

HAGEMANN-MORRIS

**YOUNG
LAWYER
MENTORSHIP
COIN
PROGRAM**

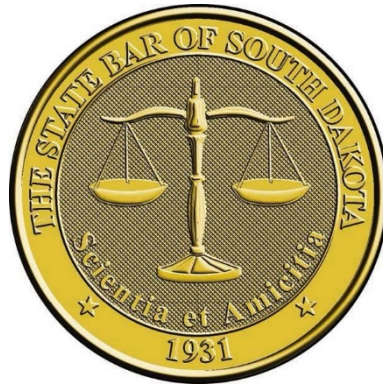
**STATE BAR OF
SOUTH DAKOTA**



A GUIDEBOOK



January 2018 First Edition



“Knowledge & Friendship”

The State Bar of South Dakota Young Lawyers Section monitors the integration of newly admitted members of the Bar into both the Association and the legal profession and plans meetings, provides materials, and educational and social programs to assist new lawyers and make them feel welcome to the Bar.

The Young Lawyers Section also oversees the operation of the Bar's Mentor Program. As part of the Mentor Program, the Young Lawyers Section Board of Directors receives applications and endeavors to find an appropriate mentorship match for all new lawyers requesting a mentor. This guidebook can then assist the new lawyer and mentor on what information would be most beneficial to new lawyers as they begin their legal careers.

The Young Lawyers Section values your input and wants to know if the program was beneficial to you and how it can be improved. The program is meant to assist new lawyers and we hope it is a positive experience for all. The Young Lawyers Section Board of Directors are always available to provide guidance and support to both the mentors and new lawyers. Should you have any questions or concerns regarding the Program, contact the State Bar of South Dakota at (605) 224-7554.

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PROGRAM OVERVIEW

I. PROGRAM HISTORY

Concept Based Upon Military Challenge Coin

The history of military coins allegedly dates back to the World War I. During World War I, American volunteers from all parts of the country filled the newly formed flying squadrons. Some were wealthy young men who left colleges such as Yale and Harvard in order to enlist in the military. In one squadron, a wealthy Lieutenant ordered solid bronze medallions embossed with the squadron emblem for every member of his squadron. He carried his medallion in a small leather sack about his neck. Shortly after acquiring the medallions, the Lieutenant's aircraft was severely damaged by ground fire during a mission. He was forced to land behind enemy lines where he was captured by a German patrol.

In order to discourage his escape, the Germans took all of his personal identification except for the small leather pouch around his neck. He was eventually taken to a small French town near the front lines where he managed to escape during a night bombardment. During the attack, he donned civilian clothes and fled without personal identification. After escaping, the brave pilot succeeded in avoiding German patrols until he reached the front lines. With great difficulty, he crossed no-man's land and stumbled into a French outpost.

Unfortunately, the French in this sector had been plagued by German saboteurs, who sometimes masqueraded as civilians and wore civilian clothes. Not recognizing the young pilot's American accent, the French thought him to be a saboteur and made ready to execute him. Just in time, the American remembered his leather pouch containing the bronze medallion. He showed the medallion to his would-be executioners. When the French captors recognized the squadron insignia on the medallion, they gave the pilot enough time to confirm his identity. Instead of shooting him, they gave him a bottle of wine. Eventually the pilot made it back to his squadron, where it became a tradition to ensure all members carried their medallion or coin at all times.

Use of Challenge Coins Today

Military challenge coins are also known as military coins, unit coins, memorial coins, unit challenge coins, or commander's coin. The coin represents affiliation, support or patronage to the organization minted on the coin. The challenge coin is a treasured and respected representation of the organization minted on the coin.

Commanders use specially minted military coins to improve morale, foster unit esprit and honor service members for their hard work. The symbolism of a unit's challenge

coin represents integrity, dedication to the core values of the unit, excellence, and service before self.

