



2012 - 2013

# **MODEL MENTORSHIP AND ASSOCIATE DEVELOPMENT PROGRAM**



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**MERITAS**<sup>®</sup>  
LAW FIRMS WORLDWIDE



**The 2012-13 Meritas Leadership Institute  
Model Mentorship and Associate Development Program**

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1. Purpose

This Model Mentorship and Associate Development Program is designed to help junior lawyers adjust to and excel in the practice of law at your Firm, with the support and guidance of their more experienced colleagues.

The Model Program is intended to be a general guide and to serve as a blueprint that can be utilized by Meritas member firms. It might be useful both to firms seeking to adopt a new formal mentorship and associate development program and to firms looking to modify their existing programs.

The purpose of this Model Program is to provide new lawyers with the tools to (a) hit the ground running at the Firm, (b) successfully integrate into Firm life and the practice of law, (c) become productive contributors to the Firm – and its bottom line – as quickly as possible, and (d) develop into experienced lawyers who are accretive to the business of the Firm.

An effective mentorship and associate development program should consider a variety of factors, including the size and culture of your Firm. As a consequence, some of the recommended approaches and strategies set forth herein may not be appropriate for your Firm. Accordingly, while we recommend that your Firm consider and apply the principles and structure of this Model Program where they make sense, the Model Program is in no way intended to limit the experiences and opportunities offered to your junior lawyers. All junior lawyers are encouraged to discuss with their mentors and other members of the Firm any personal and/or professional issues that may arise throughout their careers.

It is important to note that this Model Program focuses on both “mentorship” and “associate development.” Although these concepts are intertwined, they are not the same and are intended to identify two different concepts. Mentorship focuses on successfully integrating newly hired lawyers into the Firm and providing them with a resource for questions and concerns. Associate development, on the other hand, is a broader concept focused on equipping lawyers who are already integrated into the Firm with the tools and resources they need to develop their own practices, understand the “business” of a law firm, and engage in successful business development efforts. An effective program should incorporate both of these concepts.

The Firm’s formal program should be designed to complement, rather than replace, the many informal mentoring relationships that naturally develop for most associates.

Lawyers participating in this program are encouraged to have significant contact with one another through day-to-day interactions at work and through social and professional activities. We have learned through experience that junior lawyers who are brought along by their seniors tend to progress more rapidly, and recommend that the Firm should assign high priority to its mentoring and associate development functions.

This Program is also designed to assist associates in developing the expertise, productivity, marketing skills, work habits, judgment, ethical behavior, and cooperative relationships that your Firm expects its lawyers to demonstrate.

## 2. The Philosophy Underlying the Model Program

Law firms have different sizes, geographic locations, cultures, and other characteristics. We recognize that, because of these differences, not all firms will find the same mentorship and associate development program structures well suited to them. Nevertheless, we have endeavored to describe here a Model Program that we think will work well for most law firms. There are places in the program where we will offer options, such as in how mentors and mentees are matched up. These are intended to address situations where there is a divergence among firms. On other matters, however, we have exercised our judgment and propose here the arrangements that, based upon our experience and research, make the most sense for the majority of firms.

This approach should not discourage your Firm from tinkering with the model program where you see fit. We expect that some firms will be able to adopt this program in its entirety, while others will find it preferable to borrow aspects of it and set aside others.

### 3. Number and Type of Mentors

For firms of sufficient size, each new associate should be assigned two mentors: (i) a partner-level mentor and (ii) a senior-associate level mentor, or associate “sibling.” The reason for this is that more junior associates can benefit from the guidance of their partner-level mentor, but also will appreciate having someone closer to them in age and experience with whom they can feel more comfortable addressing certain issues.

For smaller firms, where it is not feasible for each associate to have two mentors, each associate should have a single mentor who is either a partner or a senior associate.

Where possible, an associate’s mentor(s) should have some common tie to the associate, be it a similar area of practice, a common alma mater, or some other common background characteristic or interest. These commonalities will assist in the formation of an initial bond between the mentor and mentee. With that being said, when possible, firms should avoid pairing new associates with mentors who are their direct supervisors (managing partner or department head/chair), as research has shown that associates are less likely to approach a direct supervisor with questions or concerns they may have.

