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# Connecting with Mentors and Colleagues

**A ROADMAP FOR BUILDING SOLID PROFESSIONAL RELATIONSHIPS**

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## A Patchwork of Support

A law practice is a small business. Every small business thrives on connection. Owners have varying degrees of competence at building and fostering connections in their community. Some seem to have an innate ability to walk into a networking event and garner respect and attention. Others dread networking events and would rather wash their dog than talk with people in that setting. The good news is that all personalities can learn and improve skills that build connections in the community.

Now more than every lawyers need to learn how to build these connections. It used to be a new lawyer would take the associate track, become partner and retire from the same firm. Now, new lawyers set out on their own right out of law school after being disappointed by job prospects and seasoned lawyers opt for opening their own practice after some years in the trenches, or even in lieu of retirement. Most states have more than 50% of their lawyers in solo or small practices. The benefits of a solo or small practice are clear: flexibility, mobility, and being in charge. The downsides are equally clear: isolation, wearing too many hats, and potential lack of support in tough times. To counter the downsides, solo and small-firm lawyers must proactively build their own patchwork of support. This patchwork is made up of four categories—personal, referral sources, colleagues, and mentors. A patchwork is unique to the lawyer(s), practice area(s), and geographic location(s) of the practice.

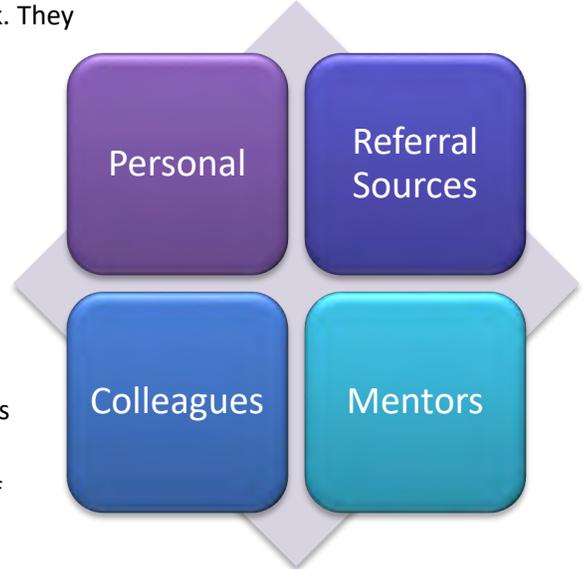
The categories are represented by a separate patches in the illustration and in one’s network, but some individuals will fit into more than one category or shift categories over time. Each category serves an essential purpose to the survival of the business, but the focus of these materials will be on mentors because knowledge and reputation development fundamental to success. Recognize where each category has opportunities for mentorship or pathways there.

## PERSONAL

Friends and family make up the personal aspect of the network. They generally champion a lawyer's effort, but will need the most direction to know what, where, who, and how you can help others. As clients they have the low experience expectation because they have high trust. Friends and family know people that could help you or may be excellent referral sources.

Some family and friends are lawyers or professionals also, and can be mentors in their own way. My mother is a therapist in private practice. She taught me about building rapport with clients and talking about money and the elephants in the room in the first meeting without putting them on edge, among other things. My mother was essential to the success of my practice and made me a better listener and lawyer by example and gentle guidance.

One of my colleagues had a husband and a father in the same practice area as her--bankruptcy. I was envious. She had these folks who would undoubtedly show her the ropes. She looked to them for some guidance, but she also learned to look outside of her family by meeting with a group of women solo bankruptcy lawyers regularly. This group gave mutual support in ways her father and husband could not.



## REFERRAL SOURCES

These are individuals or companies up stream of your ideal client base. Excellent referral sources will 1) see the value of legal representation and your services specifically, 2) be on personal terms with your potential clients, and 3) know your elevator pitch and have your contact information handy.

The best referral sources are those directly up stream of you in your ideal client's experiences. Removal defense and family based immigration lawyers may find a connection with social workers and therapists. Or, business immigration lawyers may find financial planners or information technology professionals who advise small businesses good referral sources, because they approach them first.

Building business through developing relationships with referral sources will be crucial, but also evaluate your referral sources for potential mentorship. Here is often a fellow small business owner who has a unique perspective on your ideal client base and connections in the community. What can you learn from the relationship and the perspective that will help you find and serve clients better?

