

NEW LAWYER TRAINING PROGRAM



BASIC FACTS OF NLTP—MENTOR

Q: WHAT IS THE NEW LAWYER TRAINING PROGRAM?

The NLTP is a required mentoring program the Utah Supreme Court, in conjunction with the Utah State Bar, provides for new lawyers to facilitate their transition into the practice of law. The program requires new lawyers admitted to the Utah Bar to work with experienced lawyers over a twelve-month term.

The goal of the NLTP is to provide new lawyers with practical training in professionalism, ethics and civility. Moreover, the NLTP is a means for all Utah attorneys to learn the importance of organizational mentor, including the building of developmental networks and long-term, multiple mentoring relationships.

Q: HOW LONG IS A NLTP MENTORING TERM?

The NLTP mentoring term is twelve months. The start of the term depends upon when the new lawyer is admitted to the bar. New lawyers admitted in October (July bar exam takers) begin their mentoring term on January 1 following their admission. New lawyers admitted in May (February bar exam takers) begin their mentoring term on July 1 following their admission.

Q: WHY SHOULD I VOLUNTEER TO MENTOR?

The legal profession needs experienced and respected lawyers to help new lawyers acquire the practical skills and judgment necessary to practice in a highly competent manner. Historically, the profession has been concerned with: (1) the difficulties new lawyers face when leaving the academic environment of law school and enter the practical demands of law practice; (2) increasing perceptions of an erosion of professionalism and civility as the bar has grown over the years and lawyers have become less familiar with one another; and (3) increasing numbers of young lawyers leaving the profession due to growing dissatisfaction with their environment and law practice and balancing the demands of life.

As experienced lawyers, you have the ability to address these historic concerns and shape the future of the profession.

Moreover, mentoring relationships have been shown to be beneficial to both the new lawyer and mentor.

Q: WHAT ARE THE MINIMUM QUALIFICATIONS TO BECOME A MENTOR?

Qualifications for becoming a mentor include the following:

1. Minimum of seven years of legal practice;
2. No past or pending public or formal discipline proceeding of any type or nature by a court or a state bar;

3. Malpractice insurance in an amount of at least \$100,000/\$300,000 if in private practice;
4. Approval by the Utah Supreme Court's Advisory Committee on Professionalism.

Q: HOW DO I BECOME A MENTOR?

Lawyers who meet the above-listed minimum requirements and who are interested in becoming mentors must complete an application and submit the application to the NLTP Administrator. Mentor applications are available online on the Utah State Bar's website at www.utahbar.org/nltp and select either: (i) "Downloadable Mentor Volunteer Application"; or (ii) "On-line Mentor Volunteer Application." Both are located under the heading, "Mentor Forms."

Upon receipt of the application, the NLTP Administrator submits all applicant names to the Utah Supreme Court's Advisory Committee on Professionalism for consideration. Once approved, mentors receive a letter from the Court and their name is added to the "Mentor Volunteer List" which is available for review by new lawyers on the Bar's website.

Q: DO I NEED TO ATTEND ANY TRAINING TO BECOME A MENTOR?

Yes. Mentor training is required; however mentors only need to attend training one time. The mentor training is a two-hour program created by the Utah State Bar CLE Department and the Mentor Training and Resource Committee (MTRC). There are two methods of receiving mentor training: (1) attend the mentor training seminar offered once per year at the Utah State Bar; or (2) attend the online mentor training course available on the Utah Bar's website at www.utahbar.org/nltp and select "Online Mentor Training Video" under the heading, "Mentor Resources."

The training course is complementary to court-appointed mentors and is accredited for two hours of CLE in professionalism and civility.

Q: HOW DO NEW LAWYERS SELECT THEIR MENTORS?

The new lawyer is primarily responsible for finding a mentor and initiating contact with a potential mentor. To assist the new lawyer in finding his/her mentor, the Bar provide the names of all Court-appointed mentors.