Like associates, newly elevated partners should also have a more senior mentor who can provide guidance on matters of business and practice development. Although we expect that by this point in a lawyer’s career, he or she will have formed relationships with other lawyers at the Firm who can provide this sort of guidance, a formal arrangement with a business/practice development mentor, including structured meetings at regular intervals, will further assist new partners in developing their practices and will better equip them to become accretive to the business of the Firm on a shorter timeframe.

#### 4. Matching System

For firms of sufficient size, the following system for matching mentors and mentees is advisable:

##### *For New Associates*

New associates (including those right out of law school and lateral hires) should be matched with their mentors by one or more members of the Firm who are designated to oversee the Firm's mentorship program. One person assuming this role might be the Firm's professional development director (that is, the person responsible for overseeing training, seminars, and mentorship activities for associates at the Firm, if the firm has a person who performs that task). In smaller firms, one or more partners may be selected to oversee the mentorship program.

The initial mentor-mentee matches should be made without soliciting input from the new associate. Associates who are new to the firm will not have sufficient information to make informed decisions about who their mentors should be.

##### *Reassignments at the One-Year Mark*

An associate's initial mentor(s) should be assigned for a period of one year. After the one-year period has expired, the associate should be given the opportunity to express a preference about whether he or she would like to continue with his current mentor(s), or be assigned new mentor(s). It should be expected that many associates will change mentors at this juncture; a request for a change should not necessarily be looked upon as reflecting a problem with the original mentorship assignment. Instead, it should be understood as an opportunity for the associate and the Firm together to select mentors that best fit their common needs based upon the additional information that the associate and Firm then know about one another.

Associates and mentors may stay together after the one-year mark if there is good reason not to make a switch. Good reasons include that there is already a good match or that other interested and appropriate mentors are unavailable (something that will be more likely in smaller firms).

The theory here is that, having been at the Firm for a year, the associate will be familiar with other lawyers at the Firm and will have reasoned opinions about whom he or she would like his or her mentors to be. Mentoring relationships work best when both the mentor and the mentee are committed to and engaged in the relationship and trust and respect one another. This is more likely to be the case when the mentees have a voice in selecting their mentors.

The mechanics of the associate expressing his or her preferences will necessarily vary from firm to firm. Where possible, an associate should be encouraged to submit a ranked list of mentors for himself or herself (a first choice, a second choice, and a third choice). The Firm should then attempt to assign to that associate the mentor highest on his preference list who is available and willing to serve.

The process of matching associates to mentors based on the associates' preferences will undoubtedly have complications. Certain partners will inevitably be more frequently requested than others, and it will accordingly not be possible to accommodate every associate's preferences. Even with that being the case, soliciting preferences from associates, even where they cannot be accommodated, sends the message that the Firm cares about the associate's development, values his or her opinions, and is endeavoring to provide the associate with the support and guidance he or she needs to succeed.

#### *Further Reassignments*

Long-term mentoring relationships are more valuable than short-term mentoring relationships. For that reason, the Firm should attempt to maintain the mentoring relationships established after an associate's second year through the rest of his or her tenure as an associate.

We recognize, however, that this arrangement may not always be possible or advisable. For instance, mentors might leave the Firm, and relationships that were once strong can weaken. Therefore, the Firm should make clear to mentors and mentees that mentoring assignments can be reevaluated at any point in time if either the mentor or mentee thinks it is sensible to do so.

In the event a reassignment appears prudent, the mentee-preference model described above should be applied to the selection of new mentors.

#### *Assignment of Mentors for Newly Elevated Partners*

Because mentorship of new partners is different than the mentorship many associates need, newly elevated partners once again go through the mentor matching process described above.

In some, perhaps many, cases, new partners might wish to continue their existing mentorship relationships, and the Firm should encourage the continuation of mentoring relationships that are working well. At the same time, however, for many mentees it is likely that their needs will have changed over time and that a new mentor might be appropriate at this stage.

Once again, new mentors appointed at this time are selected by the mentee-preference model described above.

Mentorship for newly elevated partners should focus on improving their understanding and mastery of business development skills and topics relating to the business of law, law firm economics, and the development of a practice.



5. Length of Program

As stated above, the Firm's mentorship program should apply to all associates and newly elected partners. Thus, the Firm's mentorship program should run from the time an associate joins the firm through the time the associate becomes an established partner and no longer wants or needs formal mentorship.

