View From the Bench

How Mentoring From a Judicial Perspective Differs From Private Practice

By Presiding Judge Martin Hoffman
IT SEEMS I GET ASKED ALMOST WEEKLY ABOUT WHY I’M SO INVOLVED IN THE JUDICIAL INTERNSHIP PROCESS. I COULD GIVE A VARIETY OF ANSWERS AND ALL WOULD BE TRUE. My interest in mentoring started when I was in high school. My parents were both professors, and a day didn’t go by that I didn’t think of following in their footsteps. Although I planned to go to law school as early as junior high, I always felt the tug of education. While in college, I even took the GRE and looked at applying to different graduate programs, but the lure of the law prevailed.

While in private practice, I worked with law clerks and high school interns, but the day-to-day grind of a busy law practice kept me from mentoring as I would have liked. I never served as a judicial intern during law school (I didn’t even realize that such an opportunity was available). Nor did I consider becoming a judicial mentor until right after I was elected to the bench in 2006. I became aware of the judicial internship program during my investiture. Due to the large number of new judges who were elected, the investiture was for all 12 new civil judges. I vividly recall Judge King Fifer’s touching speech about his internship with Judge Merrill Hartman and how it inspired him to become a judge. This was when I first decided to get involved in the judicial internship program. Many judges who had traditionally been involved in the program were no longer on the bench. Fortunately, the Dallas Association of Young Lawyers had already developed a strong judicial internship program. I got involved with the DAYL judicial internship program in 2007. I quickly learned that the ethical rules and actual process for mentoring from a judicial perspective were quite different than those for mentoring students in private practice.

JUDICIAL ETHICS FOR INTERNS

Advisory Opinion 286 of the Committee on Judicial Ethics addresses the role of judicial interns. This opinion clarifies that although judicial interns are not officially members of the court staff, they must still comply with all the judicial canons. Canon 2 dictates that a judge (and by extension his intern) shall not allow any relationship to influence judicial conduct or judgment. In addition, this canon dictates that a judge shall not lend the prestige of judicial office to advance the private interests of the
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The third component of the internship is social. I am active in the Dallas Bar Association, the Dallas Association of Young Lawyers, and the sister bars. It is rare that a week goes by that I don’t attend at least one legal event. I frequently bring my interns to events and other outings so they can learn more about the Dallas legal community. Judges tend to have the good fortune to attend a diversity of events. Many interns have used this as an opportunity to network and learn about new practice areas that they haven’t studied in school. This is frequently the part of the judicial internship program that my interns enjoy the most.

Over the past six years, I have loved almost every aspect of being a judge. Mentoring interns has been a highlight of this experience. Mentoring is usually beneficial both to interns and judges. Many students find it to be one of the most rewarding aspects of their legal education; while judges, like teachers, often learn from their interns/students. TBJ

NOTES
1. The American Bar Association Judicial Internship Opportunity Program and Dallas Bar Association Collins Clerkship program are two other active programs for minority interns. These programs both provide small stipends for interns unlike the DAYL and other programs.
2. This opinion states as follows:

SUMMER INTERNSHIP PROGRAM

Ethics Opinion Number 286 (2003)

Question: May a judge receive the benefits of a law student serving as a summer judicial clerk/intern who receives a monetary stipend from money raised and distributed by a local bar association’s foundation scholarship program funded by contributions from local law firms, businesses, private individuals and fundraisers sponsored by the bar association?

Answer: Yes, with certain qualifications regarding implementation of the program. Canon 4B provides considerable latitude to a judge regarding activities to improve the law. The Committee perceives this summer internship program to be primarily an educational endeavor which furthers the administration of justice, and should be permitted. However, the judge should avoid participating in any of the fundraising activities that might violate Canon 4C(2). Additionally, although the summer interns will not officially be employees of the judge to whom they are assigned, the Committee views them as court personnel who would be subject to all the provisions of the Code. Thus, the judge would be responsible for instructing the interns about their obligations and responsibilities under the Code.