawyers. As stated in the report, a “complete lawyer” is one who:

- Has excellent substantive skills
- Has extraordinary client relationship talents

⁴ *Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring* (Minority Corporate Counsel Association, page 16).

⁵ *Why Mentoring Matters in a Hypercompetitive World* (Harvard Business Review, January 2008).



- Produces new business from key clients and new strategic relationships
- Effectively leverages billable work
- Not only manages substantive matters, but successfully and visibly leads on key issues inside and outside the firm

Mentoring practices have a specific positive impact on the retention of women partners. As noted by NAWL, "When women partners leave, firms lose in many ways. Not only do firms lose their investment in these lawyers, they lose important role models to junior women rising through the ranks."⁶ The benefits of an effective mentoring program and culture are material and immediate.

Formal Mentoring Programs

Law Firm Best Practices

- **Establish clear and realistic goals for the program**
- **Establish clear expectations for the participants**
- **Measure your program at least annually**
- **Modify the program as necessary and trouble shoot individual issues**

"Recognizing that the professional development of our associates and paralegals is critical to the firm's ability to provide exceptionally high quality legal services to our clients now and in the future, DRM has implemented a formal framework to encourage effective mentoring practices and to guide professional development. In addition to creating mentor job descriptions and providing training, we are working to implement creative mentoring strategies such as assigning senior associates who are on track for partnership to mentor paralegals."

Peter B. Robb, Managing Partner, Downs Rachlin Martin PLLC (USA, Vermont)

A. Creating a Formal Program: Goals and Expectations

Many law firms have developed formal mentoring programs that are intended to provide an assigned mentor to a specific demographic of lawyers (i.e., new first year lawyers, laterals, lawyers who are junior associates, new partners). Students graduating from law schools have come to expect that these types of programs will be available to them at the firms they join.

There are no right or wrong ways to create a mentoring program, but there are specific elements that every successful program should include:

- Leadership commitment
- Program goals and objectives
- Description of participants
- Program management
- Expectation of program participants
- Training
- Evaluation and measurement
- Communication

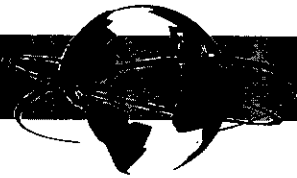
"Appendix A" to this Guide contains a table of formal program design elements that discusses each design.

If all that happens in a formal mentoring program is that more senior lawyers take the more junior lawyers out for lunch and tell them "war stories," a firm is missing the opportunity to better utilize what otherwise could have been billable time. "Appendix B" contains a list of potential topics that can be used to establish meaningful agendas for mentoring meetings.

In order to create more meaningful mentoring through a formal program, training the participants is often necessary. Further, many law firm lawyers supplement the mentoring available internally by participating in formal mentoring programs offered by outside professional organizations. These types of programs may offer the mentee access to "power" players in other businesses or a mentor who "looks" like them.

"Appendix C" to this Guide contains a list of potential topics that should be addressed in mentoring training. Mentoring training not only creates or enhances the skills of those participating in the formal program, it is a vehicle for strengthening the mentoring competencies for all lawyers at the firm, and increasing the effectiveness and likelihood of informal mentoring relationships developing outside of the formal program.

⁶ National Association of Women Lawyers Action for Advancing Women Into Law Firm Leadership (July 2008) ("NAWL Action, page 5).



"The key component of an effective mentoring program is a regular and comprehensive written evaluation that is discussed frankly and constructively with the mentee. This process takes a lot of effort, but our experience has shown that it is worth it."

Steve Joiner, Managing Partner, Rose Law Firm, a Professional Association (USA, Arkansas)

B. Assessing a Formal Program

Material resources are expended on formal mentoring programs, especially the value of the time invested by the participants. Assessing the effectiveness of a formal program to meet the firm's goals should be done at least annually. There are many mechanisms that are useful for gathering information and perspectives about the effectiveness of the formal program, including the following:

- Surveying the participants to distinguish between the responses of mentors and mentees to observe any statistically significant differences in response to the same question
- Establishing focus groups of participants, ensuring that mentors and mentees are in different groups and that the anonymity of comments is protected
- Interviewing participants

"Appendix D" to this Guide contains potential questions that could be used to assess a mentoring program.

