



TRANSITION INTO PRACTICE

HANDBOOK



Committee on the Profession

TRANSITION INTO PRACTICE HANDBOOK

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INTRODUCTION

The goal of this publication is the development and completion of an ***Individualized Mentoring Plan*** to aid the New Lawyer with “Transition into Law Practice.” The Model Mentoring Plan supplied herein as a template for creation of that Individualized Mentoring Plan includes eleven (11) Required Annual Activities/Experiences, as well as various selectable Quarterly Activities/Experiences, consisting of basic/foundational concepts, practical skills, experiences/activities to facilitate learning, and suggested topics to be discussed between the Mentor and New Lawyer throughout the one (1) year Transition into Practice (hereafter also referred to as “TIP”) period. The Activities and Experiences have been chosen and included within this Model Mentoring Plan in an effort to help the Mentor introduce the New Lawyer to things with which all lawyers generally need to be familiar in order to be well-equipped, successful and professional in the modern practice of law.

The Model Mentoring Plan is provided as a basic template/framework for customization and adaptation by the Mentor and New Lawyer into a comprehensive plan that thoughtfully reflects the specific professional goals and interests of the New Lawyer being mentored, while also offering the New Lawyer some exposure to both the practice and business of law. As such, an Individualized Mentoring Plan that is carefully-considered and well-tailored towards the individual New Lawyer who is being mentored will do much to ensure that the New Lawyer’s Transition into Practice is truly meaningful and rewarding, not only just for the New Lawyer but also for the Mentor.

In an effort to provide both structure and clear benchmarks for assessing the New Lawyer’s progress during the TIP period, the Plan is simply arranged and subdivided according to calendar-year Quarters for the one-year TIP period. It consists of a checklist of eleven (11) Required Annual Activities that must all be completed at some point during/before the end of the one-year TIP period, as well as a variety of selectable Quarterly Activities, from which the New Lawyer and Mentor may more-thoughtfully select at least five (5) per calendar Quarter and which should then be completed together during each calendar Quarter of the one-year TIP period. New Lawyers and Mentors may wish to—and are, indeed, encouraged to—explore and discuss additional topics and issues, whenever appropriate, during the one-year TIP period. The basic Model Mentoring Plan includes simply the bare minimum required of New Lawyers and their Mentors in order to complete the TIP program successfully.

Likewise, although the Model Mentoring Plan essentially requires a minimum number of meetings/discussions between New Lawyer and Mentor, it is hoped that they will want to find additional time and choose voluntarily to meet perhaps more than just for the minimum activities as required by the Model Mentoring Plan.



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CREATION OF THE NEW LAWYER'S INDIVIDUALIZED MENTORING PLAN

TAILORING THE MODEL MENTORING PLAN FOR THE NEW LAWYER

The very first Required Activity—and likely the most important one—during the TIP period will be the **Initial Meeting between New Lawyer and Mentor at the Mentor's office**. Besides simply making basic in-person, face-to-face introductions, the purpose of this first meeting will be to explore the goals, interests and chosen practice area(s) of the New Lawyer in order to develop, custom-tailor and prioritize the Activities listed on the Model Mentoring Plan into an appropriate, effective and meaningful Individualized Mentoring Plan for the New Lawyer and Mentor.

The New Lawyer and Mentor should each read and consider these Instructions very carefully prior to the Initial Meeting at the Mentor's office:

1. Print and bring the Model Mentoring Plan to the Initial Meeting at the Mentor's office.
2. The New Lawyer and Mentor should discuss and explore the New Lawyer's professional goals, interests, chosen practice area(s) and the Louisiana Code of Professionalism.
3. Review and briefly discuss all of the Required Annual Activities contained within the Model Mentoring Plan—all of these Required Annual Activities must be included within the Individualized Mentoring Plan that will be chosen, drafted and used by the New Lawyer and Mentor.
4. In addition to completion of the Required Annual Activities, at least five (5) of the Quarterly Activities listed within the Model Mentoring Plan must be selected for each Quarter and included within and used as part of the New Lawyer's Individualized Mentoring Plan. Note that, with some obvious exceptions, the Activities listed for each calendar Quarter should ideally be completed during that same calendar Quarter but they do not need to be completed in any particular order during that Quarter, i.e., there is a fair amount of flexibility afforded to the New Lawyer and Mentor with respect to scheduling and completing the Activities during each calendar Quarter.

