

Mentorship Handbook

Mentor Connect, Mentor Express and Indigenous Mentorship Program



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Part I: Why We Do This

The purpose of the Law Society's mentorship programs is to improve the professionalism and success of Alberta lawyers. These programs engage experienced counsel to guide those with less experience to realize their career goals and achieve greater personal and professional balance in their lives.

Specifically, a successful mentoring relationship will help lawyers and prospective lawyers to:

- · develop practical skills;
- · discuss career management issues;
- contribute to their sense of integrity;
- increase their knowledge of legal customs;
- obtain guidance and counsel on professional life as a lawyer;
- encourage the use of best practices and highest ideals in the practice of law; and
- improve leadership within their law firms, corporate legal departments, institutions (such as universities), not-for-profit organizations and the profession.

In order to be a mentor, and an effective one, one must care. You must care. You don't have to know how many square miles are in Idaho, you don't need to know what is the chemical makeup of chemistry, or of blood or water. Know what you know and care about the person, care about what you know and care about the person you are sharing with.

Maya Angelou

Mentees drive the conversations. They identify, and make known to their mentor, the professional skills, knowledge, attributes, or capabilities they want to address to improve their success and effectiveness as a lawyer.

Mentors ask questions. They listen. They may review material to better appreciate the mentee's strengths and weaknesses. They use their own experiences to identify and help the mentee overcome challenges and guide them in their decision-making.

Through all of this, staff from the Law Society's Mentorship team will play a supporting role by:

- providing and maintaining the online platform that hosts our mentorship programs;
- receiving confidential feedback from participants;
- responding to any concerns or requests for accommodation that may arise during the program;
- providing evaluation opportunities to mentors and mentees; and
- providing training to mentors.



This handbook describes the Law Society's mentorship programs and offers advice to make them work for you.

Part 2: Three Programs Are Available

The Law Society of Alberta operates three different mentorship programs: Mentor Express, Mentor Connect and the Indigenous Mentorship Program. All three are accessed through an online platform that hosts a mentor gallery for mentees to view and choose from. In all three programs, mentees select their own mentors rather than have a program administrator assign matches to them.

I. Mentor Express

In traditional mentoring programs, mentees are introduced to a single mentor. Since they might spend weeks or months getting to know each other, the time commitment can be considerable. For some lawyers, these long-term mentoring relationships simply do not work.

Mentor Express, on the other hand, is like online shopping. Mentees browse an online gallery containing mentor profiles and book a series of one-hour meetings with those they are interested in. Mentees meet a mentor only once but meet multiple mentors over the course of the program year. Mentors meet multiple mentees as well.

This approach provides mentors and mentees with exposure to a broader range of ideas and experiences.

This program runs from Sept.16 to April 30 annually.

2. Mentor Connect

In Mentor Connect, mentors and mentees meet with each other over a period of six months. They get to know each other, build trust and share ideas and experiences dealing with a wide range of topics.

Participants schedule their first meeting between Sept. 16 and April 30 but can hold subsequent meetings at any time of the program year, as frequently as they choose.

3. Indigenous Mentorship Program

The Indigenous Mentorship Program allows new lawyers, articling students or law students who identify as First Nation, Métis or Inuit to self-match with experienced Indigenous counsel. They meet one-on-one for advice, guidance and connections over a six-month period.

Although law students are not eligible to participate in Mentor Express or Mentor Connect, Indigenous law students are eligible to participate in the Indigenous Mentorship Program.

Indigenous mentees choose their own mentors through the mentor gallery.

Participants schedule their first meeting between Sept. 16 and April 30 but can hold subsequent meetings at any time of the program year, as frequently as they choose



Part 3: How Does It Work?

I. The Big Picture

The idea behind our mentorship programs is simple but powerful: helping mentees find great mentors based on areas of law, geographical proximity and similar interests.

Depending on the program, matches may be limited to just one meeting or can continue for up to six months.

2. I Never Got the Memo

The best mentoring relationships are those that are authentic, provoke curiosity and are built on mutual respect. Some reminders that can help you build this foundation are listed below.

