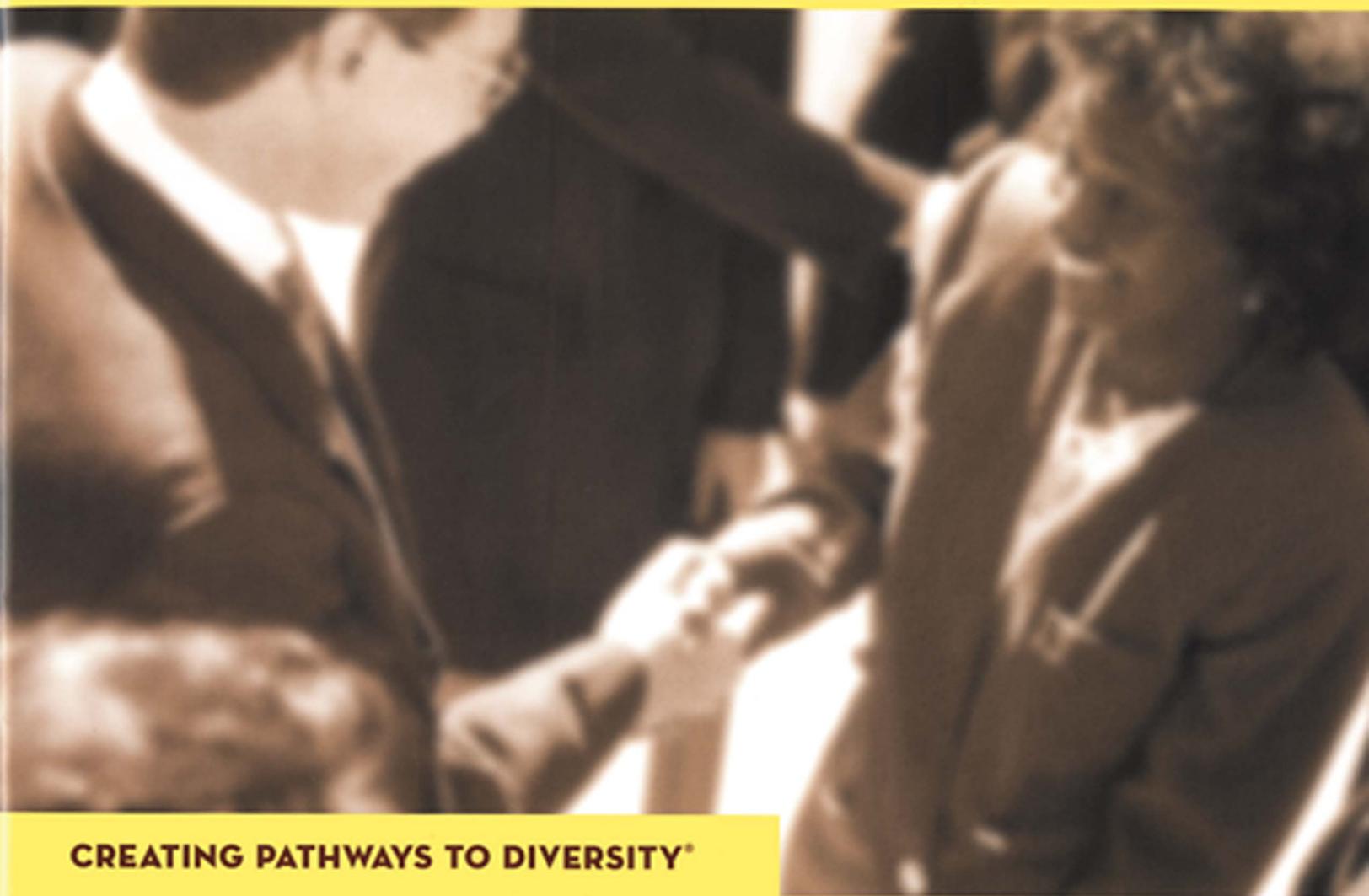


MENTORING ACROSS DIFFERENCES:
A Guide to Cross-Gender and Cross-Race Mentoring



CREATING PATHWAYS TO DIVERSITY®

EXECUTIVE SUMMARY



A. STUDY QUESTIONS

The Minority Corporate Counsel Association (MCCA) was founded in 1997 to advocate for the expanded hiring, promotion, and retention of minority attorneys in corporate legal departments and the law firms that serve them. MCCA's efforts focus on the research, collection, and dissemination of information on the status of diversity in the legal profession and the use of that information to further the Association's mission.

Creating Pathways to Diversity® — Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring is the result of a year-long study to examine mentoring relationships in law firms and law departments to determine:

1. How lawyers build successful cross-gender and cross-race mentoring relationships;
2. How lawyers define reasonable expectations for cross-gender and cross-race mentoring relationships;
3. How lawyers build trust in cross-gender and cross-race mentoring relationships to promote open communication;
4. How lawyers develop the capability and comfort to discuss diversity issues in cross-gender and cross-race mentoring relationships; and
5. How lawyers are motivated to initiate cross-gender and cross-race mentoring relationships.