As described above, each associate should have a partner-level mentor and a senior-associate-level "sibling" assigned to him or her when he or she starts at the Firm. One year later, these relationships should be reevaluated and a process should be followed to reassign mentors and siblings, if needed, based upon the associates' preferences. A final mentor assignment should be made when the associate is elevated to partner.

6. Orientation

The Firm should host an annual orientation, which all mentors and mentees are strongly encouraged to attend. The orientation should cover the program's objectives and details, provide tips on establishing an effective and successful mentoring relationship, and share best practices. Having an in-person discussion of these issues, rather than relying wholly on written materials to communicate with mentors and mentees about the program, will result in better compliance and better mentoring relationships.

## 7. Time Commitment

The Firm should encourage mentors and associate mentees to meet at least monthly. The mentor and mentee together should determine the appropriate amount of contact. The frequency of mentor/mentee meetings might decline as time goes on and the need for more frequent mentoring diminishes.

New partners and their mentors will likely meet less frequently.

Meetings between mentors and mentees can take many forms, including breakfast, lunch, walks around the block, or more traditional office meetings. Meetings with newer associates (first years and laterals during their first few months at the firm) should be bi-weekly, and thereafter meetings should take place at least monthly. Experience has shown that even with the best intentions, unless mentor/mentee meetings are scheduled and calendared in advance, the pressures of day-to-day life can result in long gaps. As part of the orientation process, bi-weekly meetings should be set up for the mentor/mentee teams for the first six months after an associate's arrival.

If your Firm appoints its professional development director or some other person to spearhead the Firm's mentorship and associate development program, that person can schedule the bi-weekly meetings for new associates. The ultimate responsibility for ensuring that these meetings take place as scheduled, of course, rests with the mentor and his or her mentee. After a period of three to six months, mentors and mentees should begin to schedule their own meetings without outside assistance.

8. Budget

The Firm should reimburse mentors and mentees for reasonable expenses incurred for meals, coffee, and drinks associated with their meetings.

The appropriate budget for these expenses will vary from firm to firm, and from market to market. For most firms, a policy allowing for an expenditure of US \$30.00 or its equivalent per mentor-mentee couple per month is a good general guideline. In our view, the benefits to the Firm of this modest expense will be well worthwhile.

## 9. Business Development and Law Firm Economics Mentorship

Based upon our research, there are two subject matters that should be a focus of law firm mentorship and associate development programs, but often are not: business development and law firm economics. Accordingly, your Firm should make a special effort to incorporate these two topics into its program.

It is crucial that junior lawyers receive guidance early in their careers about business development practices and develop good habits and plans that will serve them well as their careers progress. Mentors should endeavor to instruct their mentees about the importance of building and maintaining relationships, when and how to start business development activities, marketing, developing their practice niches, and engaging with organizations and individuals who can help them attract clients and build referral sources.

It is similarly crucial that junior lawyers be educated about law firm economics and the business of law – topics that are generally not addressed in law schools. Mentors should talk with their mentees about the mechanics and details of billing clients (including how to use the firm’s billing systems, how to prepare bills, how to deal with collections, how to handle write-downs, and how to implement alternative billing arrangements under firm procedures) and share with them an understanding of the Firm’s structure, overhead costs (including how associate salaries impact what the Firm demands of associates), and strategic outlook and objectives.

By discussing and addressing these issues with associates throughout their careers, starting very early on, the Firm will better enable its associates to position themselves for success as they mature. The Firm’s associates will be able to transition more smoothly from associates to productive partners when the time comes, and they will more quickly become accretive to the Firm’s bottom line. The Firm should therefore give specific instruction to mentors to address these issues.

## 10. Program Assessment

The Firm should adopt a process by which each ongoing mentor-mentee relationship is periodically evaluated by the mentor and mentee. At firms of sufficient size and those with professional development personnel, the Firm's professional development director can oversee the evaluation process. At other firms, the Firm may appoint one or more partners to oversee it.

Evaluations should be completed every six months during the first year of a mentoring relationship, and once per year thereafter. The Firm should provide forms that may be completed by program participants and submitted to the director or partner overseeing the evaluation process. That person (or those people) should then review the evaluations and address any issues identified in them.