I Never Got the Memo

Don't Reinvent the Wheel

You each have a wealth of experience to contribute and compare. Share your successes but also reveal mistakes you have made to learn from them.

• You Won't Find it in the Law Library

Much of what it means to practice law professionally and competently won't be found in any law book and can't be taught in law school. Think about the unwritten rules, the idiosyncrasies of practising and the practical effects of general legal concepts.

• The Courage to Listen

Courage is what it takes to stand up and speak. Courage is also what it takes to sit down and listen.

There's No Such Thing as a Dumb Question

The practice of law was unfamiliar territory to all of us at some point. No question should be off limits, no matter how inconsequential or obvious. A good mentor will ask and answer questions, lots of them, and will try to create an environment of trust.

Contacts and Introductions

As experienced counsel, mentors can help mentees develop better ties with the legal community. This might include attending bar association events together, sharing lunch or a coffee with colleagues, or attending court proceedings in a shared area of interest.



3. Responsibilities

A good mentoring relationship is a two-way street. You each benefit and are responsible for making it a success.

Responsibilities			
Mentors	Both	Mentees	
Be willing to share experiences, successes and failures.	 Discuss the scope of responsibility you each have. 	Respect your mentor's time.	
 Provide positive suggestions on issues like time management, managing difficult clients, client development, stress, management, and balancing work and home. 	 Arrive on time to meetings. Give sufficient notice before changing a meeting. 	Be open to feedback and advice. Get a second opinion if you disagree with your mentor's viewpoint.	
 Provide information that will help your mentee adapt to the culture of a professional environment. 	Show initiative and willingness to listen and learn.		
 Provide referrals to resources if further assistance is needed. 	 Neither person owes a duty of confidentiality to the other, but you should respect the confidentiality of the program and each other's privacy. 		
	 Discuss problem-solving strategies before trying them. 		
	Be honest.		
	 Give goals a deadline. Analyze where you are and measure how long you will need to complete them. 		
	 Back your mentorship plan with persistence and resolve. Never give up even when you hit setbacks. 		



4. Planning for Success

To get the most out of your participation, we encourage you to think strategically about mentorship and ask yourself some key questions before booking meetings:

- What am I hoping to get out of mentorship?
- How will choosing a particular program get me closer to that goal?
- What guidance or insight am I seeking?
- What are some questions I would like to ask?

Considering these things in advance will give mentees the opportunity to make the best use of their mentors' time and help mentors provide better insight when responding to mentees' questions.

Let your mentor/mentee know in advance of your meetings what you hope to cover with them. Thinking about these things in advance will help you to focus on what you hope to gain from the experience. Develop goals and provide yourself with a road map for things you want to discuss.

It can include a broad or narrow list of topics but should never be regarded as a closed book. Always remain open to discussing other issues as they come up and revisit others if circumstances change.

A Good Plan
Establishes clear goals.
Helps you understand each other's needs and evaluate whether you are the right person to meet them.
Identifies topics – professional or personal – that you want to deal with.
Sets boundaries for the relationship.
Determines how you will contact each other.
Establishes timing of future meetings.

Customize your plan to include the things that matter most to you. What follows are some suggestions. It is up to you to decide what topics to include and who you want to discuss them with.

Activities

Meet by video conference or at the mentor's office. If meeting in person, the mentor can introduce the mentee to other lawyers and support staff there. Tour the office to see how the mentor's practice is organized.



Activities

Explore the responsibilities and division of duties between lawyers, paralegals, assistants and other office employees.

Discuss office politics and boundaries for acceptable behaviour between lawyers and staff.

Discuss the unwritten rules of civility between lawyers and when dealing with members of the judiciary.

Discuss how to fit volunteer work into a busy practice. Familiarize the mentee with Legal Aid, Pro Bono Law Alberta, and opportunities for charitable work as a lawyer.

Consider time management skills and software.

Discuss terms to include in standard retainer agreements.

Discuss ways to protect client confidentiality.

Discuss how to recognize and deal with conflicts of interest.