Review and briefly discuss all of the Quarterly Activities contained within the Model Mentoring Plan and select at least five (5) of these Quarterly Activities for each Quarter to be included within the New Lawyer's own Individualized Mentoring Plan by circling or otherwise highlighting all boxes corresponding to the Quarterly Activities selected. Please note that any listed Quarterly Activities already designated as "Required" must

be circled/included within the five (5) Quarterly Activities to be selected by the New Lawyer and Mentor for that Quarter.

5. The Mentor and New Lawyer must sign the Mentoring Plan Acknowledgment (on the last page of the Model Mentoring Plan form, signifying their agreement to and selection of the Required Annual and Quarterly Activities to be completed as part of the New Lawyer's Individualized Mentoring Plan).
6. The Model Mentoring Plan form, once all selections have been made and it has been signed by Mentor and New Lawyer, is considered to be the New Lawyer's Individualized Mentoring Plan.
7. A copy of the New Lawyer's Individualized Mentoring Plan, including the original of the signed Mentoring Plan Acknowledgment, must be submitted to the LSBA Transition into Practice Coordinator within forty five (45) days of the beginning of the New Lawyer's applicable Transition into Practice period.

Any questions regarding the creation of the New Lawyer's Individualized Mentoring Plan should be directed to the LSBA Transition into Practice Coordinator at (504) 566-1600 or toll free at 1-800-421-LSBA.

MODEL MENTORING PLAN

As noted above, the Model Mentoring Plan is provided as a template for the Mentor and New Lawyer to use in preparing/customizing an Individualized Mentoring Plan for the New Lawyer, i.e., the “game plan” that will be followed and referenced by the Mentor and New Lawyer during the New Lawyer’s one-year TIP period.

Included within this Handbook are basic resource materials for each of the Activities and Experiences listed within the Model Mentoring Plan, which, in many instances, may include “Worksheets” and/or suggested checklists for added guidance. Completion of the “Worksheets” is not mandatory but participants are encouraged to refer to and use them as aids for discussion.

While a minimum of five (5) Quarterly Activities must be completed by the New Lawyer and Mentor during each Quarter, by agreement between the Mentor and New Lawyer, additional Activities may be included and covered during any/all of the calendar Quarters.

The Activities for each Quarter are effectively organized into categories:

First Quarter: Introduction to Serving the Public and Serving the Profession

Second Quarter: Introduction to Personal, Professional and Ethical Development

Third Quarter: Introduction to Client Relations, Communication and Negotiations

Fourth Quarter: Introduction to Law Office Management

COMPLETION OF THE INDIVIDUALIZED MENTORING PLAN

Prior to the end of each calendar Quarter, the New Lawyer should provide to the Mentor an updated print-out of the New Lawyer's Individualized Mentoring Plan, showing the New Lawyer's completion of Activities during that Quarter. This will allow the New Lawyer and Mentor to review their progress in accomplishing the selected Activities and to focus on any Activities that they may still need to accomplish prior to the end of that Quarter.

Ultimately, at least one (1) month prior to the end of the applicable one-year TIP period, the New Lawyer and Mentor should also meet and review an updated print-out of the New Lawyer's Individualized Mentoring Plan, again to review their progress and to focus on any Activities that are still needed to complete the New Lawyer's Individualized Mentoring Plan.



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MODEL MENTORING PLAN – FORMS FOR INDIVIDUALIZED MENTORING PLAN

Print or Type	Name	LSBA Bar #
New Lawyer:		
Mentor:		

This form (consisting of seven (7) pages) is to be used by the New Lawyer and Mentor to prepare and customize the New Lawyer's Individualized Mentoring Plan.

