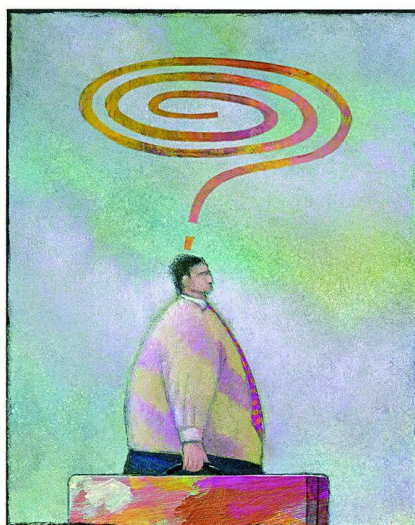


# Utah State Bar



## New Lawyer Training Program

### MANUAL

Resources for  
New Lawyers and Mentors

# NEW LAWYER TRAINING PROGRAM



## **Program Goal**

The goal of the Utah New Lawyer Training Program is to train new lawyers during their first year of practice in professionalism, ethics, and civility; to assist new lawyers in acquiring the practical skills and judgment necessary to practice in a highly competent manner; and to provide a means for all Utah attorneys to learn the importance of organizational mentoring, including the building of developmental networks and long-term, multiple mentoring relationships.

Revised March 23, 2009

# NEW LAWYER TRAINING PROGRAM



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# NEW LAWYER TRAINING PROGRAM



## INTRODUCTION TO THE UTAH STATE BAR NEW LAWYER TRAINING PROGRAM

Congratulations to all new attorneys for passing the Bar examination and being admitted to the Utah State Bar (the Bar). We know you have worked hard for your success and extraordinary achievements. To facilitate your transition into the practice of law, the Utah Supreme Court, in conjunction with the Utah State Bar, is providing you with the New Lawyer Training Program (NLTP), described in more detail below. For the first year of practice you will have a mentor with at least seven years of legal experience who will work with you every month in a variety of practice areas integral to and inherent in the practice of law. The primary purpose of the NLTP is to help you adjust to the new challenges you will face and to answer your questions regarding the practical aspects of the practice, wherever you may be working. The program is designed not only to provide an experienced coach readily available to assist you in substantive areas of the law but also to further your education in the areas of ethics, civility, professionalism and, where appropriate, recognizing conflicts of interest, client relations, and law office management.

In Utah, we are fortunate to have two outstanding and highly-regarded law schools that emphasize clinical and externship programs as part of their curriculum. New lawyers may receive partial credit toward the requirements of the NLTP for their participation in clinical-type programs during law school. The Utah Supreme Court and the Bar intend that the NLTP remain flexible in order to complement law school programs that provide necessary practical experience and supplement the goal and purpose of the NLTP.

The Utah Supreme Court and the Bar appreciate the experienced attorneys who are willing to generously give of their time and talents to train a new lawyer in their first year of practice. Your commitment to this program will determine its level of success. Thank you for devoting the time and skill necessary to implement the NLTP and enhance the career and life of a new lawyer.

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## THE GOAL OF THE NEW LAWYER TRAINING PROGRAM (NLTP)

The goal of the Utah NLTP is to train new lawyers during their first year of practice in professionalism, ethics, and civility; to assist new lawyers in acquiring the practical skills and judgment necessary to practice in a highly competent manner; and to provide a means for all Utah attorneys to learn the importance of organizational mentoring, including the building of developmental networks and long-term, multiple mentoring relationships.