Review law office management systems:

- Records of client-related expenses
- Billing systems and frequency of billings
- Document retention plan
- File recall and diary systems
- Online research

Identify common client management errors and malpractice complaints, how to recognize them and how to avoid them.

Compare how you deal with difficult clients and maintain good client relationships.

Discuss how to respond to difficult lawyers or judges, and what to do when the mentee encounters unethical conduct by others; the obligation to report misconduct; and what to do if the mentee is asked to do something unethical or unprofessional by a senior partner or a client.

Consider client development techniques that have worked for the mentor.

Discuss the mentee's career goals and steps to achieve them.

Look at ways to balance the mentee's career and personal life and how to keep job pressures in perspective.



Activities

Discuss the value of a business plan and what it should include.

Talk about substance abuse and mental health issues, what to do if the mentee or a colleague may have a substance abuse or mental health problem, and the resources available to get help.

Review any financial pressures the mentee may be facing, including ways to manage law school debt.

Discuss different uses of a law degree and alternate career paths, include big firm v. small firm, private practice v. in-house position, government and not-for-profit sectors.

Explore possible job search strategies and introduce mentee to contacts at job search agencies.

Discuss ethical ramifications of leaving a firm.

5. What to Talk About

Talk about what matters most to you.

In Mentor Express, mentees and mentors have only one meeting with each other and their time together is limited. Be polite but don't waste time getting to what matters.

For Mentor Connect and the Indigenous Mentorship programs, you will be meeting each other for six months and the nature and depth of your discussions will evolve over that time.

Below are some suggested topics but it is always up to you to decide what to discuss and when to discuss them.

Completed	Things to Talk About	
	How the mentor's practice is organized and an introduction to the other lawyers and support staff they work with.	
	Explore the responsibilities and division of duties between lawyers, paralegals, assistants and other office employees.	
	Discuss office politics and boundaries for acceptable behavior between lawyers and staff.	
	Attend a bar association meeting together. Discuss opportunities and benefits of greater bar association involvement.	



Completed	Things to Talk About
	Introduce the mentee to other lawyers in the community.
	Visit the courthouse and sit in on proceedings in the division in which the mentee will practice. Introduce the mentee to court personnel and members of the judiciary.
	Discuss the unwritten rules of civility between lawyers and when dealing with members of the judiciary.
	For criminal law practitioners, visit the local jail or remand centre. Explain the protocol governing meetings with clients in custody.
	Familiarize the mentee with Legal Aid, Pro Bono Law Alberta, and opportunities for charitable work as a lawyer. Discuss how to fit volunteer work into a busy practice.
	Discuss time management skills and software.
	Discuss terms to include in standard retainer agreements.
	Discuss ways to protect client confidentiality.
	Discuss how to recognize and deal with conflicts of interest.
	Review law office management systems:
	Records of client-related expenses
	Billing systems and frequency of billings Document retention plan
	 Document retention plan File recall and diary systems
	Online research
	Identify common client management errors and malpractice complaints, how to recognize them and how to avoid them.
	Discuss obligations to report potential insurance claims to ALIA.
	Discuss how to deal with difficult clients and how maintain good client relationships.
	Discuss how to respond to difficult lawyers or judges, and what to do when the mentee encounters unethical conduct by others; the obligation to report misconduct; and what to do if the mentee is asked to do something unethical or unprofessional by a senior partner or a client.



Completed	Things to Talk About
	Consider client development techniques that have worked for the mentor.
	Examine different forms of dispute resolution (mediation, arbitration, judicial dispute resolution, mini-trials, summary judgment applications, trials) and their relative strengths and weaknesses.
	Discuss techniques for conducting successful mediations and negotiations.
	Discuss the mentee's career goals and steps to achieve them.
	Look at ways to balance the mentee's career and personal life and how to keep job pressures in perspective.
	Discuss the value of a business plan and what it should include.
	Talk about substance abuse and mental health issues, what to do if the mentee or a colleague may have a substance abuse or mental health problem, and the resources available to get help.
	Review any financial pressures the mentee may be facing, including ways to manage law school debt.
	Discuss different uses of a law degree and alternate career paths, include big firm v. small firm, private practice v. in-house position, government and not-for- profit sectors.
	Explore possible job search strategies and introduce mentee to contacts at job search agencies.
	Discuss ethical ramifications of leaving a firm.
	Discuss planning for retirement and developing an exit strategy that complies with the mentee's professional obligations.