Challenge coin rules only apply to other individuals who also have a challenge coin. A holder of a challenge coin may "challenge" any individual who is known to have a coin. A challenge is made by withdrawing a coin and raising it in the air or by tapping it on a bar or table. The individual who is challenged is required to produce his or her coin within 60 seconds. If the individual produces the coin, the challenger is obligated to buy the individual a beverage or any other agreed upon reward. If the challenged individual fails to produce the coin, he or she is obligated to buy the beverage or other reward. If a coin is dropped and it hits the floor, the owner is obligated to buy beverages for anyone who hears or sees the coin hit the floor (provided they have their coin on them). Coin challengers are known to strike anywhere at any time!

Creation of State Bar of South Dakota Young Lawyer Mentor Coin Project

2009 – 2010 State Bar President Bob Morris, and 2009 – 2010 Young Lawyer President, Sarah Sharp Theophilus, collaborated to create which was originally name the South Dakota State Bar Young Lawyer Mentor Coin Project and associated program. In April 2010, the Young Lawyer Board officially changed the name of the project to the “Hagemann – Morris Young Lawyer Mentorship Coin Program” in honor of the mentorship relationship between Bob and his “classic mentor,” the late University of South Dakota Law School Professor, John F. Hagemann.

It is our hope and desire that the Mentor Coin ultimately becomes a much-desired symbol of affiliation among members of the State Bar. We hope that the Mentor Coin becomes a treasured and respected representation of “Knowledge and Friendship” as between the Mentor and the Young Lawyer.

On the “flip side,” it is also our desire that the Mentor Coin will represent integrity, dedication to the core values of the law, excellence in the profession, and service to our profession and community before self.

Bob Morris
Co-Founder, 2009
President
State Bar of South Dakota

Sarah Sharp Theophilus
Co-Founder, 2009
President, Young Lawyers
State Bar of South Dakota

II. PROGRAM OBJECTIVE

To pair new lawyers with mentors who share a common interest and who will provide frank, candid, and insightful guidance to the new lawyer. The Young Lawyer will present the Mentor Coin to his/her Mentor as an invitation for mentorship and acknowledgment of trust in such Mentor. Specifically, the mentoring relationship should accomplish the following:

1. To foster the development of the Young Lawyer's practical skills and increase his or her knowledge of legal customs;
2. To create a sense of pride and integrity in the legal profession;
3. To promote collegial relationships among legal professionals and involvement in the organized bar;
4. To improve legal ability and professional judgment; and
5. To encourage the use of best practices and highest ideals in the practice of law.

III. HOW IT WORKS

New lawyers can complete an application for a mentor; either online (on the State Bar of South Dakota website) or by paper application (available as an attachment to this document). That application is then submitted to their Young Lawyers Section Board of Directors Circuit Representative. Based on the criteria within the application, the YLS Circuit Representative contacts mentors to accept the new lawyer as a mentee. New lawyers can also make suggestions on who they would like as a mentor or directly request an attorney to serve as their mentor. There is no right way to select a mentor and we encourage our new lawyers to choose a way that works best for you.

The new lawyer will also receive a Mentor Coin Bag containing two Mentor Coins either at the Statewide Swearing-In Ceremony or at the new lawyers' request by contacting the YLS Circuit Representative. The new lawyer will decide upon who he or she wishes to be a Mentor and present the Mentor Coin to his or her Mentor as an invitation for Mentorship and acknowledgment of trust in such Mentor.

IV. THE MENTORING TERM

It is suggested that the mentoring term last for about a year. During the first meeting, the new lawyer and mentor establish goals for the year and when is the most convenient time to meet. Some mentors recommend a monthly “check-in” with their mentees, while others are happy to communicate more frequently by phone and email. Tab 2 provides a table to assist the mentor and new lawyer in tracking their goals for the program and monthly meeting schedule. The new lawyer and mentor are encouraged to maintain their relationship for the entire term. Afterwards, both may mutually choose to maintain a relationship; but for purposes of the program, the mentoring relationship ends at a determined date.