## SUMMARY OF THE NLTP

- Lawyers newly admitted to the Bar with an active license are required to complete the NLTP program their first year of practice in Utah. The requirement for judicial law clerks is deferred until completion of the clerkship.
- The NLTP will replace the New Lawyer Continuing Legal Education (NLCLE) program for the first year of practice. Upon completion and certification, the NLTP will result in 12 hours of NLCLE credit. New lawyers are required to attend a half-day class early in their first year of practice. The requirements for CLE during the second year of the two-year compliance cycle remain the same.
- The program is designed to provide inside mentoring, outside mentoring, and, where appropriate, circle or group mentoring. Inside mentoring is simply having a mentor within the organization where you are employed, such as a law firm or government office. Outside mentoring is the opportunity to work with an appointed mentor from outside your workplace. Circle mentoring involves group discussions among new lawyers and mentors when deemed advisable or necessary by the NLTP administrator. The mentor and new lawyer should spend at least two hours a month fostering the relationship and learning from each other as the mentoring plan is implemented.
- The Utah Supreme Court will appoint qualifying mentors and place them on a list from which the new lawyer and/or the new lawyer's firm or office will make a selection. New lawyers will likely be paired with a mentor from within their firm or office where possible. A new lawyer may select a mentor who is not on the list, but that lawyer will need to submit a mentor application to the NLTP administrator and will need to be approved by the Utah Supreme Court.

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- Mentor qualifications include: seven years of practice; no past or pending public or formal discipline proceeding of any type or nature; malpractice insurance in an amount of at least \$100,000/\$300,000, if in private practice; and approval by the Supreme Court's Advisory Committee on Professionalism.
- Mentors will receive 12 hours of CLE credit (including two ethics credits) for their efforts with the new lawyer. This credit may be shared where more than one lawyer (each qualifying as a mentor) plays a significant role in supervising and mentoring the new lawyer.
- The mentor and the new lawyer will develop a mentoring plan following the NLTP guidelines. Certain subjects are mandatory while others are elective. The plan must be submitted for approval to the NLTP program administrator and the New Lawyer Training Committee (NLTC) for approval. Firms and certain select groups, such as a Legal Defender's office or a District Attorney's office, may submit a model plan for approval that can be used in successive years.
- At the conclusion of the 12 months, the mentor will certify in writing to the Bar and the Supreme Court that the new lawyer has completed the NLTP. Absent such certification, the new lawyer must contact the NLTP administrator at the Bar office to discuss a plan to complete the program and to determine whether the license renewal is jeopardized.
- A new lawyer may migrate to a different mentor upon request to the administrator of the NLTP. No questions will be asked of the new lawyer on the first request for a change of mentor. If a second request for a change is made, questions of the new lawyer and/or the mentor are within the discretion of the NLTP administrator.
- A Mentor Training and Resources Committee (MTRC) has been created. The MTRC will meet periodically with mentors, firms, and government offices to provide training on effective mentor relationships and institutionalizing mentor programs.

# NEW LAWYER TRAINING PROGRAM



## A BRIEF HISTORY OF THE EVOLUTION OF UTAH'S NLTP

In September 2005, the Honorable Antonin Scalia, Justice of the United States Supreme Court, the Honorable Deanell R. Tacha, then Chief Judge of the United States Court of Appeals for the Tenth Circuit, and Alan Sullivan, managing partner of the Salt Lake City office of Snell and Wilmer, developed a discussion paper entitled, "A Brief Comparison of the Training and Accreditation of Lawyers in the United States and the United Kingdom." (Unpublished article, on file with the Bar.) This paper was presented to the Utah appellate judges in spring 2006 and to the Bar Commission in early 2007. The discussion paper generated considerable dialogue between the Utah Supreme Court and Bar leadership.

The discussion paper suggests that most new lawyers are not well prepared for the practical aspects of practicing law. On-the-job training is not a condition of admission to the Bar. The discussion paper recognizes that while mentoring of new lawyers is crucial, the quality of mentoring is neither regulated nor coordinated by either the profession or law schools, with mentoring frequently an afterthought and rendered subordinate to billable hours and the demand to provide legal services.

According to several studies, only one-third of associates remain at the firm where they started their legal career after five years; lack of mentoring or misrepresentations regarding mentoring is cited by these associates as a key reason for leaving. Other scholars and organizations have expressed concern regarding the lack of effective mentoring of new lawyers and the failure of law schools to provide sufficient practical experience during law school. *See, e.g.*, ROY T. STUCKEY ET AL., *BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROAD MAP* (2007); WILLIAM M. SULLIVAN, ANNE COLBY, JUDITH WELCH WEGNER, LLOYD BOND & LEE S. SHULMAN, *EDUCATING LAWYERS: PREPARATION FOR THE PRACTICE OF LAW* (2007); IDA O. ABBOTT, *DEVELOPING LEGAL TALENT: BEST PRACTICES IN PROFESSIONAL DEVELOPMENT FOR LAW FIRMS* (2001); Karen Steinberger, *Law Firm Mentoring: A Fresh Look at an Ancient Concept*, ASSOCIATION OF LEGAL ADMINISTRATORS, *ALA MANAGEMENT ENCYCLOPEDIA* (2007).