C. Modifying and Troubleshooting

The regular assessment of the formal mentoring program will allow a firm to identify areas where the program is working well. These areas should be maintained and enhanced. Regular assessments will also allow the firm to identify areas where the program could be modified to optimize performance. Identifying and implementing these modifications encourages continued participation in the program and increases the firm's rate of return on its investment.

Every formal mentoring program will require troubleshooting, for example, when a mentor is not actively engaged, when one of the participants leaves the firm, or when the match of mentor and mentee was incompatible. Someone should be designated to address these issues

when they arise, instead of waiting until the end of the program. Active monitoring of the program is likely to assist in identifying issues quickly. Participants should have a mentoring program contact to reach out to with questions and concerns.

Informal Programs

Law Firm Best Practices

- *Utilize your formal program to create a culture of informal mentoring*
- *Address the reasons why partners do not invest in mentoring*
- *Address concerns about mentoring across gender and race*
- *Reward effective members*

"Mentoring plays an important role in how Day Pitney attorneys learn from each other, build an energized and collegial work environment and partner to support and sustain important firm values, including diversity. Leading by example, members of the Firm's Executive Committee, Department Chairs and Practice Group Leaders are among those who serve as mentors through our formal Associate Mentoring program and our Minority Attorney Mentoring program. Together with these firm leaders, Day Pitney's Director of Professional Development and Director of Diversity & Legal Recruiting oversee the firm's mentoring initiatives, providing guidance, support, resources and structure to ensure that our attorneys—those who mentor as well as those who are mentored—work together to promote effective legal practice through the sharing of experience and knowledge."

Lori Braender, Partner, Day Pitney LLP (USA, New Jersey)

A. Creating a Mentoring Culture

Formal mentoring programs are worthwhile in providing a bridge for newly arriving lawyers and the necessary mentoring training for all lawyers. Mentoring is most effective when it develops naturally, for example, through a



work assignment or a set of common interests. The formal mentoring program should be a conduit to creating a culture of mentoring which occurs on a regular basis for all lawyers. It should be clear that the firm does not expect that the only mentoring that will occur will be under the auspices of the formal program. The firm should clearly demonstrate that its expectation is that mentoring will be widespread and that partners and senior associates are expected to be investing time mentoring junior lawyers.

B. Why Don't Partners Mentor?

Even firms with formal mentoring programs often find that despite material investments in these programs, effective mentoring is not occurring broadly. The most probable explanation is that the partners are not investing time and effort in mentoring lawyers for various reasons. A number of factors may be involved such as:

- Partners are facing increasing billable hour or non-billable hour demands and they either do not have the time or do not prioritize their time to mentor.
- Before the economic crisis, the attrition rate at law firms had been accelerating at an alarming rate and partners are hesitant to invest in associates who are going to leave the firm, viewing it as a waste of valuable time.
- The younger lawyers do not “look” like the partners. The more junior associates are more diverse than the partners with regard to gender, race/ethnicity and sexual orientation. Mentoring used to occur when partners picked out someone who “looked” like they did fifteen years earlier and mentored them; with the changing demographics of the legal profession, that model no longer works. Conversely, the younger lawyers do not want to be “like” the partners and prefer to have a number of mentors as opposed to one mentor who they emulate.
- Clients do not pay for mentoring. Clients used to pay for an associate to attend a meeting or a deposition. Gone are the days when associates can participate in calls or meetings without active substantive participation. The lack of billable hour credit for mentoring time impacts partners’ willingness to invest the hours, especially if they will need to write off the time, impacting the associate’s profitability and realization rates.
- There are significant generational communication issues which directly impact mentoring (and attrition). One example is how different generations “define” accessibility.

A “baby boomer” partner will feel accessible to mentees because “my door is always open for them to come and ask me a question.” Alternatively, Generation X or Y mentees may feel that a mentor is accessible when the mentor proactively seeks them out and checks in regularly. This miscommunication results in the mentor believing he or she is mentoring, but younger generations perceiving a lack of mentoring.