V. THE MENTORING PLAN

The Young Lawyers Section offers the following suggestive curriculum for the approximate first year of mentorship. It consists of a list of activities to choose from and provides a roadmap for mentorship.

Items selected should be chosen together to personalize the Mentoring Plan so that the activities discussed apply to the new lawyer’s particular practice setting, individual needs and personal goals. Other items will be discussed as the new lawyer will have questions arise during their first year of practice that fall outside of the suggested curriculum, and that is encouraged. The items identified are only suggested materials for a Mentoring Plan, but we encourage you to discuss items as they arise as well.

The Mentoring Plan activities are broken up into four quarters that compose the mentoring year. Quarters of the mentoring term are suggested for the completion of each category’s activities in order to assist in timely completion of the Mentoring Plan and to indicate which activities are thought to be most relevant to the new lawyer as he or she moves through their first year of practice. A suggested sample is provided in Tab 3. However, there is no requirement for completing any of the suggested activities at any particular time.

Try to create your Mentoring Plan at your first meeting. During your first meeting, you can determine together how you intend to initiate future meetings.

VI. MENTORING RELATIONSHIP PARAMETERS

The relationship created between the new lawyer and mentor is a teaching relationship. If the mentor is someone outside of the new lawyer's office or firm, there are limiting parameters on the substance of the discussion. The parameters serve to protect the new lawyer, mentor, and their respective clients. It is suggested to discuss these parameters during the first meeting and decide together how to handle this moving forward. Please familiarize yourself with the following parameters.

Keep in mind...

The new lawyer is not the mentor's client. The mentoring relationship does not create a confidential or privileged relationship between the mentor and new lawyer. Obviously, both must be discreet and respect each other when confiding in one another. However, there is ultimately no confidential relationship formed by mentoring.

The new lawyer's clients are not the mentor's clients. Because conversations are not privileged and it is entirely possible that the new lawyer's clients could have a conflict with the mentor's clients, and, therefore, are prohibited from discussing privileged detailed information about the new lawyer's clients or their cases. Instead, discussions should be limited to hypothetical situations.

Additionally, the new lawyer is expected to exercise his or her own professional judgment. The new lawyer seeking general guidance about a course of action in a particular case, both the new lawyer and mentor should ensure the guidance provided is not considered legal advice or assumption of responsibility for whatever course of action the new lawyer may ultimately decide upon. If a new lawyer is really lost on a particular case, it is best to encourage them to associate with competent counsel to provide competent representation.

As allowed by professional rule, you are encouraged to engage in pro bono work during the mentoring term. By engaging in pro bono, you will complete activities in your mentoring plan while fulfilling your professional responsibility to help ensure justice is available for all.



“KNOWLEDGE & FRIENDSHIP”

HAGEMANN – MORRIS YOUNG LAWYER MENTORSHIP COIN PROGRAM

YOUNG LAWYER APPLICATION

The South Dakota State Bar Young Lawyers implemented a mentoring program in 2009. Young Lawyers involved in the program have the privilege of choosing their own mentor based upon an existing relationship, a developed relationship or from a pool of available volunteer Mentors. We want the mentoring experience to be beneficial and rewarding for both parties. Please provide the following information so that we may monitor and judge the success of the program. At times we may need to contact you to send updates about the program and notice about meetings or events. If the information you provide changes, please let us know to update our records.

Personal Information

Name _____
First Last

Address _____
Street City State Zip

Phone (____) _____ E-mail _____

Preferred method of communication (please check one) _____ Phone _____ E-mail

Law School _____ Year Graduated _____

Employer _____ Position/Title _____ Years of Experience _____

Areas of Practice _____

Mentoring Preferences

Would you prefer a mentor who (Check all that apply):

Lives or works in your geographic area? _____ Wants to meet with you in person? _____

Is interested in your practice area? _____ Wants to communicate by e-mail/phone only? _____

Additional Information

Please briefly describe your practice: (e.g., large firm, small firm, solo practice, public interest law, in-house counsel, etc.)