B. KEY FINDINGS

The most significant findings of the study were:

1. How lawyers build successful cross-gender and cross-race mentoring relationships

- Women and minority lawyers who wanted mentors could find them if they were strategic and proactive.¹ Everyone who participated in this study, even those without a current mentor, had at least one mentor at some point in their careers, and most participants had more than one mentor.
- Cross-gender and cross-race mentoring relationships arose most frequently during work assignments, recruitment efforts, office and community projects based on shared interests, and bar association activities.

- Informal mentoring was the preferred format and was driven primarily by frequent interaction and proximity during work and work-related projects.

- Mentees who actively sought mentors found multiple mentors to meet a variety of development needs. They recognized that they needed different mentors to fulfill distinct needs at various times in their careers. They saw the need for men and women mentors, and white and minority mentors.

- Diversity in mentoring relationships crossed many boundaries. Many cross-gender and cross-race relationships did not have white or male mentors. Relationships included mentors and mentees who are both minorities but of different races or ethnicities, and women and minority mentors with white male mentees.

- Most of the participants in current mentoring relationships who were matched through a formal mentoring program reported positive experiences.

- Mentees who were not in current mentoring relationships sought more specific qualifications in potential mentors than did mentees with current mentors.

2. How lawyers define reasonable expectations for cross-gender and cross-race mentoring relationships.

- Mentors required that mentees produce excellent work product, make a significant commitment of time, show professionalism, and exhibit self-confidence in order to receive mentoring. In law firms, they also expected mentees to be sociable and participate in firm life.

- Mentors had a mental model of what makes a lawyer worth their investment of time, advice, and wisdom. Women and minority lawyers did not always fit that model because of different communication styles, behavior styles, work perspectives, and approaches to problem solving.

- In contrast, most mentees had little knowledge about mentoring at the beginning of their careers and few if any expectations.

- Women and minority associates in law firms expected to be promoted solely on merit (i.e., the quality of their work). Mentors corrected this belief by explaining that personal relationships and social involvement are also major factors in promotion decisions.

¹For purposes of this study, minorities were considered to be any persons who are not Caucasian, and could include African Americans, Hispanics, Asians (including East Indians), and Native Americans.



- Junior lawyers expected supervisors to be mentors. Many supervisors did not share those expectations or acknowledge mentoring responsibilities.

3. How lawyers build trust in cross-gender and cross-race mentoring relationships to promote open communication.

- Successful mentoring pairs took risks, moved out of their comfort zones, and took time to form a relationship. Successful cross-cultural relationships required both mentor and mentee to make an effort to work with people who are different.
- Minority and women mentees established trust and engaged in open communication more readily with minority and women mentors than with white male mentors.
- Women communicated most easily with each other in mentoring relationships, regardless of their racial or cultural differences.
- Mentees demonstrated trustworthiness by doing high quality work, developing a reputation for excellence and reliability, aligning behavior with workplace culture, performing confidently, and showing enthusiasm for the practice of law.
- Mentors demonstrated trustworthiness by reaching out to women and minority mentees; extending their trust to mentees through stretch assignments; making mentees feel included and connected; and proving their interest in the mentees' learning and development by giving information about organizational culture, opportunities to excel, challenging work, feedback, and career advice.

4. How lawyers develop the capability and comfort to discuss diversity issues in cross-gender and cross-race mentoring relationships.

- Minority mentees were more comfortable talking with minority mentors about race and diversity issues, even if they were from different minority groups.
- Mentees, including white and minority women and men, were more comfortable talking with women than male mentors about work/life and gender issues.
- White mentors who successfully discussed race and gender issues with women and minority mentees made a concerted effort to listen to and learn from mentees; find mentees opportunities to feedback, encouragement, and public support.
- Discussion of race and gender diversity was often avoided when one of the parties was white, even in mentoring relationships that were otherwise strong.

5. How lawyers are motivated to initiate cross-gender and cross-race mentoring relationships.

- Mentors were motivated by self-interest as much as by personal satisfaction or concern for others. They saw mentoring as an investment in developing and retaining the outstanding, high-performing lawyers needed to serve clients and ensure the organization's business success.
- Minority mentors actively reached out to minority new hires and minority summer interns in both law firms and corporate law departments.
- Women and minority mentees were motivated to find cross-gender and cross-race mentoring to learn and expand their technical abilities, achieve inclusion in the organization, obtain high-visibility work, and gain access to leaders and powerful networks.
- Employers fostered cross-gender and cross-race mentoring by creating an environment that supports diversity (e.g., by sponsoring mentoring and diversity initiatives). Mentors and mentees expressed a desire for more support in terms of written guidelines, training, and program coordination than their employers currently provide.



