



CWBA “LIFT” Track Mentoring Plan Curriculum

(If you wish to do an activity not listed, confirm with your facilitator beforehand that the activity meets the goals of the particular curriculum subject.)

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

| Action | Mark completed items |
|--|----------------------|
| Meet to prepare the customized mentoring plan based on the Mentee’s needs and interests. Discuss best communication methods for each attorney, and consider scheduling all remaining meetings/activities for the mentoring term. | |
| In tailoring the mentoring plan to the Mentee’s interests, discuss long-term career goals and identify ways to achieve them. | |
| The mentor should introduce the Mentee to the firm’s attorneys and staff (if not already done). | |
| Include in the meeting a day-in-the-life discussion, a professional identity discussion, including discussion about work-life balance, facing lawyers, and the services available to attorneys regarding these health issues. | |

2. The Colorado Women’s Bar and Legal Community

| Action | Mark completed items |
|---|----------------------|
| Required | |
| Attend a meeting of the Colorado Women’s Bar Association or other attorney networking event together. 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, including any in the Mentees specific practice | |
| Complete at least one of the following: | |
| Meet at the local courthouse(s), particularly the one in which the Mentee may be appearing, and make introductions to members of the judiciary, court personnel, and clerks of court. Discuss customary rules of civility or etiquette in court and among lawyers and judges in the community. | |
| Attend a Colorado Bar Association “Lawyers with Littles” event. Introduce the Mentee to other attorneys in attendance. Discuss the advantages of bar association involvement as a caregiver- lawyer and discuss the many local, state, and national associations available to the mentee. | |
| Attend an event hosted by Denver MAMA. Denver MAMA is devoted to furthering the interests of mother attorneys in the Denver metro area. MAMA offers support and encouragement for mother attorneys; opportunities to network, share experiences and solve problems for both career and home; and family-friendly activities. | |

| | |
|---|--|
| Discuss the benefits of the Colorado Lawyer Assistance Program (COLAP) and how it can be a resource to caregiver-parents who may need confidential assistance for any career challenge that interferes with the ability to be a productive member of the legal community; including but not limited to: Practice Management, Work/Life Integration, Stress/Anger Management, Anxiety, Depression, Substance Use, and Relationship Issues. | |
| Explore a law office of a mentor's peer or colleague together for the first time. Discuss that law office's practices and meet the attorneys who work within the office together as mentor and mentee. | |
| Attend a CWBA committee meeting and discuss the various CWBA committees the mentee could become involved with. | |

3. History of the Legal Profession and Women in the Law

| Action | Mark completed |
|--|----------------|
| Identify a female leader or trailblazer in the law. Consult the lists of past presidents, judicial nominees, or Mary Lathrop award winners on the CWBA website (www.cwba.org), or reach out to the CAMP program administrators for a list if you need help identifying someone. Research that leader's path. Reach out to the leader to discuss the path OR discuss the path with your mentor to reflect on the leader's experiences and impact. Meet with your mentor to discuss what women's experience historically and currently in the law is like. Discuss women's impact in the legal profession. | |

4. Work-Life Integration in the Legal Profession

| Action | Mark completed items |
|---|----------------------|
| Discuss strategies for finding a balance between career and personal life, keeping daily stress in perspective, reconciling job expectations with actual experience and maximizing career satisfaction. Discuss the risk of substance abuse and mental issues while having this conversation. Discuss what work-life integration means to the mentee, including a self-assessment by the mentee as to whether they are effective work-life integrators. Discuss specifically how work-life integration fits in to the overall legal profession and the importance of said field. Examples for discussion topics in this category: mindfulness, law school debt management, raising a family while lawyering, self care and stress management, how to identify when one is neglecting self care, scheduling self care, emotional intelligence and the legal profession. | |
| Participate in a self care ritual with your mentor. Discuss how the mentor incorporates self care into their lives and why self care is important. | |