Do you have any comments, questions or concerns?

How did you hear about this program?

Mentors chosen by Young Lawyers are participating entirely upon a voluntary basis. While it is anticipated that the mentor/mentee relationship will be indefinite, mentors and mentees are entitled to end the relationship at any time. Participation in the program is contingent on receipt of all documents requiring a signature by Mentor, Young Lawyer or both. A signed Mentor Agreement must be received before a Mentors' contact information will be disclosed to a Young Lawyer.

Please complete the application online or return the completed application and all other executed/signed documents to the State Bar of South Dakota via email to elizabeth.overmoe@sdbar.net.

“KNOWLEDGE & FRIENDSHIP”

HAGEMANN – MORRIS YOUNG LAWYER MENTORSHIP COIN PROGRAM
MENTORING PROGRAM AGREEMENT

I agree to participate in the Hagemann – Morris Young Lawyer Mentorship Coin Program (the "Program") in accordance with its rules as may be amended from time to time. The ultimate objective of the program is to pair Young Lawyers with Mentors who share a common interest and who will provide frank, candid, and insightful guidance to the Young Lawyer in a variety of ways.

I acknowledge the specific goals of the Program:

- To foster the development of the Young Lawyer’s practical skills and increase his or her knowledge of legal customs;
- To create a sense of pride and integrity in the legal profession;
- To promote collegial relationships among legal professionals and involvement in the organized bar;
- To improve legal ability and professional judgment; and
- To encourage the use of best practices and highest ideals in the practice of law.

I acknowledge and will abide by the following Program rules:

- Any communication between the Mentor and the Young Lawyer arising out my participation in the program is for the sole purpose of guiding and teaching the Young Lawyer about the practice of law and the issues that the Young Lawyer is likely to face in the practice of law.
- Any communication between the Mentor and Young Lawyer is not intended to be the rendering of legal or professional advice to the Young Lawyer or his or her clients, and the Young Lawyer will not rely upon such communications or cause any client to rely upon them. The Young Lawyer will rely solely upon his/her own judgment, legal opinions, or independent research.
- No confidential relationship is formed between the Mentor and the Young Lawyer as a result of participation in the Program. The Young Lawyer will not identify any client to the Mentor or reveal to the Mentor any client confidence, nor will the Young Lawyer seek professional or legal advice from the Mentor about specific legal matters or clients. Instead all discussions about substantive legal matters between the Young Lawyer and Mentor will be limited to “hypothetical” situations.



- The Mentor is not assuming any liability or responsibility with respect to any legal matter of the Young Lawyer's clients, nor will the Mentor render professional services to or take any responsibility for any aspect of representation of the Young Lawyer's clients.
- The Mentor is not a member of the Young Lawyer's law firm or associated in any manner in any business pursuits.
- The South Dakota Rules of Professional Conduct shall apply to both the Mentor and Young Lawyer relationship.

I hereby certify that I have read the above Mentoring Agreement and agree to its terms.

Signature of Young Lawyer Date

Signature of Mentor Date

Print Name & Bar Member Number

Print Name & Bar Member Number



GOALS & CALENDARING WORKSHEET

New Lawyer goals for the mentorship:	
DATE OF MEETING	ITEM(S) DISCUSSED
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	

SAMPLE MENTORING PLAN

INTRODUCTION TO THE MENTORING PLAN

The mentor and new lawyer as legal professionals have the tools, intellect, and understanding as to what is important to each of them in obtaining satisfaction from the Hagemann-Morris Young Lawyer Mentorship Coin Program. Open communication is the key to a successful mentorship.

