

Best Practices in Mentoring, Coaching and Championing

By Jane DiRenzo Pigott*

Effective mentoring is a strategic business investment with a high rate of return. “[I]n order to survive, PSFs [professional service firms] must revive mentoring, an institution that has been the chief casualty of hypercompetitiveness and rapid growth in these types of firms.” *Why Mentoring Matters in a Hypercompetitive World* (Harvard Business Review, 1/08). The most important assets of any legal organization are its attorneys; strategic and intentional investment in these assets improves retention of the right people, enhances the capabilities of every attorney and creates a pipeline of people who are ready for promotion and leadership. Creating a culture where mentoring is a natural attribute of daily interactions enhances an organization’s ability to meet all of its strategic goals, both short term and long term.

1. Defining Terms

Mentoring is a word that gets overused in a manner that blurs its true meaning. If you asked more senior people in organizations today if they mentor younger attorneys, the vast majority of them would answer in the affirmative. Then, if you defined mentoring specifically and asked them the same question, very few could truthfully provide the same answer. The reason for this disparate result is that more senior attorneys regularly engage in training more junior attorneys, but training, while essential, is not mentoring.

Providing an attorney the tools and skills necessary to complete a substantive legal assignment is **training**, not mentoring. For example, when a supervising attorney provides an explanation of the client’s industry or business, provides a memorandum of law written on a similar issue, explains the context for a particular specific assignment or describes the manner in which the assignment should be approached and completed, that attorney is providing training for the more junior attorney. Any activity which allows an attorney to complete a substantive legal assignment is training.

Mentoring is something that should happen in addition to training. Mentoring has a number of forms, each of which will be defined below: mentoring, coaching, modeling and championing. There are no hard bright lines between these four concepts and ideally an attorney would have access to all four types of investments in his/her future.

Mentoring is a reciprocal relationship that concerns professional development and personal growth. Both the mentor and the mentee should be getting something out of the relationship. The substantive conversations occurring in the relationship will involve the professional and personal goals and aspirations of the participants. An example of a mentoring topic would a discussion of how the mentee should prepare for the organization’s formal evaluation process. “Mentoring occurs when an experienced

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lawyer takes a personal interest in one with less experience and helps the junior lawyer learn and advance.” *Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring* (Minority Corporate Counsel Association, page 9).

Coaching is a unilateral relationship that involves one party determining a personal or professional goal and seeking assistance in achieving that goal. The coach is sought out because he/she has a particular expertise, a relevant set of experiences, access to opportunities, the ability to provide introductions or respected judgment that are necessary for the person seeking coaching to achieve the goal. A couple of examples of coaching topics that may occur at an organization: the desire to get involved in a particular professional organization, to meet a specific person or a specific demographic of people, to develop a particular “go to” expertise or to give a speech in a particular forum.

Modeling is an opportunity to get to see someone experienced in “action.” Some examples of modeling opportunities available at organizations include:

- A more senior person takes a more junior person to see the argument of a motion for which that more junior person did some research;
- A more senior person takes a more junior person to see a deposition the more senior person is taking in a case they are both working on;
- A more senior person includes a more junior person at the table he/she has purchased for a civic event;
- A more senior person invites a more junior person to lunch with a client;
- A more senior person includes a more junior person in the group attending an industry conference and takes responsibility for introducing the more junior person to key players;
- A more senior person takes a more junior person on a pitch to a potential client; or
- A more senior person invites a more junior person to see him/her give a speech at an outside professional organization.

Modeling opportunities are rarely time that can be “billed” by the more junior person. Instead, it is an opportunity for the more junior person to invest in his/her career, by (1) getting a chance to see how “it” is done, (2) creating social capital with the more senior person providing the modeling opportunity, and (3) demonstrating his/her willingness to take the initiative and make an investment in his/her success.

The fourth variety of mentoring that should be available at organizations is **championing**. A champion is a mentor who gives his/her mentee the road map for success, “sits” down next to the mentee and navigates as the mentee implements the road map and then “pounds the table” for the mentee when necessary. For example, on critical topics such as getting the right assignments, managing the evaluation and compensation processes and promotion decisions, a champion shares the “secret” rules, assists the mentee in creating a gameplan that has a high probability of succeeding and then becomes an advocate for the mentee, as necessary. Another way to think about this concept is utilizing the analogy of a labyrinth for a workplace, a champion allows you to view the labyrinth from the top; that view provides the mentee a much clearer idea of how to successfully maneuver to the center than standing in front of a wall with a choice of right or left. *Women and the Labyrinth of Leadership* (Harvard Business Review, 9/07).