Although administering the evaluation process requires an investment of time and resources, we think the investment is worthwhile. The results of the evaluations will enable the Firm to identify mentoring relationships that are not working and make adjustments that will greatly benefit the Firm's associates and junior partners. The results will also allow the Firm to better evaluate the successes and problems of its mentorship and associate development program as a whole and to make adjustments to the program so that it better accomplishes its goals.

A model evaluation form is included with this Model Program. Mentors who have multiple mentees, and mentees who have multiple mentors, should fill out a separate form for each.

11. Mentor Responsibilities

The Firm should provide each of its lawyers acting as mentors with a concise written description of his or her role as the mentor and what is expected of him and her in that role. Clear and concise communication of the Firm's position on these matters is vital, as not everyone will necessarily have the same views about what a mentor should do in the absence of such communication.

A model handout describing a mentor's role and describing his or her responsibilities is included with this Model Program. Your Firm may use it, or modify it, at its discretion.

12. Sibling Responsibilities

A model handout describing a sibling's role and his or her responsibilities is included with this Model Program. Your Firm may use it, or modify it, at its discretion.

For the first three to six months of a new associate's time at the Firm, siblings should meet at least bi-weekly as part of the orientation process. After that, siblings should meet at least monthly. Siblings should schedule and calendar their meetings in advance to reduce the likelihood that day-to-day responsibilities will intrude on the meetings.



13. Mentee Responsibilities

A model handout describing a mentee's responsibilities is included with this Model Program. Your Firm may use it, or modify it, at its discretion.

#### 14. Mentoring as a Firm

In addition to serving as formal mentors to junior lawyers at the Firm, senior lawyers can greatly enhance the prospects for success of the Firm's junior lawyers by taking a real interest in their professional development and working to help them enhance their skills, business development acumen, and relationships with clients and others in the community. This is a responsibility shared by all lawyers at the Firm.

Thus, mentorship should not be thought of as limited to the formal relationships established by the Firm. Instead, it should be thought of as an integral part of the way senior and junior lawyers at the Firm interact on a daily basis. Thus, to the extent practical, all or nearly all partners at the Firm should act as formal mentors to associates.

In addition, the Firm can demonstrate its commitment to mentorship and associate development in a number of ways outside of the formal mentorship relationships it creates.

First, the Firm should strive to create a culture of mentorship – one in which good mentoring is both valued and rewarded. This means that the Firm should try to find ways to honor excellent mentors, by, for example, periodically recognizing excellence in mentorship with awards. The Firm should also consider awarding some monetary compensation – even if slight – to partners who are excellent mentors and make substantial commitments of time and effort to mentoring the Firm's less senior lawyers.

Second, the Firm should create a mechanism by which associates can share their thoughts with Firm management about both mentorship and other Firm issues. This can be done by creating an associates committee, for example, that consists of associates who are designated to bring the concerns of associates to Firm management regularly. Associates greatly appreciate the opportunity to communicate with Firm management about issues of concern to them, and their job satisfaction will be greatly enhanced by their knowing that the Firm wants to hear their concerns.

Finally, lawyers at the Firm can do the following concrete things to assist the junior lawyers with whom they work:

- Identify for the junior lawyers any unusual expectations or aspects of the Firm's clients' personalities or circumstances that might assist the lawyers in interacting with clients and meeting the clients' needs.
- Go over the plans for each case or deal to ensure that junior lawyers understand what tasks they are responsible for. Have junior lawyers explain their assignments to you (don't believe head nods). Be clear that your door is always open.
- Even if a junior lawyer is handling only a small piece of a matter/deal, continuously work at making the junior lawyer feel connected to the case/deal and the client. Make sure he or she understands how his or her role fits into the bigger picture. Copy the junior lawyer on all correspondence and e-mails.

