**Colorado Lawyer Self-Assessment Mentoring Plan**

**NOTE: The following discussion topics, learning objectives, and resources are informational in value. Mentoring pairs can and should modify this mentoring track to more fully reflect the unique mentoring goals and objectives of the mentoring relationship.**

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

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| Action | Mark completed items |
| Meet together in person (where practical) or virtually to prepare the customized mentoring plan based on Mentee’s needs and interests. Utilize the CAMP [Initial Goal Plan & Meeting Guide](http://coloradomentoring.org/wp-content/uploads/2018/06/Initial-Meeting-Guide-Goal-Plan-June-2018.pdf) to assist your mentoring pair in developing goals for the mentoring relationship. |  |
| In tailoring your mentoring goals to Mentee’s interests, discuss short and long-term professional and career goals and identify ways to achieve them. |  |
| Discuss best communication methods for each attorney, and consider scheduling all remaining meetings/activities for the mentoring term. |  |
| Review Mentee’s progress on the [Colorado Lawyer Self-Assessment](https://coloradosupremecourt.com/AboutUs/LawyerSelfAssessmentProgram.asp), including Mentee’s responses to the Self-Assessment questions. |  |
| Add Other |  |
| Add Other |  |

1. **Developing a Competent Practice**

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| Action | Mark completed items |
| Evaluate how Mentee assess their legal competencies. As an outcome to this discussion, Mentee might develop an analysis of practice areas, matter types, client types, and Colorado judicial districts in which they feel “competent” to practice law. Create a plan for Mentee to routinely visit and update this “Zones of Competency” analysis. |  |
| Highlight areas where Mentee may not feel competent today, but wishes to improve competency over time. Generate a long term plan for Mentee to obtain necessary competencies in these areas of interest. |  |
| Assist Mentee in developing a short-term “Competency Plan” in the event that Mentee is approached to take on a matter or client outside of their scope of Zone of Competency. Included in this plan should be the educational resources, mentors, co-counselors, etc. Mentee can access to timely acquire the competency required. |  |
| Discuss the advantages of bar association involvement and discuss the many local, state, and national associations available, including any in Mentee’s specific practice area, as a means to develop referral relationships and networks. |  |
| Add Other |  |
| Add Other |  |

1. **Communicating in an effective, timely, professional manner**

It is envisioned that this component of the Mentoring Plan should be creatively tailored for the Participating Organization’s Mentoring Program or the individual Mentoring Plan (if not connected to a Participating Organization).

1. **Ensuring that confidentiality requirements are met**

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| 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, and 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 preparation and proper behavior 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; and 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 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. |  |
| Discuss client development and marketing, appropriate procedures, and ethical implications. |  |
| Discuss Colorado’s high standard of confidentiality. |  |
| Substitute Other |  |
| Substitute Other |  |

1. **Avoiding conflicts of interest**

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| 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 their or Mentor’s practice area. The pair discusses and evaluates what was observed. |  |
| Discuss potential conflicts within legal organizations and how to create a screen or ethical wall. |  |
| Substitute Other |  |
| Substitute Other |  |

1. **Maintaining appropriate file and records management systems**

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| Action | Mark completed items |
| **Required**  **(to be completed with the activity elected from list below)** |  |
| Discuss law office management best practices (preferably including a tour of Mentor’s office if practical), and the importance of maintaining organized procedures:   * 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; and * Other resources (publications, seminars, equipment). |  |
| **Complete at least one of the following:** |  |
| Discuss role and responsibilities of paralegals, assistants, and other office personnel, and how to establish good working relationships with others in the same office that 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. |  |
| Discuss information security (See Law Pay Compliance for discussion)  <https://www.lawpay.com/about/blog/pci-compliance/> |  |
| Substitute Other |  |
| Substitute Other |  |

1. **Managing the law firm/legal entity and staff appropriately**

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| 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 (See RPC 1.16). |  |
| Substitute Other |  |
| Substitute Other |  |

1. **Utilizing appropriate fees and trust account best practices**

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| Action | Mark completed items |
| Attend [Trust Account School](https://coloradosupremecourt.com/Complaints/TrustEthicsPractice.asp) offered by the Office of Attorney Regulation Counsel. |  |
| Discuss law office financial best practices including:   * Start-up costs * Budget & financial planning for the first year * Projecting revenue for law firms * Law firm profitability * Alternative Fee Structures: * Flat Fee * Contingency Fee * Unbundled Services * Subscription billing * Billing & collections procedures * How to take credit card payments * Invoice/bill drafting * Client-related expenses * Collecting unpaid fees * Third party payors * Setting up a trust account * COLTAF Accounting * When to transfer funds from your trust account   Ethical considerations and rules |  |

1. **Working to improve the administration of justice and access to legal services**

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| Action | Mark completed items |
| Acquaint 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 Mentor is a member or some other community service activity in which 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. |  |
| The pair uses the [Succession to Service](https://app.joinpaladin.com/succession-to-service/) platform to find a pro bono opportunity relevant to Mentee’s practice of law. Discuss the reasons for making time to engage in volunteer legal service to the public. |  |
| Substitute Other |  |