INTRODUCTION



Today's legal workplace is steadily becoming more diverse and multicultural as women and attorneys of color continue to join the profession. Women constitute almost one third of lawyers, and minorities represent ten percent of the profession. In spite of this growing diversity, the number of women and minorities in partnership, management, and executive positions remains small. Currently, women represent only 13 percent of General Counsel at Fortune 500[®] companies while minority lawyers occupy less than half that number.² Only 16.3 percent of partners at major law firms are women, and lawyers of color constitute just 3.7 percent of partners.³

Mentoring is considered instrumental in helping minority and women lawyers break through the glass ceiling. Having a mentor is essential for all lawyers' career advancement. It is especially important for women and minorities. The lack of adequate mentoring has held women and minority lawyers back from achieving professional success, and has led to high rates of career dissatisfaction and high rates of turnover. High attrition undermines employers' efforts to promote the diverse workforce they see as necessary in order to compete in the marketplace.

Employers recognize the enhanced value that a diverse workforce can bring. In addition, incoming lawyers want and expect to work with diverse colleagues, and clients insist that law firms and corporations retain and advance women and minorities. Mentoring is the bridge to accomplishing these diversity goals. It supports diversity by providing the hands-on training, experience, and personal connections required to develop, retain, and advance talented women and minorities.

Previous research of mentoring in the legal profession has reported a serious lack of mentoring for women and minority lawyers. This earlier research shows that these lawyers face obstacles to mentoring that include:

- The scarcity of women and minority lawyers in management and partnership positions;
- Economic pressures that permit little time or reward for mentoring;
- Majority male lawyers' reluctance to enter mentoring relationships with women and minorities because certain false assumptions or negative stereotypes cloud their judgment; and
- Exclusion of women and attorneys of color from informal workplace networks that are the springboards for mentoring opportunities.

While these demographic, economic, cultural, and institutional barriers have been studied, there has been little investigation into how women and minority lawyers enter into successful mentoring relationships. Given the demographics of the legal profession, in which most senior lawyers are white men, women and minority lawyers are likely to be involved in cross-gender and cross-race mentoring relationships. This study sought to discover the conditions under which women and minorities are able to find, form, and sustain meaningful mentoring relationships across gender and race.

² Minority Corporate Counsel Association, 2003.

³ NALP, "Women and Attorneys of Color at Law Firms - 2002," at <http://nalp.org/nalpresearch/mw02sum.htm>





A. THE NATURE OF MENTORING IN THE LEGAL WORKPLACE

Mentoring occurs when an experienced lawyer takes a personal interest in one with less experience and helps the junior lawyer learn and advance. In the legal workplace, mentoring functions are manifested in various ways:

Workplace socialization builds a sense of connection to the organization. Mentors welcome new hires, introduce them to others in the office, and help them navigate the new office environment.

Skills building develops lawyers' competency to practice law. Mentors help junior lawyers learn and improve legal skills through work experience, instruction, and feedback.

Confidence building fosters lawyers' identity, confidence, and self-esteem as legal professionals. Mentors serve as role models. For women and minorities, some mentors provide emotional support and reality checks concerning matters of gender or race.

Career advancement helps mentees move toward career success. Mentors offer advice on career options; access to contacts, clients, executives, and networks; and advocacy for law firm partnership or promotion to higher corporate positions. For more experienced lawyers (including partners), mentors sponsor and support the mentee's professional development.

The more mentoring functions that are available to the mentee, the more the mentee benefits. Because one mentor is unlikely to fill all of these mentoring roles, having multiple mentors provides a greater range of opportunities for success.

B. MENTORING AND DIVERSITY IN LAW FIRMS AND CORPORATIONS

The formation and maintenance of mentoring relationships are the same in both law firm and corporate settings, with one significant difference. In law firms, mentoring relationships occur between lawyers. For in-house lawyers, mentoring is not maintained strictly with other lawyers, but extends beyond the law department and beyond the legal profession. Corporate lawyers frequently establish mentoring relationships with internal clients, including corporate managers and executives from the corporation's business and functional units.

Both law firms and corporations have long recognized the importance of diversity. Some corporations have extended their internal corporate diversity initiatives to outside counsel. They exert economic pressure on law firms to diversify and track firm progress on hiring and retention of women and minority lawyers. In response, law firms are allocating more energy and resources to diversity, and ultimately, their progress on this issue will be determined by their degree of success at mentoring.



STUDY OVERVIEW



A. METHODOLOGY

Creating Pathways to Diversity® — Mentoring Across Differences: A Guide to Cross-Gender and Cross-Race Mentoring is the result of a year-long study to examine mentoring relationships in law firms and law departments to determine:

1. How lawyers build successful cross-gender and cross-race mentoring relationships;
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5. How lawyers are motivated to initiate cross-gender and cross-race mentoring relationships.

