

FREQUENTLY ASKED QUESTIONS

General

1. What is the goal of the Program?

The goal is to provide professional guidance to beginning lawyers who are newly admitted to the practice of law. This will be accomplished by matching beginning lawyers with experienced “guide”/mentors. The “guide”/mentors and beginning lawyers will participate in six CLE seminars that focus on practical skills and ethical values and professionalism and meet six additional times to discuss those matters addressed during the seminars.

2. How are “guides”/mentors selected?

They “guide”/mentor will be screened by the Program Committee, which will recommend mentors for appointment. Mentors must agree in writing to serve as a mentor.

Mentors must meet the following minimum qualifications:

- Be an active member of the State Bar of Texas, in good standing;
- Be admitted to practice for not less than five (5) years;
- Have a reputation among judges and peers in the local legal community for competence and ethical and professional conduct; and
- No sanctions, suspensions, or disbarments in any state from the practice of law.

3. Is a beginning lawyer allowed to choose his or her “guide”/mentor?

The assignment of mentors within a firm, office, or practice group will be based on the recommendation of the firm or other employer, subject to the stated qualifications for appointment as a mentor and compliance with the other requirements of the Program. If a beginning lawyer does not practice with an eligible “guide”/mentor, he or she will be asked to nominate his or her own mentor. The nomination must be approved by the committee. The committee will match a beginning lawyer with a “guide”/mentor if he or she is unable to nominate an eligible “guide”/mentor.

4. How are a “guide”/mentor and a beginning lawyer in the same firm matched?

The assignment of a mentor to a beginning lawyer within a firm, office or practice group will be based on the recommendation of the firm or other employer itself, subject to the qualifications for appointment as a mentor and compliance with the other requirements of the Program.

5. What criteria are used in matching a mentor and a beginning lawyer who are not in the same firm?

The committee will draw upon its own knowledge of potential mentors to make a match with a beginning lawyer.

The Program will attempt to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

6. What are the responsibilities of a “guide”/mentor in the Program?

The “guide”/mentor is responsible for counseling the beginning lawyer about practical skills discussed in the seminars, seasoned judgment, and sensitivity to ethical and professionalism values; devoting the time required for this assignment; and attending six Program seminars and meeting with the beginning lawyer at least six additional times for approximately one hour. At the end of the twelve month program, the “guide”/mentor will be asked to sign a certificate evidencing whether or not the beginning lawyer has attended the required seminars and other meetings.

7. What are responsibilities of a beginning lawyer in the Program?

A beginning lawyer is responsible for attending six seminars and making him- or herself available for the guidance and teaching of their mentors as described herein.

8. Are communications between the mentor and the beginning lawyer confidential?

For an inside the firm or office mentorship, the confidentiality of communications between the mentor and beginning lawyer will depend on the firm’s or office’s policies. For an outside mentorship, the beginning lawyer shall not reveal to the mentor any confidential communications between the beginning lawyer and the beginning lawyer’s client.

9. Will the “guide”/mentor supervise the beginning lawyer’s work?

For an inside firm or office mentorship, supervision of the beginning lawyer’s work is a matter to be determined by the firm’s or office’s policy. For an outside mentorship, the mentor is not expected to supervise the practice of law by the beginning lawyer.

10. What is the mentor’s role in evaluating the beginning lawyer within the firm or office?

The role of the mentor in evaluating the work and professional development of the beginning lawyer within the firm or office is a matter to be determined by the firm’s or office’s policy. The mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship. The mentor is responsible for assessing whether the beginning lawyer has satisfactorily completed the Program.

11. What is the “guide”/mentor’s role in evaluation of the beginning lawyer who does not work in the same firm?

The outside mentor assumes no responsibility for evaluating the work of the beginning lawyer. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship. The mentor is responsible for assessing whether the beginning lawyer has satisfactorily completed the Program.

12. What happens if the “guide”/mentor resigns from the firm or office or otherwise becomes unavailable to serve as mentor?

The mentor shall notify the Program of the situation. In the event the mentor is unable to do so, the beginning lawyer shall notify the Program of the situation. Decisions regarding how and whether to assign a new mentor will be made on a case-by-case basis. The committee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

13. What happens if the beginning lawyer resigns from the firm or office or otherwise becomes unavailable to continue to be mentored by the originally assigned mentor?