As a result of the discussion paper, the Utah Supreme Court, through Chief Justice Christine M. Durham, requested that the Bar Commission consider implementing a mentoring program to assist newly admitted lawyers during their first year of

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practice. The New Lawyer Training Committee (NLTC) was formed to study the concept, as well as mentoring programs in other states, and to develop a proposal for Utah. The NLTC and its subcommittees have met periodically for about 18 months to create the NLTP, the culmination of their work.

A few states or Bar organizations have adopted mentoring programs. The NLTP has reviewed most of the new lawyer mentoring programs in the United States. Georgia started developing a mentoring program over ten years ago and now has one of the leading and most respected programs in the nation. Members of the NLTC and key Bar staff met with the director of the Georgia program to obtain an understanding of the details and administration of their mentoring program. Members of the NLTC also attended the First National Conference on Mentoring at the Center on Professionalism at the University of South Carolina School of Law. This conference derived from a request by the Conference of Chief Judges of the United States.

The NLTC also studied Delaware's Preceptorship Program, which requires at least five months of training in the practice before licensing is allowed. The NLTC opted against a licensure requirement of this type, instead recommending mentoring during the first year of practice as a requirement for maintaining licensure.

The NLTP was presented to and adopted by the Bar Commission on July 16, 2008. The NLTP was formally approved by the Utah Supreme Court on December 18, 2008.

If the NLTP is effectively administered and implemented by the Bar, mentors, new lawyers, and their workplaces, the impact on current law practice will be dramatic.

Mentoring not only includes training a new lawyer in the art of practicing law but also provides an opportunity for support, friendship, and sharing confidences. It is a place to vent problems and concerns without fear of recrimination. And it is an opportunity to explore life and family balance. It is the vehicle by which the enjoyment of law practice can be enhanced and the retention of good lawyers in the profession increased.





## THE BENEFITS OF EFFECTIVE MENTORING

- Increases productivity for the individual and the organization
- Improves client relations and client attraction
- Reduces the likelihood of new lawyers leaving the organization
- Boosts morale
- Assists in attracting better talent to the organization
- Enhances work and career satisfaction
- Clarifies professional identity
- Increases advancement rates
- Promotes greater recognition and visibility
- Encourages career opportunities within the organization

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## ADVICE TO NEW LAWYERS AND MENTORS

### **To the New Lawyers:**

During your first year of practice, you will complete the NLTP with the help of a mentor. Building an effective mentoring relationship will require hard work. There is no perfect mentor. Be patient and understand that there will be times when your mentor may need to reschedule an appointment. Respect the time the program requires of the mentor. Use your mentor not only as an advisor in the law, but as a friend and someone with whom you can share a confidence. Check your ego at the door. Welcome feedback from your mentor and others with whom you may be working.

We encourage you to build multiple mentoring relationships. Effective developmental networks include peers, other lawyers (inside or outside of your workplace), judges, family, friends, and former professors.

Remember the fundamentals you have already mastered and the need to understand the details in any transaction or litigation experience. This is a constant. You started building your reputation as a lawyer the day you walked into your place of employment.

### **To the Mentors:**

Congratulations on your approval by the Utah Supreme Court to serve as a mentor for this coming year. Thank you for accepting the challenge to train a new lawyer and for your willingness to be a friend and share your experience and talent. A mentor is a wise and loyal advisor; a teacher or coach. A mentor is also an experienced and trusted counselor. Being a mentor is hard work. A good relationship cannot be built in ten-minute segments. There is no substitute for spending the time needed to build a long-lasting and meaningful mentoring relationship. Create a safe context for growth. Keep confidences, build trust, and teach the art and practical aspects of thinking like a lawyer. Be sensitive to work/family issues. Treat the relationship as an opportunity for mutual learning. Provide constructive feedback. Remember to be respectful and responsive, even when new lawyers ask what may seem like dumb questions.