The Mentoring Plan should include core concepts, lawyering skills, activities and experiences which should be used as learning activities for the new lawyer and mentor and as topics for discussion between them. The activities and experiences are an introduction to the topics with which lawyers need to be familiar for the successful and professional practice of law.

FIRST MEETING OF MENTOR AND MENTEE

Goals:

The new lawyer should articulate his or her specific goals for the mentoring relationship to assist in the development of a meaningful personalized mentoring plan. Discuss together three or more goals the new lawyer has for the mentoring relationship.

Keep in mind that a goal is something that one wants to achieve - an objective. A new lawyer reflecting on his or her goals for the mentoring program might complete the following statements:

- a. I am most interested in the following mentoring plan activities...
- b. I want to achieve the following personal development goals within a year...
- c. I need to know more about...
- d. I want to strengthen the following skills...
- e. In five to ten years, I see myself doing...

The new lawyer and mentor should discuss the specific activities and experiences in the mentoring plan to develop a personalized plan that they will complete together by the end of the mentoring term. The mentoring plan should be completed within 30 days of the start of the mentoring term.



SUGGESTED MENTORING EXPERIENCES

FIRST QUARTER

- ⚖️ Meet at the Mentor's law office and introduce the new lawyer to other members of the Mentor's firm and staff. Explain how the Mentor's law office is managed. Identify resources for the new lawyer to find law office management information.
- ⚖️ Discuss the UJS Odyssey system.
- ⚖️ Introduce as feasible the new lawyer to other lawyers in the community.
 - Attend a bar association meeting together. Discuss local, state and national bar association opportunities and the advantages of involvement.
 - Escort the new lawyer to the local courthouse(s) where the new lawyer will primarily be appearing, and, to the extent appropriate, introduce new lawyer to members of the judiciary, court personnel, and clerks of court.
- ⚖️ Escort the new lawyer to the local jail(s) and explain jailhouse visit procedures.
- ⚖️ Discuss the dynamics of relationships between members of the Bar.
 - Discuss appropriate ways (including ethical concerns, etiquette, etc.) to deal with counsel on behalf of your client.
 - Discuss "unwritten" customary rules of civility and etiquette among lawyers and judges in the community.

SECOND QUARTER

- ⚖️ Acquaint the new lawyer with Legal Aid, State Bar Access to Justice (“A2J”); local pro bono agencies and other pro bono, civic, and charitable opportunities. Discuss why and how to engage in volunteer service despite a busy practice.
- ⚖️ Discuss the South Dakota Rules of Professional Conduct.
 - Discuss potential resources for dealing with complicated ethical issues, including conflicts of interests.
 - Discuss benefits of carrying malpractice insurance; requirements of disclosure if you do not carry malpractice insurance; and lawyers’ obligations in the event of the failure to disclose.
 - Discuss the appropriate way to handle the new lawyer’s belief that another lawyer (both in and outside the new lawyer’s firm) has committed an

ethical violation; the obligation to report misconduct; and the appropriate way to handle a situation where the new lawyer has been asked by a senior member of the firm to do something that is unethical or unprofessional.

THIRD QUARTER

 Discuss techniques for finding a balance between career and personal life, putting daily pressures into perspective, reconciling job expectations with actual experience, and maximizing career satisfaction.

- Discuss substance abuse and mental health issues, including warning signs; what to do if the new lawyer, a colleague, or a superior is faced with these issues; and the resources for assistance with these issues.¹
- Discuss practical ways to manage law school debt.

 Discuss common law practice management issues.

- Discuss good time management skills and techniques.
- Discuss roles and responsibilities of paralegals, secretaries, and other staff and establishing good working relationships with staff and colleagues.
- Discuss how to prevent issues of unauthorized practice of law with staff.
- Discuss the importance of planning ahead for the handling of a lawyer's practice in the event of the lawyer's retirement, death or disability.
- Discuss the issues surrounding leaving a firm, such as how to protect oneself, advising clients and withdrawing from cases.