- Law firm compensation systems do not, for the most part, incentivize mentoring. The systems strongly reward productivity with regard to billings and billable hours. Time spent by a partner investing in more junior lawyers is often viewed as either being “free” time or time that hurts the partner since it is not rewarded as billable work or business development

Each of these issues is real to many partners at law firms. In combination, they can become adverse to the creation of a mentoring culture. Consequently, acknowledging and addressing these rationales is important in fostering both formal and informal mentoring programs and the creation of a mentoring culture.

“One of the biggest challenges a firm faces is developing a successful mentoring program. You must listen to your firm’s language to develop your program. That is, you must tailor your program to suit your firm, your people and your strategic objectives. The mentoring relationship is meant to provide more than a passing on of knowledge and information. At its best, this relationship will allow individuals to reach their full potential as members of this profession while creating cross-generational bonds. That is a lofty goal.”

Sharan Sangha, Director, Professional Development and Recruitment, Farris, Vaughan, Wills & Murphy LLP
(Canada - British Columbia)

C. Cross-Cultural Mentoring Across Gender and Race

The gender and ethnicity demographics of junior lawyers are becoming increasingly more diverse, and are often materially different than the partners at their law firms. These differences have the potential to impact the development of trust in mentoring relationships if mentors and mentees are not trained to identify and address potential concerns. Firms



should create safe forums for participants to acknowledge and discuss these issues openly and directly provide suggestions and resources for participants on these issues. Ignoring, or putting these issues off-limits, increases the potential for them to negatively impact the mentoring relationship.

The most common reluctance expressed by male partners to mentoring across gender is a concern that the relationship will be misperceived. Gossip grapevines in law firms can do significant damage, especially to the mentee, and may disincentivize male mentors from actively mentoring women mentees. Given the low numbers of women partners in law firms, male partners need to be willingly available as mentors to women lawyers. Consequently, logistical solutions to these concerns must be discussed and firm leadership should demonstrate that destructive gossip will not be tolerated.

The most common reluctance expressed by white partners to mentoring across race is a concern that their advice may not be relevant to someone of a different ethnicity. While it may be accurate that a white male partner does not truly appreciate the experience of a lawyer of color or understand what it is like to be an ethnic minority, that same partner does understand what it takes to be successful at the firm. Given the low numbers of partners of color in law firms, white partners need to be willingly available as mentors to lawyers of color. To the extent that mentoring across ethnicity requires mentors to feel like they are taking more risks, mentoring training for both mentors and mentees should address these concerns and provide safe forums to problem-solve. Mentoring across ethnicity provides both mentors and mentees an opportunity to enhance their communication and inclusion skills.

Another concern expressed by white male partners regarding mentoring across gender and race is that they will say something unintentionally that is misinterpreted and consequently they will be labeled “racist” or sexist.” Effective mentoring relationships are built on trust. In mentoring relationships which involve mentoring across gender and race, both parties need to be willing to take risks and communicate about topics on which their comfort level may be low. Conversely, both parties need to be willing to give the other the benefit of the doubt and assume that no offense was intended. Both parties should be willing to provide constructive feedback; for example, the mentee might communicate to the mentor how the mentor’s remarks were interpreted (or why they were offensive) and offer an

alternative way to communicate the information without being offensive. “In all successful mentoring relationships, both parties respect, trust, and take a personal interest in each other. They make an effort to discover each other’s strengths, needs, values, and interests, and are committed to making their relationship work. The mentee is eager to learn from the mentor; the mentor is happy to impart encouragement, knowledge, and wisdom. Both parties are driven to acquire the information and knowledge they need to succeed. These characteristics are the same whether the relationship is formal or informal and whether the mentor and mentee are of the same or different genders, cultures, or races.”⁷

D. Reward Effective Mentors

Lawyers are, for the most part, very competitive by nature. If the model for “winning” at the law firm is redefined to include being an effective mentor, and the efforts of outstanding mentors are acknowledged and rewarded, then the firm will likely realize an increase in lawyers that are actively engaged in successful mentoring.