6. How to be a Good Mentor/Mentee

Qualities of Effective Mentoring		
A sense of humour.	 The ability to accept different points of view and to recognize that reasonable people can disagree. 	
 Inventiveness in developing learning opportunities. 	 Strong interpersonal and communication skills. 	
 Personal commitment to developing and maintaining the mentoring relationship. 	 Self-knowledge, self-reflection, and commitment to ongoing self- development. 	
Professional and personal stability.	Willingness to listen.	
 Knowledge about your field and connection to resources. 	 Ability to give and receive constructive feedback. 	
Flexibility and openness.	Honesty and genuineness.	
 Sensitivity to others' experiences and struggles. 	 Respect toward the lawyer and individual differences. 	
Patience and persistence.		

Listening Skills		
Maintain eye contact.	Focus on content, not delivery.	
 Treat listening as a challenging mental task. 	Stay active by asking mental questions.	
Avoid emotional involvement.	Avoid distractions.	
 Use the gap between the rate of speech and your rate of thought. 		



Barriers to Effective Listening		
Becoming impatient.	Thinking of another topic.	
 Daydreaming or becoming preoccupied with something else. 	Lack of interest.	
 Becoming distracted by outside noises, conversations, or environmental concerns. 	Acting as if you are listening when you are not.	
 Checking email or surfing the net instead of listening. 		

Questions to Ask to Assess Your Listening Skills			
 Does the other person's appearance determine how well you listen? 	 Does your mind stray while someone else is talking? 		
 Do you listen for the meaning behind the statement? 	 Do you interrupt immediately for clarification? 		
 Do your biases affect your listening skills? 	 Do you think about what you are going to say before you say it? 		
 Do you always have to have the last word? 	 Have you turned off your cell phone or put your calls on hold? 		

Giving and Receiving Feedback		
 Clarity – be clear about what you want to say. 	Be descriptive rather than evaluative.	
Emphasize the positive.	 Own the feedback – Use "I" statements. 	
 Be specific – avoid general comments and clarify pronouns such as "it", "that" etc. 	 Generalizations – Notice "all", "never", "always", etc. and ask for specifics. 	



 Focus on behavior rather than the person. 	Refer to behavior that can be changed.
 The best advice will help someone come to a better understanding of their issues, how they developed and how they can identify actions to address them more effectively. 	

Evaluating the Relationship	
 Reduced instances of complaints, claims and trust safety concerns? 	 Are you on track to reach the goals of your mentoring relationship?
Improved confidence?	 What do you think about your mentor/mentee?
 Improved overall management of the law practice? 	What is working well and why?
Overall practice plan developed?	 Is there anything you could do to use your time more effectively?
 Would you enter into such a relationship again? 	 What changes can you think of to make things work better?
 Are there any other changes you could make to improve the relationship? 	What are you spending too much or too little time on?
 Are there any other resources you need to access that would help in developing the relationship? 	 Is there anything you could do to improve your communications?



7. The Outer Limits

While no two mentoring sessions will be the same, keep in mind some common boundaries that will protect both you and your clients.

The Outer Limits

Career Management, Not File Advice

Mentees should not raise substantive law questions or seek guidance from their mentors about particular client matters.

· If not substantive law, then what?

The purpose of these mentorship programs is to gain insight about career management, work-life balance, how to deal with difficult clients, judges and counsel, and steps to become the lawyer you would like to be. It is not to discuss substantive law questions or develop plans for your files. For that, mentees are urged to contact the Law Society's AdvisorLink service.

Solicitor-Client Privilege Does Not Apply/No Duty of Confidentiality

Mentoring does not create a privileged relationship between mentor and mentee. Mentor/mentee communications are not protected by solicitor-client privilege. **Neither person owes a duty of confidentiality to the other, but as personal information and experiences are shared during the relationship, you should each take care to respect each other's privacy.** By participating in this program, you are agreeing to not disclose your discussions without the other person's clear permission. For more information about privilege and the duty of confidentiality, see <u>Canadian Bar Association</u> - FAQ - Privilege and Confidentiality for Lawyers in Private Practice (cba.org).