 Discuss client selection and client control.

- Discuss how to screen for, recognize, and avoid conflicts.
- Discuss the best ways to evaluate a potential case and how to decide whether to accept a proffered representation.

¹ Resources are available through the State Bar of South Dakota Lawyers Assistance Committee, Sand Creek Member Assistance Program, SOLACE, Disability Rights South Dakota, and the State Bar related group Lawyers Concerned For Lawyers.



- Discuss successful client development methods and other business development techniques, including any relevant ethical concerns and the most professional practices.
- Discuss how to deal with a "difficult" client.
- Discuss the importance of client communication and maintaining good communication, including the use of retention and fee agreements, keeping clients informed, confirming in writing, and punctuality.
- Discuss proper legal counseling techniques and the duties and responsibilities of advising clients.
- Discuss common malpractice and grievance traps (particularly in the new lawyer's practice area) and how to recognize and avoid common pitfalls.
- Discuss practices to maintain client confidentiality.
- Discuss the responsibilities of the client and the lawyer in decision-making, and the best ways to involve a client in their case.

FOURTH QUARTER

Discuss common tools of case development.

- Discuss techniques for investigating the facts of a case.
- Discuss tips for preparation for and proper behavior during depositions.
- Discuss the most important points about negotiation with another lawyer and potential issues associated with negotiations.
- Discuss the types of alternative dispute resolution and the benefits and disadvantages of each. Discuss the general techniques involved with each.

Discuss motions practice and oral advocacy.

- Discuss relevant techniques for effective legal writing, avoiding common mistakes leading to rejected pleadings, the effective use of sample legal pleadings and forms, and techniques for efficient legal research.
- Observe (in person or online) an appellate or motion argument in the Supreme Court of South Dakota; South Dakota Circuit Court; and U.S. District Court for South Dakota, and discuss techniques and tips for effective oral argument.

PRACTICE AREA SUGGESTED ACTIVITIES

ALTERNATIVE DISPUTE RESOLUTION

- Discuss difference between mediation and arbitration and reasons to select each
- Discuss different styles of mediation – facilitative, evaluative, transformative
- What is client self-determination?
- Attend mediation
- Discuss mediator choice – personality, experience (overall and in practice area)
- Review mediation process – initial letter, mediation agreement, pre-mediation submissions and contact with mediator, mediation session, following mediation
- Recommend best journals or periodicals to read/subscribe
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

CIVIL LITIGATION

- Attend a Supreme Court oral argument
- Attend a scheduling hearing, motions hearing, pretrial conference, or other hearing
- Attend a trial
- Review juror questionnaires and attend voir dire for jury selection
- Attend a deposition
- Discuss tips on how to value cases
- Recommend best journals or periodicals to read/subscribe
- Review recent jury verdict trends and trial outcomes
- Attend a CLE program
- Design and present a CLE program together
- Tour the courthouse, with introductions to judges and staff
- Invite one other lawyer to join you for breakfast to introduce to the new lawyer
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

CRIMINAL LAW

- Shadow Mentor at arraignment, probable cause, sentencing, and/or trial
- Tour local jail and prison
- Observe misdemeanor court
- Review specific rules governing discovery in criminal matters
- Advise the new lawyer on how to deal with clients with a mental illness
- Introduce the new lawyer to prosecutors, public defenders, and defense attorneys
- Discuss plea bargaining process
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions



EMPLOYMENT LAW

- Review and discuss EEOC process
- Discuss ERISA issues
- Discuss employment contract issues
- Discuss covenants not to compete, no solicitation, and nondisclosure agreements
- Discuss discrimination issues and wrongful termination claims
- Attend hearing before Department of Labor
- Assist the new lawyer in drafting sample HR handbook
- Recommend best journals or periodicals to read/subscribe
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