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 one of the following: | |
| Discuss how to screen for, recognize, and avoid conflicts of interest. | |
| Discuss the responsibilities of the client and the lawyer in decision-making, the best ways to involve a client in their case. Discuss client communications generally, e.g., how to say no to a client, billing issues, etc. Discuss client development and marketing, appropriate procedures and ethical implications. | |
| 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 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. | |
| Discussing creating and managing positive and productive relationships with opposing counsel. | |
| Discuss how the Colorado RPC and professionalism can present unique issues to female attorneys. Discuss ways to avoid common pitfalls and unprofessional acts by other members of the legal profession. | |

5. Public Service (Complete at least one)

| Action | Mark completed items |
|---|----------------------|
| Acquaint the Mentee 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. | |

For Sections 6 through 12, please identify the section that is the most applicable to the mentor and the mentee and follow the instructions for that section only. The other sections need not be completed unless the mentor and mentee choose to.

6. Litigation and Transaction Experiences (complete at least one)

| Action | Mark completed items |
|--|----------------------|
| Discuss types of alternative dispute resolution (ADR) such as mediation, arbitration, early neutral evaluation, summary jury trials, collaborative law practice. | |
| Mentee attends one of the ADR proceedings listed above. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in a deposition. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in part or all of a trial, whether, civil or criminal, bench or jury, state or federal. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in an appellate oral argument before the Colorado Supreme Court, Colorado Court of Appeals, or the Tenth Circuit Court of Appeals. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in a hearing conducted by a state or local administrative body (e.g. local zoning board, tax equalization board hearing; state licensing or regulatory body). The pair discusses and evaluates what was observed. | |
| Mentee observes a real estate closing or other business transaction or financial closing. The pair discusses and evaluates what was observed. | |
| Mentee attends meeting to execute estate planning documents. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in a planning/strategy meeting regarding a business transaction or estate planning. The pair discusses and evaluates what was observed. | |
| Mentee attends or participates in meeting, hearing, or other proceeding specific to his or her or the mentor’s practice area. The pair discusses and evaluates what was observed. | |

7. Law Office Management and In-Office Procedures

| Action | Mark completed items |
|---|-----------------------------|
| Required (to be completed with the activity elected from list below) | |
| <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 an 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). | |
| 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, colleagues or senior partners. Discuss the “care and feeding” of support staff. | |
| Discuss practices to maintain client confidentiality. | |
| Discuss good time management skills and techniques. | |
| Discuss how to screen for, recognize, and avoid conflicts. | |
| Discuss how to prevent issues of unauthorized practice of law with staff. | |
| Discuss office politics, including appropriate networking, socializing, and personal behaviors. | |
| Discuss the importance of planning ahead for handling the practice in the event of retirement, disability, or death. | |
| Discuss the issues surrounding leaving a firm, such as how to protect oneself, advising clients, and withdrawing from cases. | |
| Discuss evaluation and compensation procedures, and professional advancement within a firm. | |

8. Working With Clients (Complete at least one)

| Action | Mark Completed Items |
|--|----------------------|
| Discuss importance of client communication, how to maintain appropriate ongoing communication (returning telephone calls, email) to keep clients informed, including use of fee agreements, timeliness, written communication, etc. Discuss how to deal with a “difficult” client. Discuss dealing with clients with respect to the business aspects of the relationship, including billing and other business procedures. | |
| 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. Discuss how to deal with a “difficult” client. | |
| 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 the termination of the attorney-client relationship, issues with terminating mid-representation, necessary steps and documentation. | |
| Discuss importance of client communication, how to maintain appropriate ongoing communication (returning telephone calls, email) to keep clients informed, including | |
| Discuss proper legal counseling, including the duties and responsibilities of advising clients and the respective responsibilities of the client and the lawyer in decision- | |
| 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 | |
| Discuss the termination of the attorney-client relationship, issues with terminating mid-representation, necessary steps and documentation. | |