## COLLEAGUES

Folks you went to law school with, interned with, met at CLEs or networking events could all be colleagues. They are usually around a similar professional age with similar interests. Sometimes these folks are also mentors—often excellent ones if they are only a fraction ahead in a particular experience or case type. They remember what it was like to struggle through a certain procedure and therefore have both empathy and a desire to teach the path to another.

There is also a human need to commiserate or kvetch about new and difficult experiences. Colleagues are often a better companion for this than a mentor unless the relationship is long standing. They sympathize and have their own to share. (The classic kvetch: *You wouldn't believe what opposing counsel said, did, wrote, presented to the judge, sent in discovery, left out of discovery, asked for in discovery, etc.* Just make sure it is productive: That it gets it off your chest quickly and does not distract from the work that needs to get done.)

## MENTORS

You admire these people, would want to emulate their success, their demeanor, their arguments, their ethics. I think of these folks as the ones that make up who we want to become in five or ten years. They give us something to aspire to. Maybe it is their calm way of dealing with their neurotic family law clients or the flawless argument they present before a judge that makes you turn your head. Maybe it is the smart presentation they give or sage advice you overhear at an event that sparks interest.

They do not have to be in the same practice area, though they often are. And there is nothing saying they must be much older.

The actual mentorship relationship is one of offering support and guidance. When describing a law firm's mentorship program, *Managing Partner 101* says a mentor will discuss issues like professional development, workload, problems with co-workers, complaints about the firm, and annual goals. It adds that the program should ensure they meet regularly.

These are good guideposts to the solo or small practitioner's mentoring patchwork of support, with the caveat that the burden should be spread over more folks than one and that the issues may range wider, to issues of technology choices, practice management, staff hiring and management, and business development as well. Regular meetings may be telephonic and there may be less structure, but the goals are the same.

## NETWORKING HATERS

To those who hate *networking* reframe it as *talking with like-minded people about things I care about*. This removes the almost predatory connotation of collecting people who will act for you, almost like you

attend events to coral minions. Focus on the common interest and the things that matter to overcome aversion to the act of connection.

Another important factor is getting a firm footing with what your law practice is all about and practicing the elevator pitch. Sometimes the hater in us comes from confidence issues because the vision and mission are not fully developed. Our negative thoughts tell us, *What will I talk to people about? My suffering little firm that has no clients and a confused direction. Ik!* Best defense against this is drilling down on the vision and mission until we develop and hone an elevator pitch we can be proud to say to people in public.

### SOCIAL BUTTERFLIES

If you are stupendous at talking to people anywhere anytime about anything, then count yourself lucky. It is likely you are the minority. Most people are much more uncomfortable with the act of networking than they let on in public. Consider whether your gregarious personality needs a more targeted approach. Some social butterflies find themselves overcommitted or they fail to deepen the connections they need most by making too many shallow and less beneficial ones. Most big personalities can benefit from some careful planning in the connections they make so that it matches the trajectory they desire. That is what this session and these materials are all about though—formulating a plan—so you are in the right place.

### PLANNING THE FUTURE

The best patchwork of support is one well planned. Each category is needed to support the business. We focus on mentors because they are necessary to our knowledge base and reputation development. Mentorship is a relationship. It needs to develop through connections, time, and effort. There is no way around it. But the other categories in the patchwork will be part of the master plan as well.

## Goals Exercise

Occasionally mentorship relationships just happen by chance. One of my best friends and colleagues happened to be the person I sat next to in my very first class in law school. Maybe it was just fate. But more times than not, it requires a bit of strategic planning. All good strategic planning starts with who you are and where you want to go. Fill in the table and answer the questions below to start that journey.

### INSTRUCTIONS FOR EXERCISE:

1. List up to 3 practice areas of interest

2. List up to 3 geographic areas you want to serve (county or neighborhoods)
3. List 3 individual guiding principles or reasons for this law practice
4. List up to 4 strengths and 4 weaknesses related to those practice areas, geographic locations, and principals or reasons.

Practice Areas		Geographic Areas		Guiding Principles / Reasons	
Strengths	Weaknesses	Strengths	Weaknesses	Strengths	Weaknesses

5. Look at the chart. How do these things intersect with each other?

6. What story can you tell about who you are and what you do for people?

The story is the first draft of an elevator pitch. Now look back at your strengths and weaknesses. While everyone wants strengths, and they definitely lead one to smart plans for success, the weaknesses can be more of a learning opportunity.