FAMILY LAW

- Attend initial client consult meeting
- Review standard language in Parenting Plans
- Discuss relief available for married vs unmarried parties, and the different venues
- Review civil union laws and other new legislation
- Attend a deposition
- Attend a trial
- Review child support guidelines and how they are applied
- Discuss “blurring” of professional lines between advocate and counselor
- Discuss when/how to suggest therapy or other support systems to clients
- Discuss ethical considerations in dealing with clients with mental health issues
- Review discovery guidelines
- Review statutory and case law governing domestic violence petitions
- Familiarize the new lawyer with resources available to families in crisis
- Recommend best journals or periodicals to read/subscribe
- Assist the new lawyer in preparing clients for a crowded family law cases docket
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

REAL ESTATE

- Attend hearing for partition of real estate, petition to quiet title, and other hearing
- Discuss contract law principles
- Attend a closing
- Discuss mortgage foreclosures
- Provide advice as to best industry journals or periodicals to which to subscribe
- Discuss eviction procedures
- Review and discuss a title insurance policy
- Discuss trends and practical considerations in sales of residences



- Visit local registry of deeds
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

WILLS & TRUSTS

- Attend hearings addressing the interpretation, modification, administration, and termination of trusts, and or proving of a will.
- Sit in on initial client meeting
- Hear cases involving wills, trusts, estates, guardianship and more
- Assist the new lawyer in preparing simple will
- Visit probate clerk's office and to court
- Address unusual planning issues, such as drafting will for SD resident who intends to relocate to a different state
- Discuss how to determine when to refer clients to third parties, such as tax planners, or to other attorneys with higher level of experience
- Discuss potential pitfalls in drafting wills for friends
- Recommend best journals or periodicals to read/subscribe
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

WORKERS COMPENSATION

- Discuss compensation structure for representation – contingency vs hourly
- Discuss how to build a claimant's case and good file management
- Provide information on how best to request medical records for client
- Attend administrative hearing
- Provide advice as to best journals or periodicals to read/subscribe
- Attend a CLE program
- Design and present a CLE program together
- Attend local Bar functions and section meetings
- Introduce the new lawyer to resources available to address questions

ADVICE & RESOURCES

TIPS FOR MENTORS

- Take the early initiative to reach out and express your openness and availability. Your mentee should make the initial contact, but many new lawyers may be hesitant to impose a burden on their mentors.
- Set both expectations and boundaries early on. At the initial meeting, set a regular date/time for your monthly meetings. Inform your new lawyer about the best time to call with questions or issues.
- Listen to your new lawyer's concerns and, especially in the beginning, draw out those concerns that the new lawyer may be reluctant to raise.
- Recognize that new lawyers may differ in what they hope and need to get out of a mentoring relationship. Adjust your own approach to assure you are providing your new lawyer with what he or she is seeking, rather than your perceived role.
- Create a safe environment for the new lawyer's growth by being accessible and non-judgmental, keeping confidences, and inviting open and frank conversations.
- Acknowledge the issues facing new lawyers who are ethnic minorities, or who may face particular challenges because of their religion, sexual orientation, economic status, national origin or age.
- Use your friends and colleagues. No one bar member can be all things to a new lawyer. Reach out to your fellow bar members to expose your new lawyer to a diversity of experience, approach, style and perspective.
- Remember that the only dumb question is the one that isn't asked. Encourage your new lawyer to ask, ask, ask. Be respectful and responsive with your answers.
- Your responsibility is not to direct or supervise your new lawyer's work but to coach and guide for the development of professional values and skills.
- Share your experience and talent freely. Be the role model you would want.
- Be candid about some of the humbling experiences you have had as a lawyer and encourage the new lawyer to openly discuss their difficulties.
- Take the time to develop a meaningful mentoring relationship. At its best, this relationship is an opportunity for mutual learning and growth.
- Bear in mind the program's goals. In the rare event that a new lawyer is displaying poor professional habits, consider the best possible mentoring approach to address these issues for the long term health of both this new lawyer, and the bar. Seek guidance from other experienced mentors. The goal is to develop all new lawyers in the highest ideals of professionalism. Simply withdrawing from the program could be a missed opportunity, and could defeat the larger purpose of public good behind your service.