An Appropriate Individualized Mentoring Plan Must Include:

- **ELEVEN (11) REQUIRED ANNUAL ACTIVITIES AND EXPERIENCES**, which may be accomplished at varying points throughout the TIP year; plus
- **AT LEAST FIVE (5) LISTED QUARTERLY ACTIVITIES** must be Selected and completed during each calendar quarter of the TIP year. Please note that any Quarterly Activities already designated as "Required" must be included as part of the five (5) activities selected for that Quarter.

ELEVEN (11) REQUIRED ANNUAL ACTIVITIES & EXPERIENCES:

ACTIVITY/EXPERIENCE - ALL TO BE COMPLETED DURING THE TIP YEAR			NEW LAWYER - INITIAL & DATE WHEN COMPLETED
1	Attend Civil Hearing or Trial in State District Court	Required	
2	Attend Criminal Hearing or Trial in State District Court	Required	
3	Attend Civil Hearing or Trial in Federal District Court	Required	
4	Attend Criminal Hearing or Trial in Federal District Court	Required	
5	View Appellate Court Oral Argument (may view on-line Louisiana Supreme Court oral argument)	Required	
6	Attend Hearing or Trial in at Least Two (2) Different Specialized Courts [1st Court]: [circle court selected] <ul style="list-style-type: none"> - Bankruptcy Court - State or Federal Administrative Law Court - Family/Domestic/Juvenile Court - Small Claims Court 	Required	
7	Attend Hearing or Trial in at Least Two (2) Different Specialized Courts [2nd Court]: [circle court selected] <ul style="list-style-type: none"> - Bankruptcy Court - State or Federal Administrative Law Court - Family/Domestic/Juvenile Court - Small Claims Court 	Required	
8	Attend Deposition (with Mentor)	Required	
9	Visit Jail (with Mentor) – to understand procedure(s) for visiting clients in jail [Worksheet 9]	Required	
10	Attend at least one (1) Meeting or Function of LSBA, local bar association, specialized bar association or Inn of Court (with Mentor) [Worksheet 10]	Required	
11	Attend LSBA’s Bridging the Gap Program	Required	

FIRST QUARTER ACTIVITIES & EXPERIENCES
(SELECT AT LEAST FIVE (5) THIS QUARTER)

ACTIVITY/EXPERIENCE - <u>AT LEAST FIVE (5)</u> TO BE COMPLETED DURING THIS QUARTER OF THE TIP YEAR		NEW LAWYER - <u>CIRCLE EACH</u> ITEM SELECTED/TO BE COMPLETED	NEW LAWYER - INITIAL & DATE WHEN COMPLETED
1	New Lawyer - During First Month of the Quarter, Contact Mentor & Arrange to Meet at the Mentor's Office to Get Acquainted (i.e., <u>Initial Meeting</u>) [Worksheet 1-2]	Required	
2	New Lawyer & Mentor - <u>During Initial Meeting</u> at Mentor's Office, Develop New Lawyer's Individualized Mentoring Plan [Worksheet 1-2]	Required	
3	New Lawyer & Mentor - <u>During Initial Meeting</u> at Mentor's Office, Discuss Louisiana Code of Professionalism [Worksheet 3]	Required	
4	New Lawyer & Mentor - Discuss "Unwritten" Customary Rules of Civility & Etiquette Among Lawyers & Judges [Worksheet 4]	Option	
5	New Lawyer & Mentor - Meet at Mentor's Office to be Introduced to Other Members of Mentor's Law Firm [Worksheet 5]	Option	
6	New Lawyer & Mentor - Review & Discuss Rule 6.2 & Rule 6.3 of the Louisiana Rules of Professional Conduct ("LRPC") [Worksheet 6]	Option	
7	Mentor - Acquaint New Lawyer with "Legal Aid", Local Pro Bono Agencies & Lawyers Engaging in Civic and/or Charitable Work [Worksheet 7]	Option	
8	New Lawyer & Mentor - Discuss Work/Life Balance and Factors Affecting Ability to Practice Successfully [Worksheet 8]	Option	
9	New Lawyer & Mentor - Discuss Annual MCLE Requirements & Ways to Fulfill Same [Worksheet 9]	Option	