7. Identify three characteristics or knowledge in possible future mentors that could help shore up weaknesses or turn them into strengths if you could get emulate or learn from the right mentors. If you have someone in mind who has those characteristics or knowledge, put them in the third column.

Weakness	Characteristics / Knowledge Needed	Possible Mentors

### Operation Find Mentors

The plan for developing mentorship relationships has five steps:

1. Identify potential mentors
2. Ask for appointment
3. Have a conversation
4. Pitch mentorship relationship
5. Follow up

## IDENTIFYING WHO'S WHO

Identify potential mentors. You have already started on this process in the exercises above. Mentors can be people you know now, or have not met yet. Sometimes it is smart to find common ground on a personal level first. For example, *The Opportunity Maker* by Ari Kaplan tells a story of a law student who found a lawyer who was a body builder like him (see Resources). They had mutual personal grounds for a connection, and a professional connection followed.

Multiple mentors are a good thing. Aim to have three mentors in every practice area, including practice management. They do not all need to be in law. Plus, some will come and go. Some will teach you what you need to know at that moment and nothing else. Some will teach you many things long-term. Meet them where they are at.

### Contacts Exercise

Write down in the chart below 10 people who fit within one of the categories Personal (P), Referral Sources (R), Colleagues (C), Mentors (M). The plan will be to meet with them, as about them, and tell them more about you. Do not underestimate the value of personal connections. Clients often come from personal connections. Referrals that come from individuals are more likely to call. Also, family and friends are eager to connect you to others or support your efforts. They may be through a community or church organization, your mother, your contractor, or your hairdresser. They may be the potential mentor as well, or know potential mentors they could introduce you to.

Name	Contact information	Category	Notes on connection	Meeting plan


Put a star next to anyone you see as a Joiner. A joiner connects the dots in communities—they think of who else is a benefit to you and go the extra mile to introduce you to those people. These are often folks who fit the Social Butterfly category, but not always. It is not always clear who they are. It is often a personality trait, but it can also be learned. Examples of joiners:

*Potential client comes in seeking representation for her son in a criminal matter. Attorney cannot take the case because of case load, but gives her good solid advise and three referrals to other lawyers. She likes him so much she talks about him to everyone in her neighborhood it seems. He has been getting referrals from that one meeting for ten years now. [This is a real example!]*

*A lawyer moves to a new area. She calls a friend that is part of a national group she wants to join, because he just seems to know everyone. He introduces her to the three people he knows in her new region by email. She meets with one and starts to go to meetings and the name of this well-known member gets her accepted into what she feels is “the inner circle” of the group.*

*A lawyer goes to a conference and a meeting at that conference. She knows next to no one and awkwardly sits next to the past president of some bar association. That president exchanges cards with her, invites her to sit with a group at lunch, and introduces her to three people. She exchanges cards with them and has an interesting conversation with one. She follows up with the past president on something she said with an article she thinks relates. They become friends and see each other at future conferences.*

Notice how the examples take time. Most relationships do not happen overnight. Notice also how the joiner does not horde contacts. A joiner is a very important person when trying to design a strong patchwork of support. An overt joiner will say *I know who you should talk to about that! Let me e-introduce you to him now. Or Have you met Steve and Sally? Steve does \_\_\_ and Sally works with \_\_\_.*

Not all joiners are overt though. So make sure to end meetings with the pertinent question *Is there anyone else you can think of that I should know to strengthen my understanding of this practice area/this issue/the risks involved/to expand my idea?* This question asks that contact to delve into joiner territory, will help latent joiners engage you on this level.

**ASK FOR APPOINTMENT**

Call contacts you know first and set up phone calls, coffees, or lunches—whatever both of you feel comfortable with. Tell each one that you want to practice in the same field, or whatever generally drew you to them as a potential mentor. Here are some examples:

*I saw your law review article on Terry Stops and I see a similar issue in several of my recent cases. I would be so grateful to talk further with you about this issue.*

*I was watching in court when you argued a motion in limine last week. You clearly know your stuff and I was so impressed. I thought you were someone I really want to know. Can we have coffee?*

*I attended the Chapter Conference last November. Your presentation on marketing there has stuck with me. Would you be interested in meeting for lunch? I have questions.*

If it is a similar practice area you want to develop, tell them you would like to get to know them and hear how they do what they do. Make it clear you have your own practice (or will soon) and are not looking for a job.