9. When Your Client is the City, State, or Federal Government (complete at least two)

| Action | Mark completed items |
|---|----------------------|
| <p>WHO IS YOUR CLIENT?</p> <p>How is the government attorney to know the identity of their client? The Colorado Rules of Professional Conduct were written based on the attorney-client paradigm of One Lawyer: One Client. While this may work well in the representation of a criminal defendant or a litigant in a domestic issue, it does not apply well to representation by a government lawyer.</p> <p>A variety of courts and authors have considered the issue deciding who the client of the government attorney might be. The general consensus is that there are five possible answers to the question:</p> <ul style="list-style-type: none"> • Public • Government as a whole • Branch of government in which employed • Particular agency or department • Responsible officers who make decisions with an agency or department <p>The ethical and client identification issues for the government attorney are many.</p> | |

| | |
|---|--|
| <p>Determining the extent of a lawyer’s authority or whether a lawyer-client relationship exists may require an external inquiry depending on the circumstances and context of representation. Non-government lawyers are concerned with protecting the interests of their clients, even when those clients may be engaged in wrongdoing. Government attorneys, on the other hand, have a higher, competing duty to act in the public interest. In all situations, determination will depend on the context of the representation. Discuss how the government lawyer can put the representation and client identification in context.</p> | |
| <p>WHAT IS YOUR DUTY OF CONFIDENTIALITY? Examine the two characteristics of governments that bear on the question of confidentiality. The first characteristic concerns the legitimacy of the government’s keeping secret its own wrongdoing. The second characteristic concerns the way that the government controls its information. What information are government lawyers required to disclose—either in general or in response to a FOIA request?</p> | |
| <p>WHAT IS THE SCOPE OF YOUR DUTY AS ATTORNEY? A related strand of debate, unique to the government attorney’s counseling role, focuses on the stance the attorney should adopt in formulating an opinion for the client. Some argue for a neutral, adjudicative role, while others argue that the attorney should act as an advocate for his or her client. Discuss the components and benefits the “Neutral Model” and the “Advocate Model” of practice.</p> | |
| <p>GREATER OBLIGATIONS OF CANDOR Government lawyers enjoy the tremendous goodwill that flows from the common perception that, because they represent the public rather than self-interested private parties, they are more honest and forthcoming in giving courts not just the truth but the whole truth. When the client in a criminal or civil case is the United States of America or the State of Colorado, the attorney has already taken the high ground because the public and the judiciary often expect greater candor from government attorneys. Discuss the greater perception of candor afforded to government attorneys and the obligation to invoke said candor, even when it could potentially harm your case.</p> | |
| <p>THE SPECIAL RESPONSIBILITIES OF PROSECUTORS Review Colorado Rule of Professional Conduct 3.8 and discuss the special responsibilities of prosecutors and how to best incorporate this rule into the mentee’s professional identity as a prosecutor.</p> | |
| <p>WHAT ARE THE RIGHTS OF GOVERNMENT LAWYERS? Must government lawyers defend laws or legal positions they deem unconstitutional? Discuss how to balance the ethical obligation that an attorney has to zealously represent the client – in these cases, the federal government or the state government with the legal officer’s oath to defend the Constitution. What happens when a government attorney cannot do both at the same time?</p> | |

10. When Your Client is an Under Represented or Minority Population (complete at least two)

| Action | Mark completed items |
|---|-----------------------------|
| <p>HOW TO THINK LIKE A PUBLIC INTEREST LAWYER Learning how to think like a public interest lawyer cannot be a value-neutral enterprise. How can one fight for what is good, right, or just if one does not ask what is good, right, or just? Discuss with the mentee their personal approach to analyzing what is “good, right, and just” in society and how that approach impacts their professional identity and practice as a public interest lawyer.</p> | |