This study was conducted through personal interviews of individual lawyers; 12 focus groups held in San Francisco, Houston, and New York; and a written questionnaire. Study participants were lawyers currently in cross-gender and cross-racial mentoring relationships, or who desired to be in such relationships. A thirteenth focus group, held in New York, consisted of six participants who were coordinators of either a mentoring program or a diversity program. The information generated in this focus group was considered, but participants were not included in the study sample.

The statistics reported are descriptive, as the sampling technique and the methods of data-collection did not warrant statistical testing.

B. STUDY GROUP

The study group comprised 64 self-selected participants, representing 43 law firms and 7 corporate law departments. Three questionnaire respondents did not identify their employer or type of employment.

Fifty lawyers participated in focus groups. Fourteen attorneys were personally interviewed by the research team. All participants received a questionnaire, of which 56 questionnaires were returned (88% return rate). The research team was successful in its effort to ensure that the study group had a balance of minorities, women, and men. Table 1 and Figures 1, 2, and 3 present a demographic breakdown of the participants who completed questionnaires.

Table 1. Mentors and Mentees Who Responded to the Questionnaire by Gender and Race

TOTALS	FEMALE	MALE	MINORITY	WHITE
Mentors = 35	15	20	11	24
Mentees = 21	13	8	16	5
Totals = 56	28	28	27	29

Figure 1. Mentors and Mentees Who Responded to the Questionnaire by Gender and Race

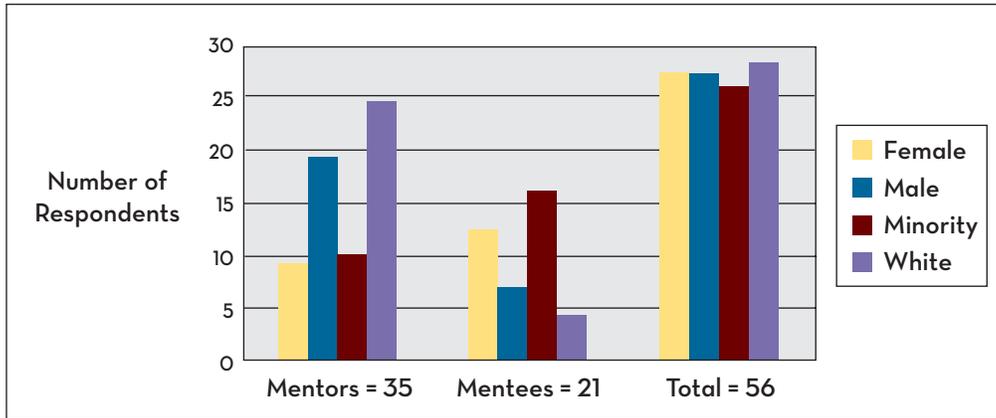


Figure 2: Race and Gender of Mentors Who Responded to the Questionnaire

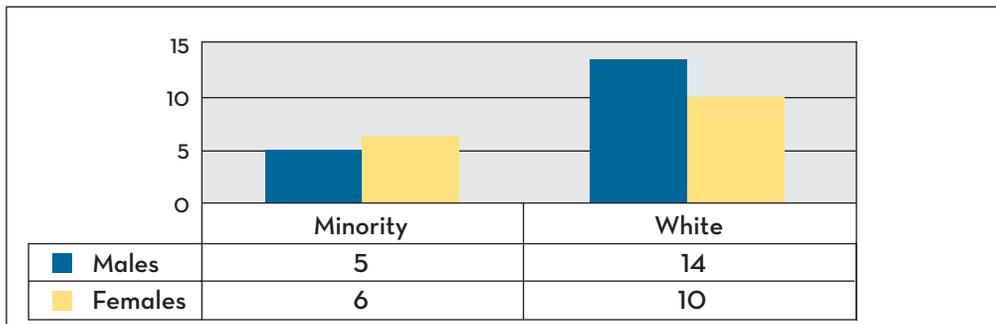
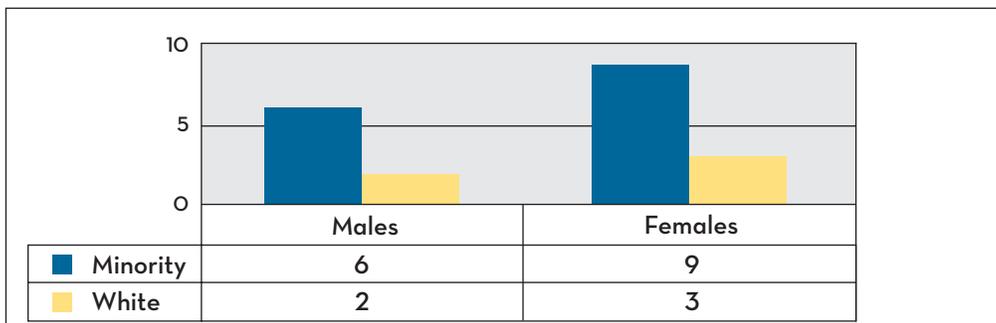


Figure 3: Race and Gender of Mentees Who Responded to the Questionnaire



In analyzing the data, MCCA chose to highlight those viewpoints that were expressed most frequently or offered particularly noteworthy perspectives. All data is reported in the aggregate, without attribution to a particular individual or organization.

