

The Interview

Chief Justice Wallace B. Jefferson on the Values of the Legal Profession, Mentoring, and the Transition to Practice Program



THE STATE BAR OF TEXAS TRANSITION TO PRACTICE PROGRAM, A LOCAL BAR MENTORING PLAN FOR NEW LAWYERS, BEGAN IN 2009 UNDER THE LEADERSHIP OF THEN-PRESIDENT ROLAND JOHNSON OF FORT WORTH.

Many metropolitan and county bar associations have used the State Bar plan successfully to construct their individual programs. The plan is available at texasbar.com/transitiontopractice. The mentoring program provides

new Texas lawyers with practical guidance from experienced lawyer-mentors about what it means to be a lawyer, the values of our profession (honesty, integrity, and civility), and how to guard against the traps, snares, and pitfalls that new lawyers will encounter in the early years of their practices. It helps equip these lawyers with the tools for success as competent, ethical, effective attorneys who approach the practice of law as a profession, with a calling to service. Roland Johnson, past president of the State



Bar of Texas, spoke with Texas Supreme Court Chief Justice Wallace B. Jefferson about the importance of educating our new lawyers in the values of our profession and how *Transition to Practice* facilitates that purpose.

Q: Chief Justice Jefferson, thank you for taking the time to talk with us. First, let's talk about professionalism as a concept in our legal profession and mentoring. Do you see a connection there?

A: I do. Professionalism is about practicing law consistent with our values of honesty, integrity, and civility. It is, at its core, about representing a client vigorously with a healthy regard for the respect owed to the court, opponents, clerks, witnesses—respect to all engaged in legal disputes. Mentoring is as old as our profession. It has always been a means by which experienced lawyers give beginning lawyers the skills and tools of our profession. Through mentoring, the experienced lawyer can make clear to our beginning lawyers that we have certain embedded values that must always be observed.

Q: We have embedded the values of our profession in the Texas Lawyer's Creed—A Mandate for Professionalism. What is the most important message in the creed?

A: The Supreme Court of Texas established the creed by our order of Nov. 7, 1989. It is an aspirational standard for all lawyers and provides: "The conduct of a lawyer should be characterized at all time by honesty, candor, and fairness." We are committed to these values and to eliminating any practice—even if committed by only a small segment of the bar—that employs abusive tactics. This sort of conduct disrespects our citizens and clients and brings the profession into disrepute.

Q: Don't law firms and law schools take care of cultivating these values?

A: Firms and law schools are critical components of this effort. But we must do more. Many new lawyers begin their careers as sole practitioners, and are therefore not surrounded by mentors as they take on the huge responsibility of representing a client. And while law schools teach professional responsibility very well, the focus is often on how to think as a lawyer, rather than how practically to engage with adversaries and the courts in real cases. And we must be aware of the fact that, in this economic climate, many law graduates have difficulty finding a job. I believe that the organized bar must find a way to reach those lawyers.

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Q: How has the organized bar taken on mentoring?

A: The *Transition to Practice* mentoring program is one way. You were wise to initiate that program during your term as president. It is useful because it provides a written model for local bars to create their own mentoring programs. The model was adapted from the successful Dallas Bar Association *Transition to Law Practice* mentoring program that was started in 2007. It has helped at least nine metropolitan and county bar associations create mentoring programs. The program can easily be adapted to the needs of small and large associations and is suitable for adoption by law firms.

Q: Is the *Transition to Practice* model meant to be a substitute for law firm mentoring and training programs?

A: Definitely not. It is a supplement. Law firms are encouraged to identify lawyers to mentor each of the firm's associates. In addition to providing special CLE programs tailored to the beginning lawyer, the *Transition* program provides a path for beginning lawyers to connect with their peers and their bar association. So the mentoring becomes an excellent way to network. And it is a resource for the sole and small firm lawyers who have little or no opportunity to interact with experienced lawyers in a mentoring setting.

Q: Please explain the model program and its format.

A: The model is available on the web page we discussed

earlier. It has a step-by-step format, with guides for how to set up a program, invite beginning lawyers to participate, recruit mentors, and provide CLE programs. The model proposes a one-year program that can be repeated for a new crop of beginning lawyers each year. After the beginning lawyers and their mentors are recruited and paired, a CLE program is presented every other month. The suggested topics include law practice time and case management, how to attract and retain clients, career development, malpractice prevention, and life balance. A constant theme is professionalism. In months where there are no CLE programs, the beginning lawyer and mentor are asked to meet at least once to discuss the prior month's CLE presentation and any concerns the new lawyer has. This is a setting where no question is too dumb to ask.

Q: Is this mentoring relationship intended to be a law practice affiliation?

A: No. The relationship is not an association for law practice nor are mentors there to provide legal advice. Instead, their best use is to share their insight about how to become skilled in the practice and how to act ethically and professionally at all times.

Q: What county and metropolitan bar associations in Texas have mentoring programs?

A: The Dallas Bar Association, Amarillo Area Bar Association, Austin Bar Association, Bell County Bar Association, Houston Bar Association, Lubbock County Bar Association, San Antonio Bar Association, Smith County Bar Association, and the Tarrant County Bar Association. These programs are not identical. Most used the *Transition* model to shape their format. The American Inns of Court has created a model mentoring program that borrowed many of the *Transition* model's themes. Many of the 18 Texas Inns of Court are beginning to use this mentoring model. The important thing about these programs is that they provide a path for beginning lawyers to develop as competent lawyers who understand the meaning of the Texas Lawyer's Creed.

Q: How can a beginning lawyer or a volunteer mentor become involved with a mentoring program?

A: They can call their bar association. If the bar has a program, the bar staff and members should be able to assist them. If the bar does not have a program, I encourage both beginning lawyers and volunteer mentors to establish one based on the *Transition* model. **TBJ**



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