In many cases, new lawyers will be paired with a mentor from within their firm or office. If a new lawyer is unable to find a mentor, he/she may contact the NLTP Administrator for assistance.

Q: WHAT ARE THE PRIMARY RESPONSIBILITIES OF A MENTOR?

The primary responsibilities of the mentor include the following:

1. Devote the time required to be an effective mentor which includes meeting with the new lawyer two hours per month;

2. Guide and teach the new lawyer practical skills, seasoned judgment, and sensitivity to ethical and professional values;
3. Devise jointly the new lawyer's mentoring plan;
4. Monitor the new lawyer's progress of the mentoring plan;
5. Certify at the end of twelve-months whether the new lawyer satisfactorily completed his/her mentoring plan.

Q: CAN MENTORING RESPONSIBILITIES BE SHARED WITH OTHER COURT-APPROVED MENTORS?

Yes. Frequently, a mentor is unable to assist the new lawyer on all of the activities included on the mentoring plan. In those situations mentoring responsibilities can be shared with other court-appointed mentors. The mentors should notify the NLTP Administrator when mentoring responsibilities are being shared.

Additionally, when mentoring duties are shared mentors are encouraged to maintain a record of the activities and time spent engaged in mentoring a new lawyer so that proper CLE credit will be allotted upon completion of the mentoring term.

Q: DO I RECEIVE ANY CLE CREDITS FOR MENTORING?

Yes. Lawyers serving as Court-appointed mentors receive a maximum of 12 hours of CLE credit (including two ethics credits) for their efforts with the new lawyer. However, if a mentor fails to serve the full twelve months or shares mentoring responsibilities, the mentor will receive CLE credits proportionate to the time served as mentor. Credits are awarded upon submission of the new lawyer's Certification of Completion for the NLTP.

Mentors who choose to mentor more than 1 new lawyer during a NLTP mentoring term only receive a total of 12 hours of CLE credit.

NOTE: Any experienced lawyers who are not approved by the Court but serving as informal mentors to a new lawyer are not entitled to CLE credit.

Q: I AM A MENTOR BUT I HAVE NOT BEEN ASSIGNED A NEW LAWYER. WHEN WILL I BE ASSIGNED A NEW LAWYER? DOES THE NLTP STILL NEED ME TO VOLUNTEER AS A MENTOR?

Generally, the Bar does not assign new lawyers to their mentors. Rather, it is the new lawyer's responsibility to select their mentor. New lawyers have access to the names of all Court-appointed mentors and their practice areas online at www.utahbar.org/nltp. Thus, the new lawyer decides who will serve as their mentor and makes the initial contact.

Although a mentor has not yet been contacted by a new lawyer to serve as a mentor, the NLTP encourages all mentors to remain available to mentor future classes of new lawyers.

Q: WHAT HAPPENS IF THE MENTOR BECOMES UNAVAILABLE TO SERVE?

If the mentor becomes unavailable to serve, the mentor shall inform the NLTP Administrator as soon as practicable. If the mentor is unable to notify the Administrator of the situation, the new lawyer shall notify the office.

However, if the mentor and new lawyer are in an inside mentoring relationship, the NLTP Administrator shall only be notified of the change in mentor assignment by submitting a Mentor Migration Form which is available online at www.utahbar.org/nltp and select “Mentor Migration Form” under the heading, “New Lawyer Forms.”

Completing the full year of mentoring in the original mentorship together is strongly preferred.

The NLTP has ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely. This includes determining the number of CLE hours the mentor is entitled for mentor services rendered.

Q: WHAT WILL THE MENTOR BE DOING DURING THE NLTP MENTORING TERM?

During the mentoring term, the mentor assists the new lawyer in working through his/her mentoring plan.