C. RESEARCH TEAM

The research that underlies this report was conducted and produced for MCCA by Ida Abbott, Esq., of Ida Abbott Consulting, and Rita S. Boags, Ph.D., of Leadership Technologies, LLC. Both members of the research team have published and presented extensively in the fields of mentoring and diversity. Ms. Abbott and Dr. Boags specialize in the design and implementation of programs in mentoring, career, and leadership development for the multicultural workforce. Their clients include national and international corporations, government agencies, and law firms.



WHAT IS THE SIGNIFICANCE OF THE FINDINGS?



This study shows that women and minority lawyers who proactively seek mentors can find them. The findings in each of the study areas illustrate how lawyers can build and maintain successful mentoring relationships across gender and race.

A. STARTING AND BUILDING MENTORING RELATIONSHIPS

The study results were clear: women and minority lawyers are capable of finding one or more mentors if they are strategic and proactive in seeking them. That is not to say that finding a mentor is easy for everyone or that everyone who wanted a mentor found the one they desired. Some study participants were unable to find the specific type of mentor they wanted, and were consequently not in a current mentoring relationship. For example, some mentees sought a member of the same minority group who could champion their advancement or introduce them to business contacts, but mentors with those qualifications were not available in their practice area or organization. Successful lawyers in our study who were unable to find mentors with specific, desired qualifications did find other suitable mentors who helped them achieve professional and development goals.

1. The wide range of cultural differences in mentoring pairs

One of the pleasant surprises of the study was the considerable number of mentoring relationships involving mentors and mentees of different minority groups. Study participants evidenced a great variety of cross-race, cross-cultural, and cross-gender matches, including:

- Hispanic male mentors with African American male and female mentees;
- Hispanic female mentors with Asian male mentees;
- African American male mentors with white female mentees;
- An Asian female mentor with Hispanic and African American female mentees; and
- White female mentors with white male mentees.

Even within these pairings, there was additional diversity. For example, the category “Asian” refers to many nationalities, such as, Indians, Pakistanis, Chinese, Korean, Thai, Vietnamese, and Pacific Islanders, although each of these groups is culturally distinct. A mentor and mentee might both have been Asian, but have little in common with each other in terms of religion, history, language, or culture.

2. Entry points for the formation of mentoring relationships

In spite of some skepticism among participants about formal matches, 90 percent of those in formal mentoring programs were satisfied with those relationships. Problems that arose in formal relationships usually stemmed from a poor matching process, such as the mentor who was “forced” into a match with a mentee considered incompetent and without a future in the firm. Other problems with formal mentoring were attributed to a lack of follow-up and training, which left mentors and mentees with little or no guidance regarding how to develop the relationship.

The majority of participants expressed a preference for informal mentoring relationships, and most participants (65%) were in such relationships. Informal mentoring relationships across race and gender began in a variety of ways:

- Most commonly, mentoring relationships began as people worked together, usually when a new or junior lawyer worked with a more senior lawyer on a client matter. In law firms, most of these relationships were between lawyers in the same practice group, department, or area of specialization. In corporate law departments, most mentee-mentor pairings occurred between lawyers, with internal clients, and less frequently, with outside law firms and vendors.
- The second most common entry point was the recruiting process. Many mentoring relationships arose between job candidates and the lawyers who recruited them as they explored a possible “fit” between the candidate and the organization. In law firms, they often arose between summer associates and members of the hiring or summer associate committees. Relationships that began this way during the recruiting process often continued when the candidate joined the firm or corporation. Some even continued when the candidate took a job elsewhere.
- A third group of relationships grew through shared personal or professional interests when mentees and mentors were in the same firm or company but from different practice areas. Shared interests usually involved collaboration on work-related special projects, committees, pro bono cases, community activities, women’s forums, or diversity programs.

- Some mentors, especially minority mentors, appreciated the importance of mentoring, and energetically pursued mentoring relationships with new lawyers. They did this within their firms and corporations, and in bar associations, most notably in minority bar associations.

At all of these entry points, mentoring relationships developed as people interacted with each other. Most of the time, this happened while they worked together, but sometimes, mentors and mentees had to create opportunities to meet or talk(e.g., a series of casual lunches). As they got to know each other, they discovered that they shared common values, practice goals, and perhaps personal interests. The relationship was especially likely to expand into a mentoring relationship if the two individuals had compatible work styles or personalities. Their personal relationship turned to mentoring — although the word “mentor” might never be uttered — when one person reached out to the other to request or offer assistance.