• Beware of Conflicts - Your Clients are Not Their Clients

It is entirely possible that a mentor and mentee represent clients with opposing interests. This is another reason to avoid discussing detailed information about cases and to limit yourselves to hypothetical situations.

• You are Not Associates - Mentors are Not Second Counsel

Mentors are not expected to answer specific questions of law. They are not required to conduct research or become actively engaged in a mentee's files. Their role is to coach, advise and act as a role model, not to act as second counsel.

Mentees Must Use Their Own Professional Judgment

Mentees are responsible for exercising their own professional judgment. The guidance they receive from a mentor is not considered legal advice. If a mentee is truly lost on a point, the mentor may be able to provide a referral to another lawyer who could be of assistance.

You are Not a Source of Referrals for Each Other

The goal of the program is to make the mentee a better lawyer, not to troll for new files. There should be no referrals between mentor and mentee.

No Financial Assistance

Mentors must not become financially involved with mentees and should not provide them with loans or any other financial assistance.



Changing Jobs

Mentors may give guidance and ideas to mentees looking to change jobs or start something new but offering them a job is not part of the program. A mentor may offer to help with that process but should not feel obligated to do so.

8. Differing Perspectives

Besides differences in legal experience and training, mentors and mentees may be approaching the practice of law from significantly different perspectives due to age, culture and background.

Different Ages & Stages

The two of you may be from different generations. There may be a significant age gap which may lead to misunderstandings. Talk about your assumptions and try to use your differing perspectives as an asset rather than a liability.

Different Ethnicity, Race or Gender

Your ages may not be the only thing that distinguishes you. Consider each other's backgrounds and values. Discuss these as well to avoid miscommunication.

9. How Do Mentors Sign Up?

- 1. Interested mentors fill out an online registration form on the Law Society website.
- 2. Once approved, they receive an email with the link to the online platform where they complete a short profile about themselves with a photo. How they describe their experience, interests, and motivation for participating in the program is entirely up to them.
- 3. As part of their profile, mentors also choose from a selection of 'tags' to indicate which program they are participating in and to describe the perspectives they bring to the table (e.g. personal attributes, discussion topics, practice areas, location, etc.). Mentees will use these tags to find the mentors they are looking for.
- 4. How many meetings?
 - For Mentor Express, we ask mentors for twelve one-hour meetings over the course of the program year.
 - For Mentor Connect and the Indigenous Mentorship Program, we ask mentors to include just one date to serve as the first meeting. Mentors and mentees schedule subsequent meetings for themselves to suit their schedules without having to record them on the platform.
- 5. When a mentor's profile is ready, the information gets posted to the mentor gallery and becomes visible to mentees. Mentees secure meetings by simply selecting the mentor that interests them and clicking on one of the dates provided. Meetings are available on a first come, first served basis.
- 6. At any time, mentors can see who has booked sessions with them by logging in and viewing their "My Sessions" page.
- 7. There are no assignments, tasks, or deadlines. Conversations and topics are driven by the mentees.



It is important to know that dates listed in the mentor gallery are placeholders only and are always subject to changes based on the mentors' and mentees' availability. If a mentor or mentee ever needs to reschedule a session, they simply contact their match directly to make new arrangements.

We recommend that mentors spread out their mentorship sessions throughout the program year, but this is entirely up to them. We advise against arranging multiple mentorship sessions for a single day or week since this may not provide the best experience for either mentors or mentees.