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## **MENTORING TRAINING AND RESOURCES COMMITTEE (MTRC)**

The Bar Commission, under the direction of the Utah Supreme Court, has established the MTRC. Meetings will be held throughout the year to train and assist mentors. In addition, the committee will make valuable resources available to firms, agencies, and other organizations for building an effective mentoring program.

## **NEED FOR STRONG INSTITUTIONAL SUPPORT**

With adequate institutional support, this program can exceed our expectations. The Supreme Court and Bar are so supportive of mentoring that the NLTP is a mandatory program. It is now the opportunity of firms, agencies, and employers to fold mentoring into their plans and administration. We suggest that each organization appoint an attorney to implement and monitor a mentoring program. Members of the MTRC are available to share resources and meet with you to assist in developing an effective mentoring plan.

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## COMPLIANCE NOTICE, PROGRAM GUIDELINES, AND FREQUENTLY ASKED QUESTIONS AND ANSWERS

### COMPLIANCE NOTICE FOR NEW LAWYERS

Congratulations on your admission to practice law in Utah (or if applicable, completion of your judicial clerkship or your change from “Inactive” to “Active” status). Compliance with the New Lawyer Training Program (“NLTP”) requires successful completion of a mentoring plan.

**Mentoring Program** You must: (1) have a mentor for a twelve (12) month period (mentoring periods occur from January 1st–December 31st; or from July 1st–June 30th); and, (2) satisfactorily complete, during your mentoring period, a written mentoring plan of activities and experiences which has been approved by both your mentor and by the Program Administrator. To assist you in the development of your mentoring plan, a model plan is available on the Utah Bar’s website at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).

**Three (3) Month Compliance Deadline: COMPLIANCE IS MANDATORY.** You must complete all enrollment requirements within three (3) months from the date of your registration with the Utah State Bar (or if applicable, the completion of your judicial clerkship or the effective date of your change from “Inactive” to “Active” status). After 90 days, you must provide the NLTP with your enrollment form and fee. If possible, provide the name of your mentor or request the NLTP to appoint you a mentor.

**What You Should Do Now:** This manual contains answers to frequently asked questions to assist you in completing the enrollment process.

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## GENERAL REQUIREMENTS

### **Who is required to participate in the NLTP?**

Lawyers newly admitted to the Utah State Bar with an active license are required to complete the program in their first year of practice in Utah. The requirement for judicial law clerks is deferred until completion of the clerkship.

### **Who is not required to participate in the NLTP?**

- A. Attorneys with active Utah licenses who do not reside in Utah are not required to participate in the NLTP. Instead, these attorneys must comply with the applicable CLE requirements of their resident state. *See* R. 14-4-404(a).
- B. Attorneys who were admitted to practice in Utah on motion and have been actively engaged in the practice of law for at least two years immediately prior to admission in Utah.
- C. Attorneys who were admitted to practice in Utah after being actively engaged in the practice of law for at least two years in another state prior to admission to practice law in Utah.
- D. Judicial clerks' participation in the NLTP is deferred during their clerkships.
- E. New lawyers with active Utah licenses who are either unemployed or not engaged in the practice of law may petition the NLTP Office for a deferral or exemption from compliance with the NLTP.

### **How does a new lawyer enroll in the program?**

Enrollment forms are available on the Utah State Bar web site at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).

### **Who pays for the program?**

For the entire New Lawyer Training Program, each new lawyer will pay \$300.00 (\$150 on enrollment and \$150 on completion). This fee is about the same that was required for first year NLCLE credit.

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## What are the new lawyer's responsibilities?

The new lawyer's responsibilities include satisfactorily completing the NLTP by:

- devoting the time required for this mandatory program;
- making themselves available to the mentor's guidance;
- devising jointly with the mentor a mentoring plan; and
- satisfactorily completing the mentoring plan.