The mentoring plan is the curriculum for the program. It consists of a list of activities the mentor and new lawyer must choose so that both individuals have a roadmap of topics to cover during the mentoring term. Additionally, the mentor and new lawyer may discuss other issues as they arise during the new lawyer’s first year of practice but the activities outlined in the mentoring plan are those activities that the New Lawyer Training Committee identified as essential to the new lawyer’s development as a professional lawyer and they must be completed.

Q: HOW DO THE MENTOR AND NEW LAWYER CREATE A MENTORING PLAN?

The New Lawyer Training Committee which developed the New Lawyer Training Program, created a comprehensive Model Mentoring Plan that mentors and new lawyers can use to create their mentoring plan. Although certain components of the plan are required and must be included in all mentoring plans, the plan provides great flexibility in designing a plan that fits the needs and goals of the new lawyer. The new lawyer and mentor work together to ensure that the selected mentoring plan fosters discussion and implementation of professional skills and values.

The Model Mentoring Plan is available online at www.utahbar.org/nltp and select “Model Mentoring Plan” under the heading, “New Lawyer Resources.”

Q: THE MENTORING PLAN COVERS A VAST ARRAY OF LEGAL ACTIVITIES SOME OF WHICH I LACK SUFFICIENT EXPERIENCE. HOW DOES MY NEW LAWYER GET EFFECTIVELY MENTORED ON THESE ACTIVITIES?

The mentoring plan is extensive and provides an opportunity for new lawyers to tailor their plans to fit their legal practice. Occasionally, in an outside mentoring relationship, the mentor lacks experience in a particular legal area included in the mentoring plan. In those situations, the mentor should assist the new lawyer in finding another Court-approved mentor who possesses the experience to assist the new lawyer. Additionally, the new lawyer and mentor can seek assistance from the NLTP Administrator.

Q: WHAT HAPPENS IF THE NEW LAWYER DOES NOT COMPLETE THE MENTORING PLAN BY THE END OF THE NLTP MENTORING TERM?

The mentor has sole responsibility for certifying whether the new lawyer has satisfactorily completed the mentoring plan. Upon completion of the plan, the mentor completes the NLTP Completion Certification form and submits it to the NLTP Administrator. The Completion Certification form is available online at www.utahbar.org/nltp and select “NLTP Completion Certification” under the heading, “Mentor Forms.”

Failure to complete the mentoring plan shall be reported to the NLTP office. The NLTP office will work with the new lawyer to assess options for completing the plan and whether license suspension is at risk. The program will have discretion in allowing extensions for NLTP completion.

Q: WHAT HAPPENS IF THE NEW LAWYER COMPLETES THE MENTORING PLAN PRIOR TO THE END OF THE NLTP MENTORING TERM?

The NLTP is mandated by the Utah Supreme Court. Participants are required to complete the program in no-less than 12 months. The NLTP has discretion to recommend to the Utah Board of Continuing Legal Education the license suspension of any new lawyer who participates in the program for less than 12 months. Moreover, the NLTP has discretion to withhold CLE credits to those mentors who fail to mentor a new lawyer for 12 months.

The duration of the program was deliberate in light of the activities and subjects the Supreme Court felt necessary to provide adequate training to new lawyers. Although some activities can be performed quickly, many subjects and activities are complex and consistently arise in legal practice in a variety of unanticipated ways. It is the complex matters that require careful attention and discussion throughout the NLTP mentoring term.

However, if the requirements of the mentoring plan have been met, the mentor and new lawyer are strongly encouraged to complete the “optional” components included in the mentoring plan. Additionally, new lawyers and mentors shall continue to meet monthly throughout the twelve month mentoring term. New lawyers are required to keep track of subjects discussed with their mentor and include a list of those subjects in all subsequent Quarterly Reports submitted to the NLTP Administrator.

Q: HOW DO I GET ADDITIONAL INFORMATION ON MENTORING?

For additional information, contact the NLTP Administrator at (801)297-7026 or at *mentoring@utahbar.org*. Additionally, all NLTP materials and resources are available online at *www.utahbar.org/nltp*.