| | |
|--|--|
| <p>INTELLECUTAL ACTIVISM Defined as conducting and publishing original research and analysis and then applying that work to the tasks of reforming and improving the law, legal systems, and the legal profession. Discuss the role of the public interest lawyer in engaging in intellectual activism for the betterment of improving the law and legal system for underrepresented populations.</p> | |
| <p>ACCESS TO JUSTICE – PRO BONO Some public interest attorneys have the belief that pro bono is not the solution to creating greater access to justice for low and no income litigants. Discuss the mentee’s perception of pro bono service as a mechanism for addressing the access to justice gap and brainstorm ideas for meeting needs of litigants left unaddressed by traditional legal aid.</p> | |
| <p>CULTURAL COMPETENCE As the deliverer of services to economically disadvantaged and/or underrepresented populations, the mentee’s cultural competence for working with these client populations is routinely tested.</p> <p>Discuss how the mentee intends to practice and improve his or her cultural competence so as to best appreciate and serve these minority populations. How will cultural competence inform the mentee’s professional identity?</p> | |
| <p>SENTENCING BIAS The prison and jail population in the United States has increased from 300,000 in 1972 to 2.3 million today. African Americans are incarcerated at an increasingly disproportionate rate. In America, one out of every three black men born in 2001 will go to jail or prison if current trends continue. Black men are more than six times more likely to be incarcerated than white men.</p> <p>Discuss the mentee’s role as public interest attorney in addressing the sentencing bias in this country and improving access to alternative punitive sanctions, especially as it pertains to low level, non-violent crimes.</p> | |
| <p>CLIENT ENGAGEMENT STRATEGIES Increasing the utilization of adequate, accessible, and low-cost services to ethnic groups is the goal of most public interest legal organizations.</p> <p>The literature identifies two major strategies to promote client engagement: 1) client focused strategies and 2) organization-focused strategies. Client-focused strategies are services that staff provide to better assist clients and encourage them to participate. These strategies include ethnic matching of staff and clients, family-focused services, and outreach services. Organizational strategies are administrative strategies that organizations implement to increase engagement. Organizational strategies used by ethnic organizations include locating the organization in existing ethnic communities, recruiting former clients to serve on agency Boards of Directors, and recruiting staff to provide appropriate, competent, and reliable services.</p> <p>Discuss the ways in which the mentee can contribute to the client focused and organizational focused strategies to improvement engagement in legal services for ethnic and minority populations.</p> | |

11. When Your Client is a Special Interest Group (Complete at least two)

| Action | Mark completed items |
|--|----------------------|
| <p>LOBBYING When people think about lobbying, they often imagine corruption and poor policy results. Lobbying does not always have such deleterious effects. But sometimes it does. According to critics, lobbying can lead to poor policymaking because legislators do not consider policies based on their merits but instead based on their political repercussions.</p> <p>For example, food industry lobbyists and healthcare lobbyists recently clashed over the issue of school lunches. A group supported by the United States Department of Agriculture proposed healthier lunches as a way to combat childhood obesity by limiting the number of potatoes served, limiting salty foods, and adding more fresh vegetables. This group was countered by a strong food lobby backed by Coca-Cola, Del Monte, and makers of frozen pizza. The food lobbyists succeeded in blocking the proposed reforms, even writing rules suggesting that the tomato paste on a pizza qualified as a vegetable. According to critics, this case appeared to be an example where business interests won out over health concerns.</p> <p>Discuss how the mentee will help them to balance the interests and positions of the client with their own moral and ethical positions. How does the mentee’s professional identity inform their ability to manage society’s negative impression of lobbyists and the work they do.</p> | |
| <p>REVOLVING DOOR Some say there is a “revolving door” between special interest groups, lobbyists, and government employees which allows special interest groups to get new regulations implemented by filing suit against a government agency. The government agency then opts not to fight the case and simply settles — thereby letting the rule be enacted, outside the normal governmental scrutiny that would otherwise be required. Discuss the “revolving door” perception and how the existence of a revolving door in public interest work impacts the development of professional identity for public interest lawyers. Also discuss the ethics of using litigation to create new regulations vs obtaining regulation through legislative initiatives.</p> | |
| <p>THE ROLE OF SPECIAL INTEREST LAWYERS Many special interest groups see their role as not only defending the interests of their members, but also to protect the public interests in such things as a clean environment and a non-discriminatory workplace. How does the special interest attorney balance the interest of the organizational members with the interest of the public at large? Are the two mutually exclusive? How does the answer to the question “whose interest are you representing” impact your ethical duties and your professional identity?</p> | |
| <p>ATTORNEY FEE SHARING Attorney fees awarded to prevailing plaintiffs by statute are a significant source of funding for nonprofit special interest groups that sponsor litigation. Nearly all such organizations require staff attorneys to turn over all court-awarded fees to the organization, and many organizations require cooperating attorneys to turn over all or part of any fees resulting from cases sponsored by the organizations. Discuss the ethical implications of utilizing attorney fee awards as a source of funding for the organization represented by the special interest lawyer.</p> | |