3. Someone like you or someone different? Benefits of both in mentoring relationships

The race and gender of a mentor and mentee did not always matter. In some circumstances, what was most important was the mentor’s willingness and ability to help the mentee. For example, several minority mentees felt that white male mentors could provide greater access to clients, high-visibility projects, and inner circles of organizational power and influence. One participant remarked, *“As the only woman it was important for me to have a senior male supervisor who could guide me through that system, show me the ropes, how to handle myself in that world, as well as technical aspects of my job.”* White men and women frequently controlled access to work assignments that minority mentees wanted in order to develop legal skills, learn a practice area, gain client exposure, or receive more responsibility. Many of these white men and women subsequently became their mentors.

Participants benefited from being in both diverse mentoring relationships and same-gender or same-race relationships. Diverse relationships expanded their thinking and perspectives, altered incorrect assumptions and stereotypes, and led to a deeper understanding for people. These relationships made participants aware of important issues that they otherwise would not have considered, or would have looked at from a narrower point of view. *“Being on the recruiting committee with my Asian mentee, he points out and keeps me honest when we bring up the fact that certain candidates look good, but they are too quiet and reserved. He makes us remember we have to take charge in the interview and be more directive. We get better results that way.”*

On the other hand, most minority and women mentees benefited from having mentors of the same gender or race. Same-gender and same-race mentors served as role models, confidantes, and advisors on personal aspects of professional life. They could relate to mentees’ concerns about stereotyping, sexism or racism, and provide “reality checks” about gender- or race-sensitive issues. They also inspired and reassured women and minority mentees that their differences will not prevent them from succeeding in the organization. *“When you look around and you are different from everybody else, it’s not easy to recognize what is getting in the way of your success.”*

4. The value of multiple mentoring relationships

Successful study participants had been in multiple mentoring relationships, either concurrently or at different times in their careers. At least one of their mentors had been or was currently a white male. This was true for both men and women and for individuals of all races. A network of mentors, acquired over time, allowed lawyers to have mentors of both genders and various races and organizational positions. Many of these mentoring relationships lasted for many years. Some very senior lawyers in the study group still relied on attorneys who had been their mentors for several decades.

Mentees who had multiple mentors reported high satisfaction with their mentoring relationships. They recognized that they needed different kinds of mentors for separate reasons at various times in their careers. **They did not restrict their search for mentors to a particular race or gender, and understood the importance of networking in order to find diverse mentors.** Some mentees also acted as mentors to law students, summer associates, and less experienced lawyers. Being a mentor gave them additional insight into what mentors look for in mentees. They used this knowledge to enhance relationships with their own mentors.



B. CREATING REASONABLE EXPECTATIONS FOR MENTORING

Ideally, mentors and mentees have clear, realistic, aligned expectations, and communicate those expectations to each other. In reality, however, their expectations often vary and remain unspoken.

1. Mentors know what they expect from mentees

Mentors in the study had very clear expectations for the people they were willing to invest in. Women and minority mentees often did not know what those expectations were. **This lack of knowledge about what mentors expect may be one of the significant reasons why women and attorneys of color do not experience mentoring to the same degree as white males.**

Mentors wanted mentees whom they saw as “winners” or “keepers.” In law firms particularly, mentors viewed their time and energy as expensive assets and the mentoring process as an investment of those assets. They were only willing to make such investments in lawyers who they believe will produce a high return (i.e., someone who is likely to become a successful lawyer as *the mentor defines success*). Usually this meant mentees must appear confident, be able to communicate clearly orally and in writing, produce impeccable work product, and show drive, commitment, and work habits that are compatible with the mentor’s. If a lawyer did not fit this model, differences were misperceived as deficiencies, and mentoring was either not offered or withdrawn. Mentors gave mentees little time to prove themselves; they were neither patient with mentees nor inclined to give second chances. Several mentors stated it was best to “cut off” struggling mentees sooner rather than later.

Mentors had these expectations for all lawyers, regardless of their gender or minority status. However, women and minority mentees often did not know what the mentor was looking for. *“One of the associates has the makings, but someone needs to help him connect the dots and let him know that unless he adopts certain behaviors he won’t be perceived as successful.”* Many of these associates were strangers to the culture of law practice and had no role models or guides to explain these expectations to them. They were unfamiliar with the organization’s political or social dynamics or its unwritten norms and customs. If they were new to law practice, they had to learn those expectations at the same time they were learning to be lawyers. One of the most valuable functions that mentors could perform was explaining the organization’s culture and expectations to them.