Best Practices from Lex Mundi Member Firms

In response to Lex Mundi’s recent survey on mentoring, several member firms have graciously provided practical samples and best practices from their mentoring programs for all Lex Mundi member firms to utilize as resources in developing or enhancing their mentoring programs. Responses to Lex Mundi GOAL’s Mentoring Survey, Mentoring Best Practice Examples from Lex Mundi member firms, and additional Mentoring Resources are located on Lex Mundi’s intranet’s GOAL webpage at: http://www.lexmundi.com/lexmundi/Best_Practices_Mentoring_Resources.asp.

Lex Mundi would be grateful for your feedback on this Guide and for any additional best practices on mentoring programs that can be shared with our member firms. For further information relating to this Guide, please contact Sandra Jacobson, Senior Manager, Professional Development (1.713.335.0129, sjacobson@lexmundi.com).

⁷ *Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring* (Minority Corporate Counsel Association, page 19).



APPENDIX A

Formal Mentoring Program Design Elements

Design Element

Leadership Commitment

Recommendations

Leadership commitment is a necessary prerequisite to a successful program. The firm's management must support the effort both in communications to others (formal and informal) and in committing the resources necessary to implement the program. The partners must believe that the program is important and understand its business case. The firm, its offices and its practice groups must *value* the time spent on the program.

Design Element

Program Goals and Objectives:

Why does the firm want a formal mentoring program?

Recommendations

Specific goals for the formal mentoring program should be established and promulgated. These goals should be used to determine the measurements that will be used for the program. Potential goals for a formal mentoring program include the following:

- Improve the substantive skills of the lawyers involved;
- Improve the professional development skills of the lawyers involved;
- Improve the communication skills of the lawyers involved;
- Improve the management skills of the lawyers involved;
- Improve the client relationship management skills of the lawyers involved;
- Improve the business development skills of the lawyers involved;
- Increase the amount of constructive feedback outside of the formal evaluation process;
- Create a social connection to the firm for the lawyers involved;

- Improve the rate of retention for lawyers and assist in eliminating any differences in the retention rates by gender or race;
- Improve the rate of promotion for lawyers and assist in eliminating any differences in the promotion rates by gender or race;
- Improve the integration of new lawyers; and
- Improve the satisfaction level of lawyers.

Once the goals are established, the other program parameters can be assessed against these goals. A baseline assessment can measure factors that allow the firm to achieve its goals. Specific measurements can be established with regard to each goal.

Design Element

Who is involved:

- Mentees
- Mentors

What is involved:

- Structure
- Matching

Recommendations

- Who will be included as mentees (i.e., new first year associates, junior associates, lateral lawyers, all associates, new partners, only women lawyers, only lawyers of color)? Will the program be voluntary for mentees?
- Who will be included as mentors? Will the program be voluntary for mentors? How will you ensure that some mentors do not bear a disproportionate share of the mentees?
- Mentors need to be committed to the mentoring program and its goals, competent to provide the coaching required by its design and willing and able to spend the requisite amount of time.
- Mentees need to be committed to the mentoring program and its goals and willing to spend the requisite amount of time.
- There are many ways that the program can be structured and serious consideration should be given to the structure vis-à-vis the goals for the formal program. Some potential structures include the following:



- Assigning an associate a mentor who is a more senior associate
- Assigning an associate a mentor who is a non-equity partner
- Assigning an associate a mentor who is an equity partner
- Assigning an associate both an associate and partner mentor
- Assigning a partner (especially a new partner) a mentor who is a “successful partner”
- Assigning a number of associates (3-5) and a number of partners (2-3) to a mentoring group
- Matching of the mentors to the mentees can be done in a number of ways, including the following:
 - By individuals who are aware of the strengths of all participants;
 - Based upon answers to a questionnaire by participants;
 - By allowing mentees to choose their mentors;
 - By allowing mentees to make a personal decision on some key factors that are critical to them such as whether their mentor is in the same practice group, how senior their mentor is, and whether their mentor “looks” like them (gender, race/ethnicity and/or parental status); and
 - Based upon the results of personality assessments.
- There is not a perfect system. Every system has pros and cons. For example, a program where mentees are matched with mentors in the same practice group has the advantage of mentors understanding the substantive practice area and the particular politics and culture of the practice group, and the disadvantage of a fear of attribution and retribution by the mentees during the formal evaluation process based on things that are learned in the mentoring relationship. A program where mentors are matched with multiple mentees has the advantage of providing a potential bonding experience for an entire group (all mentors and mentees) and the ability to be efficient in the dissemination of the same information to all mentees at the same time and the disadvantages of requiring a more significant time commitment from the mentor and less one-on-one contact for the mentees.