## How Do the new lawyer and mentor devise an appropriate mentoring plan?

The Utah Bar has created a model mentoring plan, available on its website at [http://www.utahbar.org/nltp/assets/model\\_mentoring\\_plan.pdf](http://www.utahbar.org/nltp/assets/model_mentoring_plan.pdf). While there is great flexibility in designing a particular plan, certain components of the Model Plan are required (see Model Plan). Further, care should be taken so that the selected plan fosters discussion and implementation of professional skills and values.

The following steps should be taken in creating your mentoring plan:

1. New Lawyer and Mentor should review the Model Mentoring Plan;
2. The plan must include all **“Required”** activities and experiences specified in the Model Mentoring Plan.
3. The New Lawyer and Mentor should select several **“Optional”** activities and experiences, as deemed beneficial to the New Lawyer.
4. Carefully review Section 3. Litigation and Transaction Handling Experiences. The plan shall include at least ten (10) activities listed in Section 3 the New Lawyer will complete during the NLTP.
5. Carefully review and discuss “Elective Activities and Experiences.” Include at least five of the Elective Sections identified. Within each elective, select as many activities as feasible.
6. The plan should include any additional activities the New Lawyer and Mentor deem beneficial for to meet the individualized needs and goals of the New Lawyer.

When the plan is complete, both Mentor and New lawyer must initial the plan in the box currently located on page 3 of the Model Mentoring Plan prior to submission to the NLTP Office. The NLTP will review the plan and verify that all components are included in the plan.

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If the new lawyer's office or firm developed its own plan and submitted it to the NLTP office, the New Lawyer simply needs to submit that mentoring plan to the NLTP to maintain in the New Lawyer's record.

## **How long does the program last?**

The program lasts twelve (12) months.

## **How often are the new lawyer and the mentor expected to meet?**

The new lawyer and the mentor should meet at least two hours each month. Although the program only lasts twelve months, the mentoring relationship may last beyond the required timeframe.

## **What kind of mentoring relationships are there?**

There are three types of mentoring relationships:

- A. *Inside Mentoring.* A mentor from within the new lawyer's own office is preferred. The mentor and new lawyer work together to fulfill the mentoring plan in connection with actual assignments handled in the office. Generally, the mentor should be someone other than the supervising attorney responsible for the new lawyer's normal assignments in the office; this will help facilitate confidentiality. The mentor and the supervising attorney should work together, as is appropriate, to coordinate projects completed as part of the plan.
- B. *Outside Mentoring.* A mentor who is not in the same office as the new lawyer (e.g., from small firms or solo practice) will aim to provide mentoring experiences as would be available for a new lawyer within the mentor's office. The mentor participates in as many of the assignments with the new lawyer as possible or gives approval to the new lawyer for work performed under the supervision of another qualified mentoring attorney ("mentor for the assigned activity"). Care should be taken to reduce problems associated with conflicts of interest, confidentiality, and liability limitations. For example, the mentor will not be responsible for work performed for the new lawyer's client unless the mentor has a written agreement with the new lawyer's client.
- C. *Mentoring Circle Alternative.* If deemed necessary, the Administrator will establish mentoring circles. Mentoring circles may be an alternative available to lawyers newly admitted to the Utah State Bar who are not actively representing clients or engaged in the practice of law. Other unforeseen circumstances may also require the Administrator to establish

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mentoring circles. A mentoring circle consists of four or five new lawyers and two or three mentors. The circle agrees to meet regularly (preferably two hours each month). Any meeting of the circle must include at least two new lawyers and one mentor. Mentors and new lawyers may work together in different combinations to complete the requirements of the new lawyers' mentoring plans.

## **Can new lawyers nominate the person they wish to have appointed as their mentor?**

Assignment of mentors from within a firm, office, or practice group will be based on the employer's recommendation with input from the new lawyer. The assignment of an outside mentor will be based on the new lawyer's nomination unless the new lawyer requests the NLTP to make the appointment. Mentors will be approved by the NLTP and appointed by the Supreme Court. Mentors must meet the stated qualifications for appointment as a mentor and agree to comply with all program requirements. The goal is to match the new lawyer with a mentor within the new lawyer's own law office if possible.