Effective mentoring requires trust. Trust is earned and reciprocal. Each of the mentoring relationships defined above requires trust and as one moves from mentoring to coaching and modeling and, ultimately, to championing, the level of trust necessary to establish and maintain the relationship continues to increase. In research done by the Minority Corporate Counsel Association of lawyers at organizations, they found that “trust involved a belief in the ability of the mentor or mentee to serve their needs and interests” and manifested itself specifically in these desires:

- Mentees “wanted to know that the mentor was a ‘go-to person’ who can get things done; would accept them for who they are; would not be judgmental or negative if the mentee sought help or asked questions and would speak up for them if the need arose;” and
- Mentors “needed to know that the mentees were capable, diligent and performing well.”

Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring (Minority Corporate Counsel Association, page 16).

Moreover, the mentee has to be in a position to demonstrate that he/she is worth investing in – the minimum required for this demonstration is that the mentee does high quality work and views his/her future to be at the organization. “The trust is that in today’s PSFs [professional service firms], with their limited resources, associates can no longer just expect to be assigned a mentor; they also have to learn to attract one.” *Why Mentoring Matters in a Hypercompetitive World* (Harvard Business Review, 1/08). More senior attorneys are unlikely to invest time and effort in mentees who do not appear to be “keepers” or who are not interested in staying.

2. Return on Investment

Time spent mentoring can rarely be “billed” and most compensation systems do not directly value mentoring. Consequently, understanding the return on investment from effective mentoring is an important prerequisite to establishing a meaningful mentoring program or culture. There are material benefits to the mentee, the mentor and the organization.

A. Benefits for the Mentee. Effective mentoring provides numerous benefits to mentees, including the following:

- timely constructive feedback;
- access to the “secret” or “informal” criteria necessary to succeed;
- meaningful opportunities to create and enhance social capital at the organization;
- a realistic view of how you are being personally and professionally perceived by others; and
- the ability to access the due diligence necessary to develop a realistic career plan and to leverage your efforts to implement a career plan.

B. Benefits for the Mentor. Effective mentoring provides numerous benefits to mentors, including the following:

- personal satisfaction from contributing to the development of another;
- loyalty from more junior people;

- access to information, perceptions and perspectives from a different level in the organization;
- ability to create leverage in your practice and at the organization by having more junior attorneys ready for increasing responsibilities; and
- improved profitability as more attorneys understand and take ownership of their path to success.

C. Benefits for the Organization. Effective mentoring provides numerous benefits to the organization, including the following:

- improved morale and satisfaction among attorneys;
- increased retention of the “right” people;
- decreased expenses due to lower attrition rates of the wrong people;
- increased teamwork;
- increased client satisfaction as the turnover on their teams decreases and the competency and professionalism of their teams increases; and
- improved sustainability of the business model and client relationship and short and long term profits as more attorneys are “ready now” for promotion and leadership opportunities.

The promotion of meaningful mentoring is a specific best practice for retention and promotion discussed in the report of the *National Association of Women Lawyers Action for Advancing Women Into Law Firm Leadership* (July 2008) (“NAWL Action”). Informal mentoring relationships and formal mentoring programs positively impact an organization’s ability to retain, develop and promote attorneys.

3. Formal Mentoring Programs

A. Creating a Formal Program: Goals and Expectations. Many organizations have developed formal mentoring programs that are intended to provide an assigned mentor to a specific demographic of lawyers (i.e., new attorneys, laterals, attorneys who are more junior, attorneys who are more senior). Students graduating from law schools have come to expect that these types of programs will be available to them at the organizations they join.

There are no right or wrong ways to create a mentoring program, but there are specific elements that every successful program includes:

- leadership commitment;
- program goals and objectives;
- program participants;
- program management;
- expectation of program participants;
- training;
- evaluation and measurement; and
- communication.

In order to create more meaningful mentoring through your formal program, training the participants is often necessary. Mentoring training not only creates or enhances the skills of those participating in the formal program, it is a vehicle for strengthening the mentoring competencies of all attorneys at the

organization, and thereby increasing the likelihood and effectiveness of informal mentoring relationships that develop outside of the formal program.