SECOND QUARTER ACTIVITIES & EXPERIENCES
(SELECT AT LEAST FIVE (5) THIS QUARTER)

	ACTIVITY/EXPERIENCE - <u>AT LEAST FIVE (5)</u> TO BE COMPLETED DURING THIS QUARTER OF THE TIP YEAR	NEW LAWYER - <u>CIRCLE</u> EACH ITEM SELECTED/TO BE COMPLETED	NEW LAWYER - INITIAL & DATE WHEN COMPLETED
1	New Lawyer & Mentor - Discuss New Lawyer's Long-Term Career Objectives & Identify Ways to Meet These Goals [Worksheet 1]	Option	
2	New Lawyer & Mentor – Discuss Lawyer-Related Substance Abuse & Mental Health Issues: Warning Signs; Colleagues With Problems; Resources (LSBA Lawyers Assistance Program (“LAP”)) [Worksheet 2]	Required	
3	New Lawyer & Mentor – Discuss Career Paths & Identify Resources for Exploring Options, Including Discussing Differences in Working in Firms of Various Sizes & in Government [Worksheet 3]	Option	
4	New Lawyer & Mentor - Discuss Managing Law School Debt [Worksheet 4]	Option	
5	New Lawyer & Mentor – Discuss Job Search Strategies [Worksheet 5]	Option	
6	New Lawyer & Mentor – Discuss Common Malpractice Traps & How To Avoid Them [Worksheet 6]	Option	
7	New Lawyer & Mentor – Discuss Handling Conflicts of Interest Issues; Review Rules 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13 & 1.14 of the “LRPC” [Worksheet 7]	Option	
8	New Lawyer & Mentor – Discuss Purpose(s), Importance & Benefits of Prof. Liability Insurance [Worksheet 8]	Option	
9	New Lawyer & Mentor – Discuss LA Attorney Disciplinary Process, including Operation & Function(s) of Office of Disciplinary Counsel, and Duty to Cooperate in Disciplinary Matters (Rule 8.1 of the “LRPC”) [Worksheet 9]	Option	
10	New Lawyer & Mentor – Discuss Handling Ethics Issues at Law Firm: Issues with Associate(s); Issues with Partner(s); Issues with Other Lawyers; discuss LSBA Ethics Advisory Service [Worksheet 10]	Option	

THIRD QUARTER ACTIVITIES & EXPERIENCES
(SELECT AT LEAST FIVE (5) THIS QUARTER)

	ACTIVITY/EXPERIENCE - <u>AT LEAST FIVE (5)</u> TO BE COMPLETED DURING THIS QUARTER OF THE TIP YEAR	NEW LAWYER - <u>CIRCLE</u> EACH ITEM SELECTED/TO BE COMPLETED	NEW LAWYER - INITIAL & DATE WHEN COMPLETED
1	New Lawyer & Mentor - Discuss Client & Business Development, Retention of Clients & Related Ethics Issues [Worksheet 1]	Option	
2	New Lawyer & Mentor – Discuss Client Role in Decision-Making Process (incl. Rule 1.2 of the “LRPC”) [Worksheet 2]	Option	
3	New Lawyer & Mentor – Discuss How to Evaluate a Potential New Case & Whether to Accept a New Case [Worksheet 3]	Option	
4	New Lawyer & Mentor - Discuss Dealing with “Difficult” Client(s) [Worksheet 4]	Option	
5	New Lawyer & Mentor – Discuss Importance of Good Communication with Client, Providing Updates, Status Reports, Etc. (incl. Rule 1.4 of the “LRPC”) [Worksheet 5]	Option	
6	New Lawyer & Mentor – Discuss Setting Fees, Fee Arrangements & Fee Agreements [Worksheet 6]	Option	
7	New Lawyer & Mentor – Discuss Techniques for Legal Counseling & Advising Clients [Worksheet 7]	Option	
8	New Lawyer & Mentor – Discuss Appropriate Ways for Dealing With Others on Behalf of Clients (incl. ethics, professionalism, custom, etiquette, etc.) [Worksheet 8]	Option	
9	New Lawyer & Mentor – Discuss Preparation for Taking & Defending Depositions [Worksheet 9]	Option	
10	New Lawyer & Mentor – Discuss Methods & Issues in Negotiations [Worksheet 10]	Option	
11	New Lawyer & Mentor – Discuss Effective Legal Writing [Worksheet 11]	Option	
12	New Lawyer & Mentor – Discuss Alternative Dispute Resolution (“ADR”) [Worksheet 12]	Option	