- Be open and clear with junior lawyers about deadlines. If dates are pushed up or back, let junior lawyers know ASAP.
- Invite junior lawyers to participate (even if silently) in as many hearings, depositions, client calls, and meetings as is practical under the circumstances.
- Treat a junior lawyer's work product not only as a product to be used, but also as an inquiry and request for feedback, deserving of as prompt a response as you would otherwise give to an inquiry from a client. Look for opportunities for junior lawyers to develop "on their feet" experiences, such as courtroom, deposition, and negotiation skills. Try to observe their performance so you can give meaningful feedback.
- Let junior lawyers present the matter, issue, solution, etc. to the client whenever possible (and appropriate, of course), with prior preparation.
- Be explicit in pointing out the reasons for judgments you make on matters of substance, procedure, and client management. Do not assume junior lawyers can read your mind or have the experience necessary to recognize those considerations that your greater experience has made obvious to you.
- Cheerlead by example, as well as by words, by demonstrating your personal commitment to work shoulder-to-shoulder on cases and deals, particularly when a case or deal involves late night or weekend work.
- Teach junior lawyers how to draft effectively by providing them with good form pleadings, briefs, and agreements, and by marking up their drafts with helpful comments and talking to them about their writing.
- At the end of each project or case, spend a few moments to give each junior lawyer who worked on it feedback on his or her performance (what he or she did well, where he or she could improve, what expanded role he or she should try to play on his or her next similar matter/deal/case).
- Have lunch or coffee with the junior lawyers working on your matters once in a while.

### *Model Mentorship Evaluation Form*

The purpose of this evaluation form is to give our mentors and mentees the opportunity to assess their current mentorship relationships and identify any issues relating thereto that ought to be addressed. It is important to the Firm that your mentorship relationships are good ones and that they enhance your experience at the Firm. Accordingly, please answer the following questions honestly. Your responses will not be shared with your mentor or mentee unless you choose to share them.

1. What is your name?
2. What is your mentor/mentee's name?
3. When did your formal mentorship relationship with this mentor/mentee begin?
4. Are you satisfied with your mentorship relationship?
5. What aspects of the relationship are working well?
6. What aspects of the relationship are working poorly or could be improved?
7. Would you like to continue to be in a formal mentorship relationship with this person? (Note that the Firm will assign a new mentor to mentees who are dissatisfied with their current mentorship relationships, subject to the availability of other appropriate mentors.)
8. Is there anything else you would like to add?

### *Model Mentor Handout*

Your job as a mentor is important to the Firm because the Firm will prosper based largely on its ability to develop young lawyers into engaged, significant contributors to the practice of law. You will support an associate's formal training by taking an active interest in his or her career. When a first-year or lateral associate joins the Firm, he or she is assigned a partner mentor and a senior associate "sibling." These individuals assist the associate with integrating into life at the Firm. A mentor's role can take on a wide variety of forms, but the following bullet points describe some of the basic functions that the role should typically include:

- *Coach.* Help the associate understand the Firm, the associate's practice area, and his or her role on matters. Help the associate learn the different practice styles and expectations of the various partners with whom he or she works. Help the associate understand firm expectations. This should include helping the associate to (i) identify one or more organizations in which to become active, and (ii) develop an approach to networking and external visibility. Encourage the associate to participate in appropriate trade associations and professional groups, and guide him or her on how to advance his or her professional career with these activities. Ask the associate to accompany you to external group meetings (*e.g.*, industry groups, bar association meetings, etc.) that might benefit the associate. For more senior associates, help the associate identify and accomplish undertakings that will better position him or her for partnership consideration and success as a partner.

- *Professional Development Resource.* Monitor the type of projects to which the associate is assigned over time, and his or her role on the projects. Discuss with the associate his or her practice interests and identify the range of transactions or projects to which the associate needs exposure. Act as an advocate in practice group meetings and with the work allocators to make sure the associate is gaining a wide range of experience and is working with a wide range of partners over time. Encourage partners to provide direct feedback to the associate after significant projects are completed. Be a resource to the associate for form documents, practice tips, and to answer substantive questions on his or her projects. Following the associate's annual performance review, set up a meeting to discuss any questions the associate has about his or her review message. Guide the associate's choices in attending outside seminars that will supplement his or her firm training.

- *Confidant/Counselor.* Be a supportive sounding board for the associate's accomplishments, problems, frustrations, and professional needs. Be a resource to the associate when he or she is feeling lost, confused, or overwhelmed. Help the associate resolve problems where they can be resolved, and cope with them when they cannot.

- *Troubleshooter.* Help the associate spot and address situations where he or she is given inadequate direction or supervision. Help the associate learn to juggle conflicting work demands. If necessary, speak with partners or work allocators to help resolve conflicting demands. Help the associate deal with secretarial problems. Be proactive about openly and frankly communicating with the associate about "bad habits" or other areas where the associate is not meeting expectations.