12. Surviving Transition (complete at least two)

| Action | Mark completed items |
|--|----------------------|
| <p>THE CARROT One of the most important factors to assess is the “carrot.” What are your needs? What draws you away from your current practice of law and how deeply does it excite your interest? What does the mentee envision themselves doing other than their current practice, or who is someone who has the job they think they would like to have?</p> <p>Use the “carrots” to help guide the mentee into practice areas or jobs that are better matches for their personalities.</p> | |
| <p>THE STICK Another important factor is the “stick.” The stick is whatever it is you are trying to get away from in your current work world. Your stick might be a difficult partner, the stress of trial work, demanding clients, or a poisonous work environment.</p> <p>But what if you never liked the practice of law at all? What if you became an attorney to please your parents, for example? Many attorneys enter the field because they are urged to do so by well-meaning significant people in their lives. What if you are living out someone else’s dream? That is a stick with greater weight. Discuss the mentee’s “stick” in an effort to help the mentee make better understand why they are seeking change and whether the transition will truly help them obtain their carrot.</p> | |
| <p>GRIT Next, there are a group of personality traits that indicate you have the motivation and tenacity to make a career transition. These traits include initiative, creativity, flexibility, endurance, and perseverance. These are the ingredients that compose what we call “grit.” Discuss with the mentee how hard they are willing to work to accomplish their goals and what personality traits they will invoke to find success.</p> | |
| <p>ECONOMIC REALITY Another factor that must be assessed is your economic situation. Help the mentee to explore, evaluate, and rank their priorities. Use those priorities to help the mentee establish short and long term professional goals. Career transitions require a delicate balance of maintaining economic stability and while moving toward achieving professional goals. Discuss with the mentee how the economic realities of their situation inform their career transition.</p> | |
| <p>EFFECTIVE OPPORTUNITY DEVELOPMENT The last key piece to a successful career transition has to do with understanding and utilizing information about how to effectively develop opportunities and jobs.</p> <p>It is important to be prepared to have well-scripted, small vetting meetings with multiple people in the industry or practice area the mentee is trying to move into. The goal is to become known and trusted by people who are already in the industry or practice area; this is an effective way to become the “insider who gets hired.” Such an approach opens doors and develops potential jobs and other opportunities for the job-seeker.</p> | |

According to clinical psychologist and resilience researcher George Bonanno, a central element of resilience is perception—how you perceive stress, challenge, and adversity directly influences how you will respond to any stress trigger. When lawyers think that they have the resources to deal with a stressor, they are more likely to view stress or adversity as a challenge; conversely, when lawyers perceive their resources to be lacking under stress, they may view stress as a threat. In fact, having a rigid, inflexible response to stress, change and adversity can lead to the following:

- Increased errors and missing information and deadlines
- A “protect my turf” mentality
- Diminished collaboration and cooperation
- More stress
- Poorer work quality
- Reduced collegiality and even an increase in incivility
- Survival-based emotions and reactions like impatience, defensiveness, and hyper-criticality

Discuss with the mentee what resources they have to deal with the stress of transition and how they can engage with these resources during times of professional stress. Include in your discussion ways in which the mentee can assess whether they are effectively utilizing their resources.