The beginning lawyer shall notify the Program of the situation. In the event the beginning lawyer is unable to do so, the original mentor shall notify the Program. Decisions regarding how and whether to assign a new mentor will be made on a case-by-case basis. The committee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

14. How will the Program deal with problems that arise in the relationship?

A mentor or beginning lawyer with a concern about the Program should convey it to the Chair of the committee.

New Lawyers

1. How do I enter the Transition to Practice Program?

Complete and return the application to _____. There is no cost to participate and the mentee need not be a member of the _____ Bar Association.

2. If I am a judicial clerk, does the Program apply to me?

Judicial law clerks are eligible on the same basis as other new lawyers.

3. If I am not employed as a lawyer, does the Program apply to me?

Yes.

4. If I am employed as a lawyer by a government agency, in a public interest law setting, or as in-house counsel, does the Program apply to me?

Yes. A lawyer who enters the practice of law as federal, state, local, or other governmental employee or in-house counsel may participate on the same basis as other new lawyers.

5. How do I obtain a “guide”/mentor?

If you are employed, you should attempt to secure as a “guide”/mentor, one of the qualified lawyers employed by your firm or law department or you may select another qualified mentor. If you are not able to select a “guide”/mentor, please note that you need a mentor on your application.

Law Firms (or Corporate or governmental law departments)

1. Is a mentor orientation required?

No. Mentor orientation is not required. However, at the first seminar, mentors and mentee will be advised of the expectations of the program and instructed on how to achieve the best results from a mentor relationship.

2. How does a firm or law department integrate an in-firm training program with the Transition to Practice Program?

The Program has been crafted to avoid duplication of law firm and law department in-house training programs.

Mentors

1. How is an outside “guide”/mentor selected?

A beginning lawyer who does not practice in association with a lawyer eligible to be appointed as a mentor will be asked to nominate his or her own mentor. The nomination must be approved by the committee. A beginning lawyer who is unable to identify a mentor shall note this on his or her application form. The committee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer. If a mentor cannot be found for a beginning lawyer, the committee will assign the beginning lawyer to a Mentoring Group. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings.

2. What criteria are used in matching a “guide”/mentor and a beginning lawyer who are not in the same firm?

The committee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer. The Program will attempt to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

3. If I agree to serve as “guide”/mentor to a beginning lawyer not in an employment relationship with me, what kind of advice am I allowed to offer?

All outside “guide”/mentors and beginning lawyers are required to sign the Transition to Practice Program Agreement (Agreement). According to the terms of the Agreement, the mentor is an educational resource for the beginning lawyer, and the purpose of the Mentoring component of the Program is to provide opportunities for the discussion of general issues confronted by the beginning lawyer in the practice of law. The beginning lawyer agrees not to ask the mentor for case specific advice or to give to the mentor actual names of clients. The mentor and beginning lawyer further agree to deal with any problems the beginning lawyer has in only a general, hypothetical manner.

4. How much time is a “guide”/mentor expected to spend with the beginning lawyer?

The mentor and beginning lawyer are expected attend each of the six seminars and to spend sufficient time to meet for a minimum of one hour at least once after each of the six seminars

5. Is the “guide”/mentor orientation required?

Mentor orientation is not required. The first seminar will address how the mentor and mentee should work together.

6. Are communications between the outside “guide”/mentor and the beginning lawyer confidential?

No. The beginning lawyer shall not reveal to the outside mentor any confidential communications between the beginning lawyer and the beginning lawyer’s client, according to the terms of the Agreement that outside mentors and beginning lawyers are required to sign.

7. What is the outside “guide”/mentor’s role in supervision of the beginning lawyer?

The mentor is not expected to supervise the practice of law by the beginning lawyer. The outside mentor shall offer the beginning lawyer extended education in the practice of law practice and provide insight about practical skills and ethical and professional issues frequently encountered by lawyers in practice. Neither the Program nor the outside mentor assumes any responsibility to the beginning lawyer’s clients for legal services performed by the beginning lawyer.

8. What is the outside “guide”/mentor’s role in evaluation of the beginning lawyer?

The outside “guide”/mentor assumes no responsibility for evaluating the work of the beginning lawyer. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship. The mentor is responsible for assessing whether the beginning lawyer has satisfactorily completed the Program.