## **RELATIONSHIP TO CONTINUING LEGAL EDUCATION (CLE)**

### **How does the NLTP relate to required CLE?**

New lawyers must successfully complete the NLTP in order to renew their Bar license. CLE compliance is on a two-year cycle. The second year of the compliance cycle will be fulfilled by attending CLEs.

### **Are there any required CLEs during the NLTP?**

Yes. New Lawyers are required to attend the New Lawyer Ethics Program during the NLTP period. Contact the Utah State Bar CLE Department at 801-297-7032 or check online at [www.utahbar.org/cle](http://www.utahbar.org/cle) and select Calendar.

CLE regulatory questions and compliance with CLE questions can be forwarded to: Utah Board of Continuing Legal Education at [MCLE@utahbar.org](mailto:MCLE@utahbar.org).

## **MENTOR QUALIFICATIONS**

### **What are the qualifications to serve as a mentor?**

Qualifications for mentors include seven years of practice; no past or pending public or formal discipline proceeding of any type or nature by a court or a state bar; malpractice insurance in an amount of at least \$100,000/\$300,000 if in private



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practice; and approval by the Utah Supreme Court’s Advisory Committee on Professionalism.

Mentors are screened by the Utah Supreme Court’s Advisory Committee on Professionalism. The names of prospective mentors satisfying minimum qualifications are forwarded to the Supreme Court of Utah for consideration.

Upon approval by the Utah Supreme Court, mentors are required to complete Mentor Training. (See Mentor Training below).

## **Why are mentors required to have minimum levels of professional liability insurance, or the equivalent?**

Serving as a mentor in the New Lawyer Training Program is not an ordinary volunteer opportunity—it is a Supreme Court appointment. Therefore, it is appropriate to view minimum levels of professional liability insurance coverage as one factor in assessing whether or not a potential mentor handles the business management of his or her law practice in a responsible manner.

## **What are the mentor’s primary responsibilities?**

1. To devote the time required to be an effective mentor;
2. To guide and to teach the new lawyer practical skills, seasoned judgment, and sensitivity to ethical and professionalism values;
3. To devise jointly with the new lawyer a mentoring plan;
4. To monitor the new lawyer’s plan progress; and
5. To certify, at the end of 12 months, whether or not the plan was satisfactorily completed.

## **MENTOR TRAINING**

### **Is the mentor training required?**

Yes, the mentor training is required.

The mentor training is a two-hour program created by the Utah State Bar CLE Department and NLTP. There are two methods of receiving mentor training: (1) Attend the mentor training seminar offered once per year at the Utah State Bar Law & Justice Center; or (2) Attend the online mentor training course available on the Utah Bar’s website at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).

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The training course is complimentary to the mentor and is accredited for two hours of CLE in Professionalism and Civility. Mentors who complete mentor training are not required to repeat the course if they serve as a mentor in subsequent years.

Access dates, times, and locations of mentor orientation programs at [www.utahbar.org/cle/calendar](http://www.utahbar.org/cle/calendar) or by emailing [cle@utahbar.org](mailto:cle@utahbar.org) or by calling 801-297-7036.

## **What is included in the mentor training program?**

The Mentor Training and Resources Committee will present information and materials developed by professionals that will assist mentors in their effectiveness and help to make the program a success.

## **MANAGING THE MENTORING RELATIONSHIP**

### **At the beginning of the 12-month mentoring period, who should initiate contact?**

It is the new lawyer's responsibility to initiate contact.

### **How much time is a mentor expected to spend with the new lawyer?**

The mentor and new lawyer are expected to spend sufficient time to carry out the mutually agreed upon mentoring plan. Two hours each month are expected.

### **Are communications between the mentor and the new lawyer confidential?**

The NLTP anticipates that all communication designated by the new lawyer as confidential shall be deemed confidential by the mentor.

The Utah Supreme Court has developed a specific rule addressing conflicts and confidentiality in outside mentoring. A copy of Rule 14-808(h) is available online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp) and selecting "Rule 14-808."