*Can I email or message them?* Yes, of course you can. Do not be surprised if a LinkedIn message goes unnoticed for a week or two. People have different levels of engagement. Facebook is too personal to message them on unless you know them personally already or it is a *business* Facebook page. Messaging on a blog may also go unanswered. Some people respond to email faster than phone calls, so if the phone call goes unanswered for a week, try and email with a follow up call.

#### WHEN IN-PERSON ISN'T AN OPTION

Sometimes your best mentor is across the country or lives abroad. Do not give up. Employ remote communication tools—the phone, videoconferencing, email, actual letters by post or carrier pigeon—to connect with those individuals you need to know. It cuts down on your ability to read nonverbal indicators and often makes the process of developing the relationship longer. But if this is a person you need to know, don't let it be a barrier. Survive the awkwardness of a video call with someone you are just meeting in order to learn about that person. Also, consider that because handwritten letters are rarely used these days, they can have a special impact and sometimes create a greater bond.

#### THE CONVERSATION

Research them a bit before meeting and ask them questions about things that interest you about them. Ask what challenges they encountered in this practice area, what you should watch out for, how they find clients and who else you should know or talk with about \_\_\_\_\_.

The first conversation with a potential mentor is the hardest. A well developed relationship needs a solid foundation, so this conversation is crucial. But realize that not all meetings will result in relationships. It also needs to be a good match. Just like in dating, some people will look like a match on paper or in the eye of a joiner, but that connection will fall short because of personality or something difficult to quantify. Give the first meeting the best opportunity to take root with fertile soil, but do not force it.

For the first meeting, develop a quick opener script. For example, *I'm so glad you could meet with me. Probably no one contacted you about your arbitration clause article, but I confess I am a total contacts nerd. I thought you had a pertinent point. What made you think of that angle to write about?*

Work out potential questions to continue the conversation. Some example questions: *Do you write often? How did you get involved with writing for the Maryland Bar Journal? How do you describe that issue to clients? How did you get into \_\_\_\_\_. How do you find the time to write and practice?*

Be quiet and listen. Most lawyers love to talk—about themselves, their ideas, their practice, you name it. We are usually not so different. If the person you are meeting with is on a role, do your best not to think about your next follow up and to listen intently to what that person is telling you. Ask a lot of questions. It will sometimes feel like you cannot get a word in edgewise and sometimes there will be awkward silences, but the truth is listening is more powerful than talking in making connections.

Intersperse facts about yourself. Commiseration can be risky so stay positive and light wherever possible. The meeting may feel forced. It is in some ways, but that is not always a recipe for disaster. There is a fine line between anxiety and excitement.

## THE PITCH

At the end of the conversation, if you like this person, formalize the mentorship relationship. I believe in formalizing the mentorship relationship because it honors the person you approach and it gives them a clear sense of what you expect from them. Pitch the relationship. Tell them you are looking to build your network of mentors and community, that you would like to add them to your list, and that you will be sure to not overburden them with questions by finding others as well—remember, three in every practice area. If contract work is part of your business plan, you can tell them you are available for contact work if they have overflow, but do not fish for a job. If you have decided your plan is to have a mentor you meet with regularly, tell them this expectation and ask if that sounds feasible and beneficial to them.

They may have questions about how much you will call or what you will call about. Tell them that can be worked out in the future, but you will remain in the hypothetical with case questions to avoid breach of confidentiality and conflicts of interest problems unless they advise a formal association on a particular case. If you think this person holds knowledge you are in dire need of, association on a particular case may be the proper approach. (See *Formal Association* below.)

Ask what you can do for them. Make an effort to have the relationship value be reciprocal. Do not assume there is nothing you can do for them just because you are new.

## FOLLOW UP

Mentorship Programs are often unsuccessful because they match people with little or no common ground without a plan for how they will proceed (a curriculum) or foster follow up connections. It is a relationship. It cannot be built in an afternoon, so it will wither and die if there is not follow up.

Send a thank you card after meeting. (Yes, snail mail in most cases.) A simple card that expresses gratitude is nice to get and sends a message of thoughtfulness. An email may be nice, but it may say to an older generation that you are rushed and could not be bothered writing a note and sending a card.

