



Mentoring Plan For Attorneys “Hanging a Shingle”

NOTE: If you wish to delete activities or to add activities not listed, simply confirm with CAMP or with your Sponsoring Program facilitator, especially if you plan to apply for CLE Credit Certification.

1. Initial Planning Meeting, Personal and Professional Development (complete all)

Action	Mark completed items
Meet at together in person (where practical) to prepare the customized mentoring plan based on the Mentee’s needs and interests. Utilize the CAMP Initial Goal Plan & Meeting Guide to assist your mentoring pair in developing goals for the mentoring relationship.	
Discuss best communication methods for each attorney, and consider scheduling all remaining meetings/activities for the mentoring term.	
If mentee has already started a solo law practice, encourage Mentee to complete the Colorado Lawyer Self-Assessment and review the Colorado Lawyer Self-Assessment Mentoring Plan to identify topic areas of need and interest to the mentee.	
The mentor should introduce the Mentee to the firm’s attorneys and staff (if not already done).	
Include in the meeting discussion about inclusiveness and diversity, work-life balance, mental health and substance abuse issues facing lawyers, and the services available to attorneys regarding these health issues.	

2. The Colorado Bar and Legal Community (complete at least one)

Action	Mark completed items
Mentor and mentee attend a “Solo/Small Firm” bar association section meeting or other attorney networking event for lawyer entrepreneurs. Introduce the Mentee to other attorneys in attendance. Discuss the advantages of bar association involvement and discuss the many local, state, and national associations available to solo attorneys and legal entrepreneurs.	
Attend Trust Account School offered by the Office of Attorney Regulation Counsel.	
Attend “Hanging Your Own Shingle” course offered by CBA/CLE.	

3. Developing Professional Identity & Lawyer Well-Being (complete at least two)

Action	Mark completed items
<p>It is envisioned that this component of the Mentoring Plan should be creatively tailored for the individual mentee’s needs. The discussion should focus on understanding “why” the mentee chose the profession of law and what the mentee seeks to accomplish in their professional role.</p> <ul style="list-style-type: none"> • How does the mentee define “professional success” and whose input/feedback did they utilize in developing this definition? • What characteristics, skills, and attributes does the mentee have that will allow them to find professional success? • Who are the people in the mentee’s personal and professional community who will support them in finding professional success? <p>Assist the mentee in articulating their “Professional Identity” as a lawyer. Utilize John Bliss, The Professional Identity Formation of Lawyers, The Practice (March/April 2016). https://thepractice.law.harvard.edu/article/the-professional-identity-formation-of-lawyers/ to assist your mentoring pair in facilitating this discussion.</p>	
<p>Engage Mentee in a self-reflective exercise to determine whether Mentee believes they are thriving in all dimensions of “well-being” including:</p> <p>Emotional: Recognizing the importance of emotions. Developing the ability to identify and manage our own emotions to support mental health, achieve goals, and inform decision-making. Seeking help for mental health when needed.</p> <p>Occupational: Cultivating personal satisfaction, growth, and enrichment in work; financial stability.</p> <p>Intellectual: Engaging in continuous learning and the pursuit of creative or intellectually challenging activities that foster ongoing development, monitoring cognitive wellness.</p> <p>Spiritual: Developing a sense of meaningfulness and purpose in all aspects of life.</p> <p>Social: Developing a sense of connection, belonging, and a well-developed support network while also contributing to our groups and communities.</p> <p>Physical: Striving for regular physical activity, proper diet and nutrition, sufficient sleep, and recovery; minimizing the use of addictive substances; seeking help for physical health when needed.</p> <p>Assist Mentee in developing well-being objectives and a plan to address Mentee’s self-identified deficiencies in these dimensions of well-being. Consider the ABA Well-Being Toolkit for Lawyers and Legal Employers in building a well-being action plan.</p>	

<p>Engage the Mentee in a reflective exercise regarding resilience. How does the Mentee assess their own resiliency? What factors account for the Mentee’s measurement of resilience? Assist Mentee in developing a plan to improve their resiliency. Consider the following resources:</p> <ul style="list-style-type: none"> • Three Ways Lawyers Can Become More Resilient • Survival Skill No. 1 for Lawyers: Emotional Resilience 	
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4. Colorado Rules of Professional Conduct, Professionalism, and Civility

