

Zen and the Art of Associate Retention

Mentoring Is More Important Than You Might Think

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We're dealing with a lot of bad news these days. Almost daily, we hear things like "deepwater horizon oil spill" and "economic downturn." Business is tough for practicing lawyers, and the news isn't much better for the law students who will soon join our ranks. In fact, the chairman of the ABA's Commission on the Impact of the Economic Crisis on the Profession and Legal Needs recently said that would-be law students might want to reconsider.¹ And if enough of them take his advice, there won't be anyone to carry the profession into the future. Although the idea of reducing costs by paying fewer associate salaries might be appealing in the short term, the long-term effect of that course of action would be devastating to the profession. So now more than ever, associate retention is a key part of law practice. And mentoring is a key part of associate retention.

Mentoring isn't a new concept. The term is believed to have originated from a character in Homer's *The Odyssey*. Odysseus asked his friend, Mentor, to look after his son while he went to the Trojan War. And we can find more examples of mentoring in more recent history: Luke Skywalker had Obi-Wan Kenobi, Frodo Baggins had Gandalf, and Harry Potter had Albus Dumbledore. In each of these examples, a trusted friend, counselor, or teacher looked after a less-experienced person and shepherded him through until he could proceed on his own. And that's what we should be doing for each other. Too often, we don't do a good enough job, and the consequence is attrition. Some attorneys leave their employers; others leave the practice entirely. So even if you think mentoring is too "touchy feely" for you, it's important because it affects the bottom line.

Over the years, I've been fortunate to work with many wonderful mentors and to provide advice to less-experienced attorneys. Through those experiences, I've learned a few things that I pass along for your consideration.

1. **Mentoring is only as good as the relationship between the people involved.** Many firms already have formal mentoring programs in place, and solo practitioners do a good job of connecting with other attorneys who have more experience in certain areas. But despite good intentions, those relationships don't always work. Many times, they fail because there's a disconnect between mentor and mentee.

The good news is that those situations are avoidable. While there's nothing inherently wrong with making mentoring assignments based on area of practice or even availability, the process works much better when it involves some consideration of the personalities, genders, and generations involved. There are many tools – such as the Myers-Briggs Type Indicator® (MBTI) and The Predictive Index System® – that can be useful in making assignments or in improving

communication for existing assignments. Regardless of the method, the consideration of personalities will help mentoring relationships be better for everyone involved.

2. **Mentoring is an active process.** To borrow a phrase from 12-step recovery programs, mentoring “works if you work it.” That means you can’t effectively mentor someone just by having him carry your briefcase or telling her how you do things. There is definitely value in a mentee’s being able to observe the mentor at work. But the most productive mentoring relationships are a blend of both experience (briefcase carrying optional) and regular communication.

The easiest way to improve communication is to improve the quality of your interactions. If you’re always busy when your mentee calls or stops by, or if you routinely take other calls when you’re supposed to be talking to her, she’ll eventually stop asking. The real danger in a failed mentoring relationship is that unless the mentee finds her own substitute, she may be left without a mentor. And without some guidance or other support system, the less-experienced attorney’s chances of success decrease significantly.

3. **Mentoring isn’t all unicorns and rainbows.** Every legal career – and every life, for that matter – has its trials, disappointments, and triumphs. Those experiences, both good and bad, forge strong relationships. And relationships are the basis for successful client development, recruitment, and retention.

In my experience, the most beneficial mentoring relationships are those where the mentor isn’t afraid to be candid. Over the years, much of the best advice I’ve gotten from my own mentors hasn’t exactly been what I wanted to hear. That kind of honesty teaches lessons that can’t be learned any other way. Whether the news is good or bad, mentors should be willing to give honest feedback and then help mentees find their way through difficult times.

4. **Mentoring is a two-way street.** The mentoring relationship isn’t just about teaching. In fact, if mentors pay attention, there is much they can learn from mentees. As experienced practitioners, we can find ourselves in a place where the practice has become routine or even stagnant. A mentee can provide a fresh perspective and can invigorate the mentor’s outlook on her practice. I’m reminded of this phenomenon every summer, when bright law students arrive and bring with them reminders of why I wanted to be a lawyer. In my mentoring experience, I’ve learned more than I’ve taught, and it would have been a shame if I hadn’t been paying attention.
5. **Mentoring isn’t for everyone.** Considering the demands of good mentoring, not everyone is cut out for the job. If you find the process frustrating or you feel you don’t have time to do it effectively, it’s best if you step aside and let someone else do it. We can all take a part in training less-experienced lawyers, but the mentor takes on a special role. He or she serves as teacher, counselor, disciplinarian, champion, and parent. It’s a demanding job when done well, but it makes all the difference.

Many of our community’s leaders – judges, public officials, and attorneys – readily acknowledge the contributions of the mentors that helped them build the skills they have today. As we navigate these difficult times together, we should renew our commitment to meaningful mentoring. I have no doubt we’ll all be better for it.

(1) Debra Cassens Weiss, “As ‘Troubling Indicators’ Mount for 2010 Law Grads, an ABA Expert Issues a Warning,” <http://www.abajournal.com/>, May 6, 2010.