TIPS FOR MENTEES

- Start by setting a regular schedule. The initial meeting should establish a set schedule for monthly meetings if possible. Flexibility will be required at times, but a regular meeting time will develop the mentoring relationship more quickly and progress the curriculum more reliably.
- Be respectful of your mentor's time. Be prompt and give plenty of notice if you need to reschedule a meeting. Make good use of your meeting time; come prepared with a list of things you want to discuss.
- Your mentor's "war stories" can be valuable learning tools, especially if you can relate them to a situation of your own.
- Ask questions! Don't let your ego get in the way of accepting feedback and constructive criticism from your mentor.
- Do not cover up a challenge. New lawyers will make mistakes. It is inevitable. First acknowledging a problem and then correcting it will avoid any snowball effect or worse – impact on clients or colleagues. Your mentor could be an invaluable ally in helping through these challenges. Use your mentor as a resource, particularly in the more challenging circumstances.
- Build multiple mentor relationships; your mentor will not be able to advise you in every aspect of your professional or personal life. Develop effective networks with peers, other lawyers in and outside your workplace, judges, family and friends.
- Your reputation in the community will be based on your interactions with your mentor, your clients, your work colleagues, opposing counsel, court staff and judges. Nurture it and guard it jealously.
- Address any problems in the mentoring relationship promptly. The court and the bar want this to be as useful and valuable an experience as possible. If for any reason, the program or the mentoring relationship is not meeting your needs, contact the staff to begin working toward a resolution. This program is intended as a service, not a burden. Changes will be made promptly to address your needs



LINKS & RESOURCES

GENERAL

State Bar of South Dakota – www.statebarofsouthdakota.com

Unified Judicial System – <http://ujis.sd.gov/>

United States Courts – <http://www.sdd.uscourts.gov/>

South Dakota Legislature – <http://www.sdlegislature.gov/>

SD Secretary of State – <https://sdsos.gov/business-services/default.aspx>

LEGAL SERVICES

Access to Justice, Inc. – www.statebarofsouthdakota.com/access-to-justice

SD Lawyer Referral Service – www.findalawyerinsd.com

East River Legal Services – www.erlservices.org

Dakota Plains Legal Services – www.dpls.org

SD Law Help – www.sdlawhelp.org

UJS Law Help - <http://ujslawhelp.sd.gov>

Disability Rights South Dakota – www.drdsdlaw.org

SD Network Against Family Violence – <https://sdnafvsa.com/home/>

ACLU – <https://www.aclusd.org/>

Lutheran Social Services - <https://www.lsssd.org/>

USD Law Federal Tax Clinic - <https://www.usd.edu/law/experiential-learning/federal-tax-clinic>

Attorney General's office – www.atg.sd.gov

SD Guardianship Program - <https://dhs.sd.gov/guardianship/default.aspx>

Division of Human Rights - http://dlr.sd.gov/human_rights/default.aspx



FINAL WORDS AND ACKNOWLEDGEMENTS

Many thanks to the volunteer member-attorneys who helped establish the Mentorship Program and compile this guidebook: Bob Morris, Sarah Sharp Theophilus, Elizabeth Overmoe, Josh Wurgler, Nicole Tupman, Kim de Hueck, Nathan Chicoine, Mike McKnight, and Rebecca Mann. Your leadership in this program is invaluable.

The State Bar of South Dakota wishes our new attorneys much success as you embark on your legal career. And we thank those attorneys who choose to mentor you along the way.

Please remember that we are here to assist you by providing support through ethics assistance, CLE programming, case updates, and numerous member benefits. If you have questions regarding your State Bar membership, please do not hesitate to contact us at (605) 224-7554.