### **How is the mentoring plan monitored?**

The mentor and the new lawyer are both responsible for completing the plan and evaluating the mentoring relationship. The mentor has sole responsibility for certifying whether the new lawyer has satisfactorily completed the program. The plan is also monitored by the NLTP office through quarterly reports assessing the progress on plan completion.

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## CERTIFYING COMPLETION OF THE PROGRAM

### **How does completion of the NLTP get certified?**

The mentor completes the Mentoring Completion Certification Form found online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp). This certifies that the New Lawyer has completed the mentoring plan. The form is then submitted to the NLTP office. Upon receipt of the form, the New Lawyer and the Mentor will each receive their 12 CLE credit hours.

### **What happens if the new lawyer does not complete the mentoring plan in the required time period?**

Failure to complete the mentoring plan shall be reported to the NLTP office. The NLTP office will work with the new lawyer to assess options for completing the plan and whether license suspension is at risk. The program will have discretion in allowing extensions for NLTP completion.

## LAW SCHOOL CREDITS

### **Can I get credit for activities accomplished during law school?**

Yes. New lawyers are encouraged to take advantage of existing law school programs to fulfill assignments. Listed below are alternative opportunities available to the new lawyer which, if accomplished during law school, may allow the new lawyer to reduce the number of subjects required in the mentoring plan as a new lawyer:

- A. Law school externships for credit under the supervision of an attorney/judge;
- B. Law school clinical program courses under the supervision of an attorney/judge or law professor;
- C. Law school simulated skills courses under the supervision of an attorney/judge or law professor; and
- D. Law school pro bono (or low bono) program participation under the supervision of an attorney.

If the new lawyer participates in any of the above and fulfills an assignment while in law school, the new lawyer may apply to receive credit for that activity. The new lawyer should prepare a report to the mentor summarizing the assignment completed and

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describing what the new lawyer learned from the experience. The supervising attorney/judge or law professor for the assignment must sign the report certifying that the assignment was completed by the new lawyer.

## **Can I get credit for pro bono (or low bono) work I do with my mentor or with another qualified attorney?**

Yes. Hands-on experience through pro bono (or low bono) activities is encouraged. Talk with your mentor about possibilities. Incorporate this into your plan.

## **CHANGING MENTORS**

### **What happens if the new lawyer needs to change to a different mentor?**

In the unlikely event that a new lawyer needs to change to a different mentor, the new lawyer shall notify the NLTP Office as soon as practicable. If the new lawyer is unable to notify the Office of the situation, the mentor shall notify the Office.

Neither the new lawyer nor the mentor is required to report the reason for a request to change. Completing the full year of mentoring in the original mentorship together is strongly preferred. Decisions regarding how and whether to reconstitute a mentoring plan because of the change in a new lawyer's status will be made by the NLTP Office, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and achievements during the original mentorship.

### **What happens if the mentor becomes unavailable to serve?**

If the mentor becomes unavailable to serve, the mentor shall inform the NLTP Office as soon as practicable. If the mentor is unable to notify the Office of the situation, the new lawyer shall notify the Office.

If the situation arises in an inside mentoring relationship, and it can be resolved within the mentor's office, the NLTP Office shall only be notified of the change in assignment.

If the situation arises in an outside mentoring relationship, the mentor shall notify the Office as soon as practicable. If the mentor is unable to notify the Office of the situation, the new lawyer shall notify the Office.

Completing the full year of mentoring in the original mentorship together is strongly preferred. The same rule of reason discussed above will be applied if a mentor becomes unavailable.

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The NLTP Office has the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

## **What if problems arise in the mentoring relationship?**

If problems arise within the context of an inside mentoring relationship, resolution of the issues is a matter to be determined by the firm's or office's policy if at all possible. Issues resolved within the firm or office need not be reported to the program.

For concerns about program requirements or procedures in general, a mentor or new lawyer should contact the NLTP Office.

Appeals from Bar decisions are made to the Utah Board of Continuing Legal Education.

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**PAGE FOR NOTES:**



## CONTACT INFORMATION

NLTP Administrator and Staff

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# NEW LAWYER TRAINING PROGRAM



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