- *Fact Finder.* Periodically check with the partners with whom the associate is working to assess how they feel the associate is doing. Ask them to identify areas of strength

and weakness and any problems. If problems are identified, work with the Firm's professional development director, other partners, and the associate to develop a plan to address the issues.

- *Business Development and Business of Law Resource.* Two topics of the utmost importance to developing associates are learning good business development practices and learning about the business of law and law firm economics. It is crucial that you assist your mentee in understanding the importance of networking, marketing, and developing an identifiable focus for his or her practice. It is likewise crucial that you assist your mentee in understanding the economics of law firm practice as this is something that might not be readily apparent to more junior lawyers.

As a mentor, you should do the following:

- Ease the mentee's transition into practicing law through informal orientation to the Firm;
- Provide a face-to-face resource for the mentee to go to for questions about Firm etiquette, policies, and other topics that will help the mentee become a successful associate at the Firm;
- Serve as a guide and role model, rather than evaluating the mentee's work;
- Provide opportunities for the mentee to get to know senior associates in a more relaxed context;
- Integrate the mentee into his or her practice group and the Firm through shared experiences;
- Help the mentee develop a support system; and
- Assist the mentee with the development and implementation of an individual development plan for his or her professional development.

### *Model Sibling Handout*

When a first-year associate or lateral lawyer joins the Firm, he or she is assigned a partner mentor and a senior associate “sibling” to assist him or her in his or her transition to practicing at the Firm. Your role as a sibling is key to helping new associates integrate into the firm.

To assist you in understanding your role as a sibling, below is a list of the primary responsibilities:

1. Introduce your sibling to lawyers, secretaries, payroll, business development, accounting, etc.
2. Provide guidance regarding general transaction/project-related matters (*e.g.*, research tips, sounding board for ideas, etc.).
3. Be available as a “first tier” resource (particularly early on for new first-year associates) to review initial work product in terms of content, form, and other general matters (client and partner expectations, etc.).
4. Provide guidance regarding firm-related matters, such as associate lunches, timesheets, disbursements, escrow accounts, billing, etc.
5. Provide guidance regarding personnel matters, such as building a good working relationship with secretaries, mailroom personnel, paralegals, and other personnel.
6. Provide guidance regarding individual partners’ practice styles.
7. Provide guidance regarding time management, prioritizing workload, managing numerous projects at once, etc.
8. Help integrate your sibling into Firm life through social hours, lawyer lunches, and practice group lunches.
9. Invite your sibling to join you at industry group meetings, bar events, internal seminars, etc.
10. Be available for those “where is” or “how do I” questions.

### *Model Mentee Handout*

When you begin your career at the Firm you will be assigned a partner mentor and a senior associate “sibling.” The goal of these mentor/mentee and sibling relationships is to assist you in your transition to the Firm and help with your professional development at the Firm. A successful relationship is built on mutual involvement and interest.

You should do the following:

1. Keep a list of and maintain working knowledge of transactions/cases that you have been working on (including your role in the transaction/case) since your last meeting with your mentor/sibling.
2. Organize your thoughts on how life at the Firm is going prior to meeting with your mentor/sibling. This should include things such as workload, variety of work, goals, and training, both formal and informal.
3. Keep your mentor/sibling informed of the types of work that you are being assigned, cases or transactions that you would like to work on and that you have not been exposed to, the partners that you are working with, and your role on each project. For your first three years as an associate, you should keep a log of the work you are doing. Keeping this log will help you and your mentor/sibling make sure you are getting appropriate work, are being exposed to a variety of work, and are working with a variety of partners.
4. Explore activities outside of the Firm to support your professional development, such as trade groups and professional associations.
5. Keep track of the issues discussed and raised at meetings with your mentor/sibling and follow up at subsequent meetings as necessary.
6. As part of the orientation process, bi-weekly meetings will be set up for you and your mentor/sibling for your first three to six months at the Firm. Please make time for these meetings and let your mentor/sibling know if you are unable to make a scheduled meeting.
7. Even though it is the responsibility of your mentor and sibling to schedule regular meetings after the initial period, you should make periodic efforts to get together with your mentor and sibling. These efforts should occur as issues or concerns arise, or just generally if you have not had contact with your mentor or sibling for more than a month.