Design Element

Program Management:

- Billing number
- Oversight
- Monitoring
- Time period
- Troubleshooting

Recommendations

- A billing number should be established for the mentoring program so that hours spent on the program can be tracked. The firm should consider what value will be placed (at evaluation and compensation time) on hours productively spent on the mentoring program and how it will evaluate whose time has been “productive.”
- A person should be designated as the manager of the mentoring program. The program manager should be the person to whom participants can turn if they have questions or issues.
- The program manager should review the billing sheets on a monthly basis to determine if there are issues with matches or the commitment of participants.
- The formal mentoring program should have a specific time frame: preferably at least one year and not more than two years.
- The program should consider how mismatches or commitment issues will be addressed and how to prevent “retribution” against mentees seeking a change in mentor or against mentors who are not participating appropriately.

Design Element

Expectations of Program Participants:

- Who sets up meetings?
- Who sets the agenda?
- Is substantive skills development part of the program?
- What are the professional development skills that will be specifically covered?
- What are the minimum expectations?
- What is the expectation with regard to follow-up?
- What is the expectation with regard to accessibility?



- What is the expectation with regard to confidentiality, especially vis-à-vis the formal evaluation process?
- Perks for the mentors and mentees

Recommendations

- Setting out clear expectations about who, the mentor or the mentee, has the responsibility for setting up meetings prevents the program from failing because each party assumes the other one has the responsibility.
- The formal mentoring programs should specifically include professional development and success strategy skills (in addition to potentially substantive skills development). These types of skills will be essential to the success of the mentees.
- Formal mentoring relationships that focus on substantive skill development have a risk of being limited by the level of trust that can develop given the formal evaluation process.
- While the mentee should eventually have the responsibility for setting the agenda for each meeting, quite often, especially with more junior associates, the mentor needs to be proactive in raising key success strategy topics. Appendix B to this Best Practice sets out ideas on potential mentoring agenda topics.
- During the course of assignments, it is normal for informal mentoring relationships initially focused on substantive skill development to form. The formal program should not prevent or interfere with these naturally occurring informal relationships. Instead, skills developed and enhanced through the formal mentoring program should encourage the number and effectiveness of these informal mentoring relationships.
- The program should have specified minimum requirements, such as the parties will meet at least once a month. The program should encourage immediate conversations about the logistics of these meetings:
 - What is the preferred method of communication?
 - Is “dropping by” acceptable?
 - Is there a preference as to length of meetings, location of meetings, time of day for meetings, etc?
- The program should have clear expectations with regard to the follow-up that will occur in between meetings and how it will be communicated.
- The most effective mentoring relationships require a

mutual understanding with regard to confidentiality in order to establish and build trust. The program and/or the participants will need to determine the expectation regarding confidentiality that will attach to the mentoring relationship, especially vis-à-vis formal evaluations. Any exceptions to the expectation of confidentiality of the mentoring relationship should be clearly explained to all parties.

- Will the firm financially support the mentoring program? For example, will the firm pay for the mentors to take their mentees out to lunch? Can the mentor write off the mentee’s time spent at modeling opportunities?

Design Element

Training

Recommendations

All participants in the formal mentoring program should receive training. The training for mentors, mentees and those who are both mentors and mentees should have a different emphasis on the same information. Appendix C to this Best Practice sets out potential topics for mentoring training.

Design Element

Evaluation and Measurement

- Baseline assessment
- Feedback from participants
- Annual assessments
- Metrics
 - A baseline assessment can be developed based on the goals of the firm for its formal mentoring program. This assessment can then be used to measure progress toward achieving the firm’s goals and objectives.
 - The participants in the program should have the opportunity to provide feedback on how their relationships and the program are working and whether their relationships and the program are achieving the firm’s goals. The feedback can be obtained in a number of ways: surveys, questionnaires, focus groups or interviews.
 - Assessments should be done of the participants on at least an annual basis. Appendix D to this Best Practice sets out potential questions that could be used for such an assessment. Recommendations for modifying



the program can be developed based upon these results of the annual assessments and the comparison of those results to the baseline.