1. **Lawyer Well-Being**

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| Action | Mark completed items |
| Discuss strategies for integrating a lawyer’s 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 health issues while having this conversation. Discuss what work-life integration means to Mentee, including a self-assessment by Mentee as to whether they are effectively integrating all aspects of their lives. Discuss specifically how work-life integration fits into the overall health of the legal profession and the importance of promoting it in relationships with other attorneys, including co-workers, co-counsel, or opposing counsel.  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. |  |
| Mentee participates in a self-care ritual with Mentor. Discuss how Mentor incorporates self-care into their lives and why self-care is important. |  |
| Discuss the benefits of the Colorado Lawyer Assistance Program (COLAP) and how it can be a resource to any lawyer needing 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. |  |
| Substitute Other |  |

1. **Diversity, Equity, Inclusion, and Accessibility (Complete at least two)**

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| Action | Mark completed items |
| Discuss what diversity, equity, inclusion, and accessibility mean to both Mentee and Mentor and how these concepts manifest in the legal profession. This exercise is designed to create a safe space for conversation and the sharing of different perspectives on how the legal profession is incorporating these concepts and how it can continue to improve. Describe what an ideal practice and legal profession would look like based on these concepts. |  |
| Discuss the dimensions of identity for the Mentor and Mentee. Which identities are most salient for each person? Why? How have these identities served you in the legal profession? How have these identities led to challenge or limitation in the legal profession? |  |
| Discuss roadblocks and challenges the Mentee and Mentor may have experienced because of their underrepresented identities. What methods were taken to address these challenges? What resources were helpful? If there were any resources that would have been helpful but were not available, discuss what those are and how to best implement them in the future. |  |
| Engage one another in a reflective exercise to assess cultural empathy. Use the [Cultural Competence Self-Assessment Checklist](https://www.avma.org/sites/default/files/2020-08/Diversity-CulturalCompetenceChecklist.pdf) as a guide in your discussion. Discuss the ways in which cultural empathy are important to the practice of law and the building of community within the legal profession. |  |
| Attend a diversity awareness or training workshop or CLE together. Discuss the takeaways and next steps in applying what each participant learned.   * [CBA-CLE Equity/Diversity & Inclusion courses](https://cle.cobar.org/Practice-Area/Equity-Diversity-and-Inclusion) |  |
| Discuss various career paths such as Big Law, small firm, government, corporate, legal aid, and nontraditional legal positions and how they related to the Mentee’s personal and professional identities and professional goals.   1. Examine resources for underrepresented attorneys in the organizations or companies appropriate to Mentee’s career path. 2. Discuss how these paths might influence or support Mentee’s professional identity and goals. |  |

## Resources

**Videos**

* + - [Reimagining Law: DEI in the Legal Profession – What’s Working and What Isn’t](https://www.2civility.org/reimagining-law-dei-in-the-legal-profession/)
    - [Reimagining Law: Systemic Racism in the Legal Profession](https://www.2civility.org/reimagining-law-judge-ann-claire-williams-ret/)
    - [Reimagining Law: Supporting LGBTQ Legal Professionals](https://www.2civility.org/reimagining-law-moses-suarez-president-of-lagbac-chicagos-lgbtq-bar-association/)
    - [Reimagining Law: Creating a Sense of “Belonging” in the Legal Profession](https://www.2civility.org/reimagining-law-create-a-sense-of-belonging-in-the-legal-profession/)
    - [Reimagining Law: How Lawyers Can Combat Discriminatory Behavior](https://www.2civility.org/reimagining-law-how-lawyers-can-combat-discriminatory-behavior/)

**Articles**

* + - Commission’s most recent [DEI news and articles](https://www.2civility.org/news-updates/?_topics=diversity)
    - [Implicit Bias: Cloaked in Color-Blind Clothing](https://www.2civility.org/implicit-bias-color-blind-clothing/)
    - [Addressing Diversity Challenges in Law Firms](https://www.2civility.org/addressing-diversity-challenges-in-law-firms/)
    - [What Kids Can Teach Lawyers About Diversity and Representation](https://www.2civility.org/minorities-representation-legal-profession/)
    - [5 Things to Know About Lawyers with Disabilities](https://www.2civility.org/5-things-about-lawyers-with-disabilities/)
    - [3 Ways Lawyers Can Promote DEI and More with the CBA Racial Justice Coalition](https://www.2civility.org/3-ways-lawyers-can-promote-dei-and-more-with-the-cba-racial-justice-coalition/)
    - [Inclusive Language is Allyship](https://www.2civility.org/inclusive-language-is-allyship/)
    - [Unconscious Bias in Mentoring Relationships](https://www.2civility.org/unconscious-bias-in-mentoring-relationships/)
    - [Four Reasons You Need a Mentor](https://www.2civility.org/four-reasons-for-mentoring/)

**American Bar Association**

* + - [Bias Interrupters Project](https://www.americanbar.org/groups/diversity/women/initiatives_awards/bias-interrupters/) - You Can't Change What You Can't See: Interrupting Racial and Gender Bias in the Legal Profession
    - [Model Diversity Survey](https://www.americanbar.org/content/dam/aba/administrative/racial_ethnic_diversity/aba/credp_2020_mds_report.pdf) from the Commission on Racial and Ethnic Diversity in the Profession
    - [Implicit Bias Videos and Toolkit](https://www.americanbar.org/groups/diversity/resources/implicit-bias/) from the ABA Diversity and Inclusion Center

**The Institute for Inclusion in the Legal Profession (IILP)**

* + - [Where We Stand: Real Change. Now.](https://theiilp.wildapricot.org/)