10. How do Mentees Sign Up?

- 1. Interested mentees begin by completing an online <u>registration form</u> on the Law Society website.
- 2. Once approved, they receive an email containing a link to access the mentorship platform.
- 3. Mentees can immediately visit the mentor gallery and return as often as they want, to see who is available, in which program, and available meeting dates.
- 4. The gallery is open for bookings on a first come, first served basis. To book a meeting, mentees simply click on the program they are interested in, review the various mentor profiles, and choose from the meeting dates listed in mentors' profiles. Mentees are responsible for matching with mentors of their choosing in their respective program(s). For example, if you are a law student participating in the Indigenous Mentorship Program, you should not match with a Mentor Express mentor even though you are able to view their profile and book a meeting.
- 5. How many meetings?
 - In Mentor Express, mentees can meet with up to twelve different mentors per year but meet with each of them only once.
 - In Mentor Connect and the Indigenous Mentorship Program, matches last six months. We recommend that participants meet their matches on a regular basis such as every two weeks. How often and where they meet is entirely up to them.
- 6. Mentees can log in to their 'My Sessions' page to see which mentor sessions they have booked and to review their mentors' contact information.
- 7. Mentees are responsible for contacting their chosen mentors to confirm when and where they will meet.

If the sessions of a preferred mentor are already taken, we ask mentees to respect their availability and seek out other mentors.

It is important to know that dates listed in the mentor gallery are placeholders only and are always subject to changes in the mentors' and mentees' availability. If a mentee or mentor ever needs to re-schedule a session, they simply contact their match directly to make new arrangements.



11. Code of Conduct

A complete copy of the Code of Conduct is available on the Law Society website.

Mentors and mentees should review the following provisions at the start of their mentoring relationship.

Future Harm / Public Safety Exception

3.3-3 A lawyer may disclose confidential information, but must not disclose more information than is required, when the lawyer believes on reasonable grounds that an identifiable person or group is in imminent danger of death or serious bodily harm, and disclosure is necessary to prevent the death or harm.

Disclosure of Confidential Information by Lawyers

- 3.3-4 If it is alleged that a lawyer or the lawyer's associates or employees:
 - a) have committed a criminal offence involving a client's affairs;
 - b) are civilly liable with respect to a matter involving a client's affairs;
 - c) have committed acts of professional negligence; or
 - d) have engaged in acts of professional misconduct or conduct unbecoming a lawyer; the lawyer may disclose confidential information in order to defend against the allegations, but must not disclose more information than is required.
- 3.3-5 A lawyer may disclose confidential information in order to establish or collect the lawyer's fees, but must not disclose more information than is required.
- 3.3-6 A lawyer may disclose confidential information to another lawyer to secure legal or ethical advice about the lawyer's proposed conduct.
- 3.3-7 A lawyer may disclose confidential information to the extent reasonably necessary to detect and resolve conflicts of interest arising from a lawyer's proposed transfer to a new law firm, or from a proposed law firm merger or acquisition, but only if disclosure does not otherwise prejudice the client.

Duty to Report

- 7.1-3 Unless to do so would be unlawful or would involve a breach of solicitor-client privilege, a lawyer must report to the Society:
 - a) the misappropriation or misapplication of trust money;
 - b) the abandonment of a law practice;
 - c) participation in criminal activity related to a lawyer's practice;
 - d) conduct that raises a substantial question as to another lawyer's honesty, trustworthiness, or competency as a lawyer;
 - e) conduct that raises a substantial question about a lawyer's capacity to provide professional services; and



f) any situation in which a lawyer's clients are likely to be materially prejudiced

12. Use and Collection of Personal Information

The Law Society can use any personal information it receives in connection with its mentorship programs to, administer and improve the programs, conduct investigations and proceedings, and for any other purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the Code of Conduct, Guidelines and Protocols of the Law Society, or a resolution of the Benchers. This includes:

- Conducting mentor eligibility checks;
- that I am eligible to participate and remain in its mentorship programs,
- Helping me match with mentors,
- Assisting mentors in providing guidance to me,
- Assisting me with my practice outside of the mentorship program; and.

The Law Society may contact me for more information, or to obtain clarification on any information it has already received.

Should you have any question about the collection, use or disclosure of this information, please review the Law Society's <u>Privacy Policy</u> or contact the <u>Privacy Officer</u> at 403.229.4700.

13. **FAQ**'s

View our Frequently Asked Questions.

Part 4: Contact Information

Mentorship Team

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Law Society of Alberta

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