B. Assessing a Formal Program. Material resources are expended on formal mentoring programs, especially the value of the time invested by the participants. Assessing the effectiveness of a formal program to meet the organization's goals should be done at least annually. There are many mechanisms which could be used to gather information and perspectives about the effectiveness of the formal program, including the following:

- surveying the participants, ensuring that you can distinguish between the responses of mentors and mentees so you can look for any statistically significant differences between the two groups responses to the same questions;
- focus groups of participants, ensuring that mentors and mentees are in different groups and that the anonymity of comments is protected; and
- interviews of participants.

C. Modifying and Troubleshooting. The regular assessment of the formal mentoring program will allow an organization to identify areas where the program is working well. These areas should be maintained and/or enhanced. Regular assessments will also allow the organization to identify areas where the program could be modified to optimize its performance. Identifying and implementing these modifications encourages continued participation in the program and increases the organization's rate of return on its investment.

Every formal mentoring program will require troubleshooting, for example, when a mentor is not actively engaged, when one of the participants leaves the organization, or when the match of mentor and mentee just did not work. There should be someone who is available to address issues such as these when they arise, instead of waiting until the end of the program. Active monitoring of the time that people are devoting to the program is likely to assist in identifying issues quickly. In addition, participants should have a program contact to whom they can reach out with questions and concerns.

4. Creating a Mentoring Culture

A. Formal Programs are a Good Start But Not Enough. Formal mentoring programs are worthwhile in providing a bridge for newly arriving attorneys and the necessary mentoring training for all attorneys. Mentoring is most effective when it develops naturally, for example, through a work assignment or a set of common interests. The formal mentoring program is a major step in creating a culture of informal mentoring which occurs on a regular basis for all attorneys. On the other hand, it should be clear that the organization does not expect that the *only* mentoring that will occur will be under the auspices of the formal program. The organization needs to clearly demonstrate that its expectation is that mentoring will be widespread and that more senior attorneys should be investing time mentoring more junior attorneys.

B. Why Don't More Senior Attorneys Mentor? Even organizations with formal mentoring programs often find that despite material investments in these programs, effective mentoring is not occurring broadly. Why not? The most probable answer is that the more senior people are not investing

time and effort in mentoring attorneys. Why not? The answer is complex with a number of factors at work:

- More senior attorneys are facing increasing “billable” hour demands and they either do not have the time or do not prioritize their time to mentor.
- More senior attorneys are facing increasing “non-billable” hour demands and they either do not have the time or do not prioritize their time to mentor.
- More senior attorneys are loath to invest in more junior people who are going to leave, viewing it as a waste of valuable time.
- The younger attorneys do not “look” like the more senior attorneys. The more junior attorneys are more diverse with regard to gender, race/ethnicity and sexual orientation. Mentoring used to occur when more senior attorneys picked out someone who “looked” like they did fifteen years earlier and mentored them; with the changing demographics of these entering the legal profession, that model no longer works. Conversely, the younger attorneys do not want to be “like” the more senior attorneys and prefer to have a number of mentors as opposed to one mentor who they emulate.
- “Clients” do not pay for mentoring. Clients used to pay for a more junior person to attend a meeting or a deposition. Gone are the days when more junior people can participate in calls or meetings without active substantive participation. The lack of credit for mentoring time impacts more senior attorneys’ willingness to invest the hours, especially if he/she will, in turn, need to write off the time, thereby impacting the more junior person’s profitability and his/her realization rates.
- There are significant generational communication issues which directly impact mentoring (and attrition). One example is the different way each generation “defines” accessibility. A Baby Boomer (born 1965-1979) will feel accessible to mentees because “my door is always open for them to come and ask me a question.” On the other hand, Generation X (born 1965-1979) or Y (born 1980 or later) mentees feel that a mentor is accessible when the mentor proactively seeks them out and checks in regularly. This miscommunication results in the mentor believing he/she is mentoring and the younger generations perceiving a lack of mentoring.
- Compensation systems do not, for the most part, incentivize mentoring. The systems strongly reward productivity. Therefore, the time spent by a more senior person investing in more junior people is viewed as either being “free” time or time that hurts the more senior person since if he/she had spent it doing “billable” work or bringing in business, he/she would have been rewarded.