Action	Mark completed items
Required (to be completed with the activity elected from list below)	
The pair should discuss the distinction between the Colorado RPC and professionalism; the attorney’s obligations to the court, the client, and opposing counsel; common ethical issues and resources for how to resolve difficult ethical questions; common grievance and malpractice “traps” and how to avoid them; the benefits of carrying malpractice insurance and the ramifications for failing to do so.	
Complete at least two of the following:	
Discuss how to screen for, recognize, and avoid conflicts of interest.	
Work with Mentee to develop communication and leadership skills necessary to establish professional working relationships with support staff, associates, and partners. Consider the following resources in your discussion: <ul style="list-style-type: none"> • Fire & Ice: An Associate’s View of Partners • I Don’t Feel Your Pain: A Partner’s View of Associates • Six Ways to Work Successfully With Support Staff 	
Discuss competency and professionalism during discovery.	
Discuss how to prepare for negotiation of a legal matter, when and how negotiation is initiated, how to involve the client, ethical and professionalism obligations of negotiators, skills needed to be an effective negotiator and how to acquire them.	
Discuss the Colorado Rules of Professional Conduct which particularly obtain to providing unbundled and limited scope services. Use the following resources in your work together: http://www.cobar.org/Portals/COBAR/repository/ethicsOpinions/FormalEthicsOpinion_101.pdf https://www.cobar.org/For-Members/Law-Practice-Management/Lending-Library/Unbundling https://iaals.du.edu/sites/default/files/documents/publications/judgetaubman.co_roadshow.pptx	
Discuss appropriate ways to handle situations where a lawyer believes another lawyer has committed an ethical violation or otherwise acted unprofessionally or uncivilly; the obligation to report misconduct; and the appropriate way to handle a situation where the Mentee is asked by a senior member of the firm/organization to do something that is unethical or unprofessional.	
Discuss the grievance process and a lawyer’s duty to cooperate with a disciplinary investigation.	

5. Law Practice Start-Up (complete at least two)

Action	Mark completed items
<p>FINANCE: As with any business, there is an initial cost to starting up your practice. Many practices start off on a shoestring budget and make more substantive investments once the cash begins to flow in. But, you will need some cash or credit initially for the essentials, like malpractice insurance. Make a list of the essentials versus non-essentials and the costs associated. Use that information to construct a budget – include initial and monthly costs through your first year. Thus, you’ll know what funds you need upfront and how much you need to make over the course of the year to cover expenses (and profit). Accompanying your budget should be revenue projections for the year. This may seem difficult upfront, but necessary to set goals for your practice and be realistic about expectations.</p>	
<p>MARKETING: You can no longer merely “hang a shingle” and expect clients to walk through your door. As competition increases and more and more prospective clients look to the Internet for answers to their legal problems, you need to have your pulse on new marketing strategies. Especially when starting out, you should have a marketing plan or platform to inform where and how you will market to prospective clients and referral sources. At the outset, focus on what you know and what you’re good at, but make sure to include some variety and continue to redefine your plan based on legal trends and analytics (what’s working, what’s not).</p>	
<p>OPERATIONS: When opening your own practice, you should understand that to run a profitable and sustainable practice, you must run it like a business. As such, you’ll need to establish operational procedures and pay attention to administration in order to ensure a smooth ride. Operations include maintenance of your office space (whether home, virtual, or office), organization of your file system, opening new matters, communicating with clients, and setting policies for streamlined administration.</p>	
<p>RISK MANAGEMENT: No law firm or attorney is immune to suit for malpractice or complaint, the loss of data, or an unexpected emergency. By building risk management strategies into your new business, you can drastically minimize the impact of any of these unfortunate situations.</p>	
<p>TECHNOLOGY: Technology is no longer the “future” of law practice, it is the present. Leveraging technology in your practice can provide huge benefits, including increasing productivity, efficiency, and minimizing malpractice risk. While there is no right answer as to the specific technology you should purchase, consider for the basic technology that you need in a modern law office and best practices to ensure that you protect yourself and your clients.</p>	