Calendar a follow up with your new mentor, at maybe a month later. Update the mentor on actions you are taking or have taken, especially if it was related to their suggestions or advice. Thank them for connections they made for you and tell them how those conversations went. Here are some examples of smart follow ups:

*I saw your name in the paper on this case. [Enclose the clipped article.] How outstanding that you won that verdict!*

*After our lunch I read this article. It reminded me of your thoughts on due process. Thank you for the insights.*

*I went with your web developer for my site. The address is lawyersally.com. What do you think? I found him really wonderful to work with! Thank you for the recommendation.*

*The case you and I discussed went better than I expected. They finally agreed to mediation and settled a month before trial. Your advise was invaluable to me in helping me get through to my client. Thank you for sharing your wealth of knowledge. Can I take you out to coffee?*

Then check in with them periodically to build that relationship. It takes time, but the relationships become reciprocal and deep quicker than most think.

If you call or email with questions and get answers you like, keep engaging them. If you get answers you do not like, realize that person may not be a good teacher or may not think the way you do—not a good fit—and drop them from your network quietly.

## BAD MENTORS

Not every mentor will be there for you all the time or know every answer. They are human. But sometimes a person appears a good candidate and proves otherwise. Just because this person has been around much longer than you and seems to know much more than you does not mean that she will be a good fit for you. Here are some ways to identify a Bad Mentor:

He cuts you off or gives you discouraging advice. In the state that I come from (Washington) one's bar number is crucial to some. If it is a small number, you have been around forever and supposedly know

everything. If it is a large number, you are new and presumed ignorant. A great mentor told me what a stupid assumption that was and what an opportunity it offered to new bright, diligent lawyers with energy. But others made the assumption. If a mentor makes you feel bad, this is a bad match. Just like a bad boyfriend, stop calling him.

She tells you steps 1 and 60, unfortunately leaving out 2 through 59. You discover when you call another mentor, still confused; or worse, when you get to court. Mentors who have been doing things for ages think everything is easy. Consider finding a colleague/mentor who remembers how difficult filing a notice of appearance is before they realized a notice of appearance was only a one page deal. If it persists, stop calling them.

She seems to have forgotten what it is like to be new. She makes you feel ignorant or little. Lawyers sometimes do not see how arrogant they can come off.

She never calls you back or does not have time to talk long enough when she does call. This is probably the most common mentor mistake. Sometimes it is a product of not having enough mentors to spread the burden around between, not recognizing a complex issue that needs association, or you taking too much time. But if it is not one of these issues, it may be that this mentor had good intentions, but not the time or space to make them a reality. Consider calling them less. If it persists, stop calling them.

She gives questionable advise. Seasoned lawyers are awesome, but they can also get complacent or have different ethical and professional standards than you. I had a mentor for awhile who would tell me to do certain things on family law cases that just did not sit right with me. He was never in trouble and he probably had a great reputation in the community, but his style and approach did not match mine. I stopped calling him.

## GOOD MENTORS

In contrast, a good mentor will:

Spend time with you, will reality check with you and give honest opinions.

Will not look over your shoulder at an event to see who is coming that is more important to talk to, but to see who he wants to introduce you to first.

Will be a good teacher on topics you need to know. Excellent mentors are not just knowledge owners, they are knowledge transistors. They transfer knowledge to others brilliantly.

Will see your value and worth and encourage it. He will suggest ways to uplift you, advance your business, maximize potential and address weaknesses effectively.

Even when the relationship is awkward or the mentor is too busy to help at times, keep giving them a shot if they exhibit some of these characteristics.

The firm mentor is presumably being compensated for her efforts. Think of ways to give back to your mentor as well.

## Working with Mentors

Staying in the Hypothetical—I used to hate this phrase. What does it mean? How do you do it? Ethics rarely comes up in a discussion of mentorship relationships, but mentors and mentees probably breach confidentiality with a slip of the tongue or a little too much detail often. The line between hypothetical or abstract and actual facts is thin.