2. Successful women and minority mentees know what they expect from mentors

Early in their careers, many women and minority lawyers did not realize that they needed mentoring. They assumed supervisors and managers would facilitate their learning, development, acceptance, and advancement in the organization. Many mentees became aware of the value of mentoring when they realized that a more senior lawyer was taking a special interest in their learning and progress. Once mentees understood how mentors could help them, they became purposeful in seeking mentoring relationships.

Some mentees were very direct in discussing their expectations with mentors. The principal areas for which mentees sought mentors were:

- Guidance and assistance with work issues;
- Advice on how to navigate the office;
- Feedback on work performance and professional behavior;
- Role models and career guidance;
- Learning how to handle difficult lawyers and clients;
- Advice about work/life issues;
- Access to decision makers and clients;
- Sponsorship for advancement and partnership;
- Overcoming isolation; and
- Advice about dealing with diversity concerns.

Mentees primarily sought mentors who would give them the kind of assignments, feedback, and encouragement that spurred them to do their best. They wanted to work on projects that would make managers and leaders notice them as capable and promising lawyers. As one mentee put it, *“Getting into the right project at the right time can totally change your life.”*

3. When the mentor is also a supervisor: dual role confusion

Supervisors and mentors do not necessarily have the same commitment to junior lawyers’ development. Supervisors’ primary concern is getting the work done for the client. They may view the lawyers they supervise simply as the means for doing that work. A mentor’s interest goes beyond the work product. Mentors take an interest in the junior lawyers’ learning and growth. Mentors use the developmental opportunities provided



by work experience to help teach, encourage, and advance the interests of the junior lawyer. Unfortunately, many junior lawyers do not understand this distinction. They expect supervisors to take an interest in them and help them succeed.

Study participants recognized that there is a potential conflict when a mentor is also a supervisor. In the study group, 42 percent of mentors and 45 percent of mentees in current mentoring relationships reported that having a mentor who was also a supervisor posed a moderate challenge to the relationship. The potential conflict arises because the mentor-supervisor allocates work assignments, evaluates the mentee's performance, and contributes to decisions on promotion. This makes it difficult for mentor-supervisors to be impartial or non-judgmental, and difficult for mentees to be open about their insecurities or concerns. Mentees may feel too intimidated to confide in dual-role mentors about such issues such as the nature or quality of the work they receive or problems with the supervisor.

Nevertheless, in spite of the potential for conflict, successful mentees in this study were willing to take on whatever challenges this arrangement might bring. It was more important to them to have mentors who would give them good work and help them become better lawyers. *"I think it turned into more of a mentoring relationship when I started to ask him a lot of questions and demonstrated to him that I was really serious about learning this area of law."* They also recognized that any potential sponsors for advancement would not advocate on their behalf unless they had confidence in the quality of the mentee's work.

4. The organization's expectations for women and minorities to engage in diversity activities

Women and minority lawyers often found themselves in a dilemma that compromises their ability to acquire good mentors. Law firms want to attract women and attorneys of color to meet clients' expectations for diversity and ensure that diverse lawyers are represented on committees and participate in organizational activities. However, engaging in recruiting, diversity initiatives, and other time-consuming activities reduces the time available for learning the basic practice skills needed to become excellent lawyers. Women and minority attorneys who participate in too many of these activities miss training programs, so they learn less than their peers. These activities leave them less time for their client work, which may lead to lower quality work product, and in law firms, insufficient billable hours. All of this can lead to a negative perception of their worthiness to mentors. One participant called this the "trap" of becoming the organization's "poster child" for diversity.

C. BUILDING TRUST

1. Mentors' and mentees' discomfort about race and gender differences inhibited outreach

Generally, one of the barriers to cross-gender and cross-race mentoring is the discomfort that people feel being in a mentoring relationship with mentors or mentees of a different gender, race, or culture. The degree of discomfort was dependent upon the kind of cross-gender and cross-racial match. Study participants built trusting relationships by dealing with and overcoming their initial discomfort, if it existed at all.

MEN MENTORING WOMEN

Many male lawyers felt that it was too hard, uncomfortable, and unduly complicated to be mentors to women. They feared that the female mentees or others in the organization might misperceive the mentoring relationship as more than simply professional. They were concerned about possible claims or lawsuits for discrimination or sexual harassment. They worried that they might make remarks that could be misunderstood or taken out of context, leading to a bad reputation for them or the firm. Several male mentors also felt that they could not appreciate career issues from a woman's perspective and therefore, could not offer useful advice. Female mentors, however, did not express a similar hesitancy about mentoring men.



WHITES MENTORING MINORITIES

Some mentors, mainly white men, had similar concerns about mentoring minority lawyers. They worried that their questions or comments might inadvertently offend someone, or violate norms of “political correctness,” by their questions or comments. Others said that they could not appreciate a minority lawyer’s experience or truly understand what a person of color had to deal with. A few mentors were less inclined to mentor minorities for the same reason some men gave for not mentoring women — fear of discrimination claims or damaging the organization’s or their own reputation through a misunderstanding or actions taken out of context. They also felt they had little relevant advice or counsel to offer a minority lawyer.