- Each goal for the formal mentoring program should have designated measurements. The assessments will allow the firm to determine the program's progress toward meeting the firm's goals.

Design Element

Communication

- Internally
- Externally

Recommendations

- The firm should communicate about the formal mentoring program.
- The formal mentoring program should be described on the firm's website and in its recruiting materials.



APPENDIX B

Potential Topics for Mentoring Meeting Agendas

Time management

- What should you do when you are busy?
- What should you do when you are not busy?
- How do you fit everything into 24 hours?
- How do you effectively balance other priorities such as parenting?
- What is the firm looking for vis-à-vis utilization and profitability?

Career planning

- What should you accomplish over the next 12 months?
- What kind of skill building assignments do you need? How will you get them?
- Do you need to develop a “go to” expertise?
- Who at the firm do you need to work with and why?
- Which clients do you need to work with and why?
- What firm/office citizenship activities should you seek out and/or participate in?
- What practice group activities should you seek out and/or participate in?
- What professional organizations are important and how do you get properly involved?
- What civic organizations are important and how do you get properly involved?

Assignments

- How does the assignment process *really* work?
- How can you utilize pro bono opportunities to build skills and visibility?
- How do you get the “right” assignments?
- How do you deal with the “wrong” assignments?
- How do you say “no” without negatively impacting your career?
- Who should you avoid? Who must you work for?
- How to do due diligence on new people with whom the mentee is assigned to work?
- How do you effectively delegate?
- How do you effectively manage other timekeepers?

Feedback

- How should you effectively seek timely feedback?
- What are you doing right?
- What could you do better?
- How are you perceived?
- How should you want to be perceived?
- What are your strengths? Your weaknesses?

Formal evaluation/review process

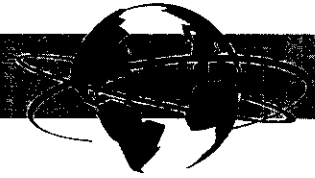
- How should you get prepared?
- How can you effectively advocate for yourself?
- How can you prevent being blindsided?
- How do you effectively utilize any opportunity you have to submit a written statement?
- How do you effectively utilize the evaluation meeting?
- How do you effectively respond to any feedback during the process? After the process?
- What resources are available to address any issues?
- How do you effectively follow up after your review?
- How did you do? What should you be doing?

Business development and marketing

- What are the firm’s expectations of you with regard to business development and marketing?
- What resources are available?
- What does effective business development look like?
- What does effective marketing look like?
- Who is good at it at the firm and why?
- What is your firm’s strategic plan? What is your practice area’s strategic plan? What is your office’s strategic plan?

Matriculation and partnership

- What is the promotion policy at the firm? Is it lockstep?
- What does it take to get promoted?
- What does it take to make partner?
- What is the process used for matriculation decisions?
- What is the process used for partnership decisions?
- How can you effectively prepare yourself for the process?
- What factors are within your control? Outside of your control?



Compensation and benefits

- How does the compensation system work?
- How does the bonus system work?
- What does your compensation mean about your ability to succeed?
- What do you need to do to make more money?
- What do you need to do to be more profitable?
- How do you utilize the firm's family leave policy?
- How do you utilize the firm's partner benefit policy?
- How do you utilize the firm's reduced schedule policy?

**APPENDIX C****Potential Elements for Firmwide Mentoring Training**

- Comprehensive review of the firm's goals and the formal mentoring programs expectations
- Discussion of the compatibility of the formal mentoring program with informal mentoring relationships that develop outside of the formal program
- Definitions of training and mentoring
- Discussion of what effective mentoring looks like and does not look like
- Discussion of the importance of trust and how to establish and maintain it
- Discussion of how to give and receive constructive feedback
- Enhancing effective communication skills, with a special emphasis on communicating across differences such as generation, gender, race and ethnicity and sexual orientation
- Problem-solving concerns on mentoring in general or specifically about mentoring across gender and/or race
- Specific discussion and problem solving opportunities involving real life mentoring scenarios
- Sharing of personal best practices and lessons learned
- Opportunity for discussion and problem solving of mentoring challenges