Each of these issues is real to many senior attorneys. In combination, they become deadly to the creation of a mentoring culture. Consequently, acknowledging and addressing these rationales becomes a material success factor to both formal mentoring programs and the creation of a mentoring culture.

C. Mentoring Across Gender and Race. The gender and ethnicity demographics of more junior attorneys are getting increasingly more diverse, and more junior attorneys are materially more diverse than the more senior attorneys in legal organizations. These differences have the potential to impact the development of trust in mentoring relationships if mentors and mentees are not trained to identify and address potential concerns. Organizations should create safe forums for participants to

discuss openly these issues and directly provide suggestions and resources for participants on these topics. Ignoring, or putting these topics off limits, increases the potential for these issues to negatively impact mentoring.

The most common reluctance expressed by male senior attorneys to mentoring across gender is a concern that the relationship will be misperceived. Gossip grapevines in organizations can do significant damage, especially to the mentee, and disincentivize male mentors from actively mentoring women mentees. Given the low numbers of women who are more senior in organizations, male senior attorneys need to be willingly available as mentors to women attorneys. Consequently, logistical solutions to the concern need to be discussed and leaders need to demonstrate that destructive gossip will not be countenanced.

The most common reluctance expressed by white senior attorneys to mentoring across race is a concern that their advice may not be relevant to someone of a different ethnicity. While it may be accurate that a white male does not truly appreciate the experience of an attorney of color or understand what it is like to be an ethnic minority, that same senior attorney does understand what it takes to be successful at the organization and/or in the practice group. Given the low numbers of senior attorneys of color in organizations, white senior attorneys need to be willingly available as mentors to attorneys of color. To the extent that mentoring across ethnicity requires mentors to feel like they are taking more risks, training mentors and offering resources to mentors and mentees should address these concerns and provide safe forums to problem-solve. Mentoring across ethnicity provides both mentors and mentees an opportunity to enhance their communication and inclusion skills.

Another concern expressed by white more senior attorneys to mentoring across both race and gender is that they will say something unintentionally that is misinterpreted and consequently they will be labeled “racist” or sexist.” Effective mentoring relationships are built on trust. In mentoring relationships which involve mentoring across gender and race, both parties need to be willing to take a risk and communicate on things about which their comfort level is low. Conversely, both parties need to be willing to give the other the benefit of the doubt and assume that no offense was intended, instead of the converse. In addition, both parties need to be willing to provide constructive feedback; for example, the mentee can communicate to the mentor how his/her remarks made him/her feel (or why they were offensive or off-putting) and offer an alternative way to communicate the same substance without being offensive.

A key factor in successfully establishing effective mentoring relationships that span gender and race is to acknowledge that individuals may have concerns and to create a safe and constructive environment for discussion and problem-solving. “In all successful mentoring relationships, both parties respect, trust, and take a personal interest in each other. They make an effort to discover each other’s strengths, needs, values, and interests, and are committed to making their relationship work. The mentee is eager to learn from the mentor; the mentor is happy to impart encouragement, knowledge, and wisdom. Both parties are driven to acquire the information and knowledge they need to succeed. These characteristics are the same whether the relationship is formal or informal and whether the mentor and mentee are of the same or different genders, cultures, or races.” *Creating Pathways to Diversity – Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring* (Minority Corporate Counsel Association, page 19).

D. Reward Effective Mentors. Lawyers are for the most part very competitive by nature. If the model for “winning” at the organization is redefined to include being an effective mentor, then the

organization is likely to see more attorneys actively engaged in effective mentoring. Revamping the organization's compensation system is an obvious way to get this result – you get what you pay for! Few organizations, however, are likely to go this far. Rewarding effective mentors does not have to involve this level of organizational change.

5. Using Outside Organizations for Mentoring

Many lawyers supplement the mentoring available internally by participating in formal mentoring programs offered by outside professional organizations. These types of programs may offer the mentee access to “power” players in other businesses or a mentor who “looks” like them.

One word of caution when relying on outside professional organizations for mentoring for your key attorneys: while it is a great way for these mentees to develop strong connections in the industry or city, it is also a great opportunity for a strong mentor to hire away your best talent. Outside mentoring resources should supplement, not replace, the organization's investment in effective mentoring internally.