6. Law Office Management and In-Office Procedures

Action	Mark completed items
Required (to be completed with the activity(s) elected from list above)	
<p>Discuss law office management best practices (preferably including a tour of the mentor’s office), and the importance of maintaining organized procedures:</p> <ul style="list-style-type: none"> • Time records. • Records of client-related expenses. • Billing system. • Client retainer and/or payment schedules, types of fee agreements. • Escrow and trust account, establishing a COLTAF, accounting, auditing, use of interest proceeds, proper procedures for handling client funds and other property. • Filing system and procedures. • Document retention plan. • Calendar reminder systems. • Information technology systems. • Library and research systems. • Other resources (publications, seminars, equipment). 	
<p>Discuss law office financial best practices including:</p> <ul style="list-style-type: none"> • Start-up costs • Budget & financial planning for the first year • Projecting revenue for law firms • Law firm profitability • Fee Structures: <ul style="list-style-type: none"> ○ Retainer ○ Flat Fee ○ Contingency Fee ○ Unbundled Services • Billing & collections procedures <ul style="list-style-type: none"> ○ How to take credit card payments ○ Invoice/bill drafting ○ Collecting unpaid fees ○ Third party payors • Setting up a trust account <ul style="list-style-type: none"> ○ COLTAF Accounting ○ When to transfer funds from your trust account ○ Ethical considerations and rules 	
<p>Discuss law office marketing best practices including:</p> <ul style="list-style-type: none"> • Law firm branding • Personal branding • Business card optimization • Networking 101 • Website building block • Search engine optimization • Blogging • Social Media • Email Marketing • Ethical considerations in lawyer advertising 	

Discuss law office risk management best practices including: <ul style="list-style-type: none"> • Starting a small business • Developing a business plan • Entity selection • Taking on partners • Tax implications • Selecting a malpractice insurance provider • Choosing malpractice coverage options • Succession planning • Data security • Cloud storage • Physical document retention and storage • Backup technology systems 	
Complete at least one of the following:	
Discuss role and responsibilities of paralegals, secretaries and other office personnel, and how to establish good working relationships with others in the same office who are support staff or colleagues (i.e. in an office sharing situation).	
Discuss practices to maintain client confidentiality.	
Discuss how to prevent issues of unauthorized practice of law with staff.	
Discuss office politics, including appropriate networking, socializing, and personal behaviors.	
Succession Planning: Discuss the importance of planning ahead for handling the practice in the event of retirement, disability, or death.	
Discuss the issues surrounding wrapping up a solo firm, such as how to protect oneself, advising clients, and withdrawing from cases.	
Discuss the benefits/issues with a collaborative law practice and co-working space.	

7. Professionalism in Working with Clients (Complete at least three)

Action	Mark completed items
Review the Colorado Principles of Professionalism https://www.cobar.org/For-Members/Committees/Professionalism-Coordinating-Council/Principles-of-Professionalism as a pair and select at least three principles for further discussion as to their application to the mentee’s practice of law.	
Discuss the initial meeting and interaction with a potential client, tips for gathering information about a legal matter, appraising the credibility and trust of the potential client, evaluating whether to accept the representation, how to decline representation. Discuss making and accepting referrals.	
Discuss importance of client communication and strategies to maintain appropriate ongoing communication (returning telephone calls, email, etc.) to keep clients informed, including use of fee agreements, timeliness, written communication, etc. Evaluate any policies adopted by Mentee’s organization or discuss the benefits of adopting a formal communication policy.	
Discuss proper legal counseling, including the duties and responsibilities of advising clients and the respective responsibilities of the client and the lawyer in decision-making.	

Assess best practices for communicating with clients regarding the business aspects of the relationship, including billing and other business procedures. Evaluate Mentee's collections policies and communication mechanisms related to those policies.	
Discuss proper legal counseling, including the duties and responsibilities of advising clients and the respective responsibilities of the client and the lawyer in decision-making. <ul style="list-style-type: none"> • Consider the following resources in your discussion: <ul style="list-style-type: none"> ○ Do You Have a Client Centered Law Practice?, Sullivan, 2016 ○ The Lawyer As the Counselor, Burtch, 2010 ○ Who is My Client? Client Centered Lawyering With Multiple Clients, Lawton, 2015 	
Discuss how to deal with a "difficult" client. Include in this discussion tools for evaluating when it is time to withdraw from representation, avoid ethical pitfalls, and professionally and responsibly terminate a client relationship. <ul style="list-style-type: none"> • Taming the Beast, How to Manage Difficult Clients, Lowenthal, 2017 	
Discuss the termination of the attorney-client relationship, issues with terminating mid-representation, necessary steps and documentation.	

8. Public Service (Complete at least one)

Action	Mark completed items
Get acquainted with legal aid programs, local pro bono programs, and other opportunities for engaging in pro bono activities and civic and charitable work. Discuss the reasons for making time to engage in volunteer legal service to the public and any impediments to undertaking such work.	
Mentee attends a civic club of which the mentor is a member or some other community service activity in which the mentor participates. Discuss the reasons for making time to engage in volunteer legal service to the public.	
The pair participates in a bar-sponsored or other volunteer program aimed at delivering legal services to the public. Discuss the reasons for making time to engage in volunteer legal service to the public.	
Discuss opportunities as a sole practitioner to engage modest means clients in an effort to advance access to justice in Colorado.	