Although talking about a case or client in hypothetical terms is not defined very clearly, ABA Model Rule 1.6, comment 4 shines some light on it:

Paragraph (a) prohibits a lawyer from revealing information relating to the representation of a client. This prohibition also applies to disclosures by a lawyer that do not in themselves reveal protected information but could reasonably lead to the discovery of such information by a third person. *A lawyer's use of a hypothetical to discuss issues relating to the representation is permissible so long as there is no reasonable likelihood that the listener will be able to ascertain the identity of the client or the situation involved.*

Another route to disclosure is getting a client's informed consent, which generally means discussing with the client details and potential risks of the disclosure you are contemplating and, in some states, getting written consent. This may be the right course of action if you determine you need to associate with another lawyer (hire the lawyer) to help you with a case. (See *Formal Association* below). But start with vague facts, avoiding gossip and distinguishing characteristics and details until you have a better understanding of what course of action you need to follow.

Here are a few things that can help keep the discussions on the ethical side:

First, plan the questions you will ask. Write them down. If you want a document reviewed, give it to the mentor before you have put in any names and identifiers, and read it carefully before you do so you can remove any facts that uniquely distinguish your clients.

Second, state from the beginning of the conversation that you are presenting hypothetical facts to stay within the ethics rules, so that both of you have the issue at the forefront of your mind. Use the broad brush wherever possible. Change facts if it does not change the character of the dispute.

Third, if not sure what you can or cannot say, ask the Ethics Hotline where the folks on the other end can reality check your concerns and give you an understanding of what is staying in the hypothetical.

## FORMAL ASSOCIATION

Sometimes the hypothetical does not answer the questions a new lawyer has though. At other times the question is much more complicated than she predicted and requires more time and research on the part of the seasoned attorney than a half hour phone call. In such cases a formal association may be required. Associating should be done with client knowledge and pre-approval, should be formalized in a written agreement, and should be paid for at a fixed or hourly rate. The associating lawyers should do a conflicts check and each lawyer should be screened from all other cases of the other. Rates for associating can range from \$50 per hour to \$250 per hour, based on the same factors that determine fee reasonableness in Rule 19-301.5 (formerly MLRPC 1.5). In my experience the rate is usually somewhere around \$75 to \$100 per hour.

## OTHER FORMAL RELATIONSHIPS

Associating is sometimes called contract lawyering. Though the latter has a less prestigious connotation, both have the same characteristics of paying a lawyer a certain amount to help with a particular case or issue. Most states do not require disclosure when the person is deemed a paraprofessional who would get paid regardless of whether or not you get paid by the client, and that paraprofessional is doing a discreet task or creating a particular work product, but not maintaining any kind of client contact or relationship. However, you will want to check your state's ethics opinions to be sure. The higher the contribution of the other lawyer, and the more reliant the case is on that lawyer's expertise, the more likely it is that the client should be informed and consent to the other lawyer's involvement in their case. See *Model Rule 1.1, Competence, comments 6 and 7*.

Another term used is "of counsel" though this denotes a "close, regular, personal relationship[.]" *ABA Formal Opinion 90-357*. Sometimes this is used to give a contract (or part-time) lawyer relationship prestige, as a probationary period for a potential lateral hire, or classify as an arrangement for a lawyer to cut back and eventually retire.

Finally, there is, of course, the partnership. These may be arrangements appropriate for a developed mentor-mentee relationship, as need and interest permits. I firmly believe the relationship should not start with expectations of a job or work, but time will tell where the relationship leads.

## Resources

[ABA Formal Opinion 90-357](#) (May 10, 1990), *Use of Designation "of Counsel."*

[ABA Model Rules of Professional Conduct](#) (See RPC 1.1, Competency; 1.2, Scope of Representation; 1.4, Communication; 5.1, Responsibilities of a Partner or Supervisory Lawyer; and 5.2, Responsibilities of a Subordinate Lawyer)

Batman, Jean L., Harold G. Wren, Beverly J. Glascock, *Of Counsel: A Guide for Law firms and Practitioners*, 4<sup>th</sup> Ed., ABA, 2013.

Bullock, Joan R. M., *How to Achieve Success After the Bar Exam: A Step-by-Step Action Plan*, ABA, 2014.

Dobson, Craig, [Keeping Up with Competence](#), AILA Ethics Committee, 2020.

Kaplan, Ari, *The Opportunity Maker: Strategies for Inspiring Your Legal Career*, Thompson West, 2008.

[Of Counsel, Special Counsel, Senior Counsel: What does it all mean?](#), June 27, 2017 ABA article.