FOURTH QUARTER ACTIVITIES & EXPERIENCES
(SELECT AT LEAST FIVE (5) THIS QUARTER)

	ACTIVITY/EXPERIENCE - <u>AT LEAST FIVE (5)</u> TO BE COMPLETED DURING THIS QUARTER	NEW LAWYER - <u>CIRCLE EACH</u> ITEM SELECTED/TO BE COMPLETED	NEW LAWYER - INITIAL & DATE WHEN COMPLETED
1	New Lawyer & Mentor - Discuss Lawyer-Client Confidentiality (Rule 1.6 of the "LRPC") vs. Attorney-Client Privilege [Worksheet 1]	Option	
2	New Lawyer & Mentor – Discuss Checking for/Recognize Conflicts of Interest [Worksheet 2]	Option	
3	New Lawyer & Mentor – Discuss Roles of Secretaries, Legal Assistants, Paralegals, Law Clerks, etc. (Rule 5.3 of the "LRPC") [Worksheet 3]	Option	
4	New Lawyer & Mentor - Discuss Unauthorized Practice of Law & Prevention of Same (R.S. 37: 213 & Rule 5.5 of the "LRPC") [Worksheet 4]	Option	
5	New Lawyer & Mentor – Discuss "Office Politics", Including What is & What is not Appropriate Networking, Socializing & Personal Behavior(s) [Worksheet 5]	Option	
6	New Lawyer & Mentor – Discuss Issues & Steps for Leaving a Law Firm [Worksheet 6]	Option	
7	New Lawyer & Mentor – Discuss Good Time Management Skills/Techniques [Worksheet 7]	Option	
8	New Lawyer & Mentor – Discuss Law Office Management Matters, such as: [Worksheet 8] <ul style="list-style-type: none"> - Time Records - Records of Client Expenses - Billing Systems - Advance Deposits/Payment Schedules - Trust Accounting, incl. IOLTA & Handling Client Funds - Filing System(s) & Procedures - Document/File Retention - Calendar Reminder, Docket & Case Management Systems - Information Technology Systems, incl. On-line Court Systems such as PACER - Library & Legal Research System(s) 	Option	



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MENTORING PLAN ACKNOWLEDGEMENT

The undersigned New Lawyer and Mentor have reviewed the foregoing Model Mentoring Plan together, thoughtfully discussing and considering both the Required Annual Activities and the selection of Quarterly Activities in order to formulate the New Lawyer’s Individualized Mentoring Plan.

We hereby pledge and agree that we will devote the time, effort and patience necessary to carry out and complete the New Lawyer’s Individualized Mentoring Plan during the applicable one-year TIP period.

The New Lawyer and the Mentor understand that this program is one of mentoring. There is no expectation of future employment with the Mentor’s firm or business.

The New Lawyer will engage in the highest level of ethics and professionalism while dealing with the Mentor. All information discussed and writings reviewed while engaging in the Mentoring process, particularly at the Mentor’s office, will be held in the highest and strictest of confidence.

To the extent compliance is not made with the terms and conditions of this program, the New Lawyer and/or the Mentor shall contact the Louisiana State Bar Association at (504) 566-1600 to discuss these concerns. The LSBA must be notified as soon as such issues arise to ensure full compliance with this program.

This Acknowledgement is to be signed by both parties and returned to the LSBA by email to: Brooke Theobold, brooke.theobold@lsba.org

Printed Name of New Lawyer

Signature of New Lawyer

Printed Name of Mentor

Signature of Mentor

Date