APPENDIX D

Potential Questions to Assess a Formal Mentoring Program

- Do you have a mentor at the firm?
- Do you have a mentor outside of the firm?
- Do you mentor anyone at the firm?
- Do you mentor anyone outside of the firm?
- What works well about the formal mentoring program?
- What could be changed about the formal mentoring program to enhance its effectiveness?
- What worked well in your relationship with your mentor (mentee)?
- What could you do differently to enhance your relationship with your mentor (mentee)?
- What could your mentor (mentee) do differently to enhance your mentoring relationship?

On a scale of 1-5, with 5 being very satisfied and 1 being very unsatisfied:

- How satisfied are you with your experience at the Firm?
- How satisfied are you with your experience with your practice group?
- How satisfied are you with the person who is your mentor (mentee) in the formal mentoring program?
- How satisfied are you with the formal mentoring program?



ACKNOWLEDGMENT

Lex Mundi wishes to thank Jane DiRenzo Pigott for assisting in the preparation of this Guide. Ms. Pigott is the Managing Director of R3 Group LLC, specializing in working with professional service organizations on leadership and change in connection with diversity and inclusion. Before founding R3 Group, as a practicing lawyer and practice group chair, Ms. Pigott served on executive, management and compensation committees where she developed and led diversity initiatives and affinity groups. She is working with Lex Mundi as an external consultant in connection with the implementation of the Lex Mundi GOAL strategic action plan.

Lex Mundi would also like to acknowledge the following member firms that have provided assistance in the preparation of this Guide:

Marval, O'Farrell & Mairal	Argentina
Clayton Utz	Australia
Liedekerke Wolters Waelbroeck Kirkpatrick	Belgium
Demarest e Almeida	Brazil
Farris, Vaughan, Wills & Murphy LLP	Canada, British Columbia
McInnes Cooper	Canada, Nova Scotia
Blake, Cassels & Graydon LLP	Canada, Ontario
Dr. K. Chrysostomides & Co.	Cyprus
Pellerano & Herrera	Dominican Republic
Lepik & Luhaäär LAWIN	Estonia
Roschier, Attorneys Ltd.	Finland
Grant, Joseph & Co.	Grenada
LOGOS Legal Services	Iceland
S. Horowitz & Co.	Israel
Basham, Ringe y Correa, S.C.	Mexico
Koep & Partners	Namibia
Houthoff Buruma	Netherlands
Simpson Grierson	New Zealand
Advokatfirmaet Thommessen AS	Norway
Rizvi, Isa, Afridi & Angell	Pakistan
Arias, Fábrega & Fábrega	Panama
Estudio Olaechea	Peru
Uría Menéndez	Spain
Afridi & Angell	United Arab Emirates
Snell & Wilmer L.L.P.	USA, Arizona
Rose Law Firm, a Professional Association	USA, Arkansas
Richards, Layton & Finger, P.A.	USA, Delaware
Case Lombardi & Pettit A Law Corporation	USA, Hawaii



Hawley Troxell Ennis & Hawley, LLP	USA, Idaho
Baker & Daniels LLP	USA, Indiana
Wyatt, Tarrant & Combs, LLP	USA, Kentucky
Bernstein Shur	USA, Maine
Briggs and Morgan, P.A.	USA, Minnesota
Sheehan Phinney Bass + Green, P.A.	USA, New Hampshire
Day Pitney LLP	USA, New Jersey
Rodey, Dickason, Sloan, Akin & Robb, P.A.	USA, New Mexico
Womble Carlyle Sandridge & Rice, PLLC	USA, North Carolina
Nilles, Ilvedson, Plambeck & Selbo, Ltd.	USA, North Dakota
Bass, Berry & Sims PLC	USA, Tennessee
Van Cott, Bagley, Cornwall & McCarthy	USA, Utah
Downs Rachlin Martin PLLC	USA, Vermont
Steptoe & Johnson LLP	USA, Washington, D.C.
Michael Best & Friedrich LLP	USA, Wisconsin