LIMITATIONS ON SCOPE OF MENTORING

Overall, this discomfort did not prevent white mentors from forming successful mentoring relationships with minorities, or male mentors from being mentors to women. But it did limit the functions that these mentors could provide. In particular, it made some mentors feel incapable or unwilling to deal with people who were different, and it interfered with their ability to give honest feedback. One example was a male mentor who made an effort to deal with his concern that women would “tear up” if he gave them feedback that was unfavorable. *“A mentor has a real opportunity to learn, especially if someone has a really different background. We have to be open enough and curious enough to explore that part of the relationship. I tell my mentees that if I say anything offensive, let me know.”*

Mentees in our study group expressed a low level of discomfort about cross-gender and cross-race mentoring relationships (only 7 percent expressed a concern about their degree of rapport and camaraderie). Those women and minority mentees who felt uncomfortable raising diversity-related issues with white mentors stated the following reasons for their discomfort:

- Making the mentor feel uncomfortable;
- Being perceived as a troublemaker or complainer;
- Being perceived as lacking professional ability;
- Being misunderstood as seeking preferential treatment;
- Calling attention to themselves as “different”;
- Finding mentors to be unsympathetic or indifferent;
- Having their confidences revealed (even if confidentiality was promised); and
- Being rebuffed or resented for bringing up sensitive issues.

2. Elements of trust

For study participants, trust involved a belief in the ability of the mentor or mentee to serve their needs and interests. Trust formed when mentors and mentees saw each other as competent, reliable, committed, and honest (See Tables 2 and 3). Mentees, for example, 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. For their part, in order to do these things for their mentees, mentors needed to know that the mentees were capable, diligent, and performing well.

Mentees had mixed views about the importance of confidentiality in relationships matched through formal mentoring programs. Some felt that the promise of confidentiality was critical and reassured them that they could confide in mentors without fear of disclosure or adverse repercussions. Others, however, were skeptical about any promise of confidentiality, and said they would not confide in a partner mentor in reliance on that promise alone. **For the mentees in this study who were in successful mentoring relationships, only 30 percent mentioned a “lack of confidentiality” as a moderate challenge in their relationship. But for those not in current relationships, 100% mentioned this as a moderate to extreme challenge.**

Table 2.

Elements of Trust: What Mentors Expect From Mentees

- **Competence:** the mentee demonstrates the intelligence, drive, interpersonal skills, and work ethic to be an excellent lawyer.
- **Reliability:** the mentee can be depended on to get the work done, please the client, and help the mentor out when needed.
- **Commitment:** the mentee is committed to his or her own success, to the mentoring relationship, and to the firm or company.
- **Honesty:** the mentee is willing to take reasonable risks, will be honest about needs and concerns, and will seek help and feedback.

Table 3.

Elements of Trust: What Mentees Expect From Mentors

- **Competence:** the mentor is capable of providing the help the mentee needs (e.g., skills training, contacts, influence, empathy).
- **Reliability:** the mentor can be depended on to help the mentee, and will not betray the mentee's confidences.
- **Commitment:** the mentor is interested in the mentee as an individual and in helping the mentee succeed; has the mentee's best interests in mind; and will not belittle or judge the mentee for what he or she does not know.
- **Honesty:** the mentor will give the mentee honest and constructive feedback and help the mentee to learn.

3. Implications of gender and race differences in establishing trust

Many participants experienced little or no discomfort with each other in spite of their differences. This was especially true in relationships between women and between members of two different races or ethnic groups. When successful mentors or mentees did experience discomfort, they demonstrated an ability to step out of their comfort zones and reach across their differences. As they got to know each other, they discovered that they shared similar interests and values.

Relationships that cross race or gender lines have the potential for added risks and complications. Some mentees expressed the risk as being rejected by the mentor, finding the mentor indifferent to the mentee's concerns, or feeling incompetent with a prospective

mentor. It is easier to approach someone who is similar in some way that makes the effort less risky and increases the chances that their response will be positive. As one mentor plainly put it, *"Guys are more comfortable with guys, women are more comfortable with women."* Similarly, people of the same race or similar cultural background often feel more at ease with others of the same ethnicity. They presume that people from the same gender, race, or ethnic background have common life experiences.

That presumption may or may not hold true. Being of the same race or gender can make starting a relationship easier, but "sameness" may not be enough to form a mentoring connection, and just as differences will not necessarily prevent one. One example was an openly gay female woman who was formally matched in a mentoring program with an openly gay man. Other than the fact that both were homosexual, they found no other basis for forming a relationship. They keep in touch with each other, but mutually decided to forego the mentoring match.

Mentors and mentees who developed trust in each other managed to avoid stereotypes and untested assumptions that might otherwise have interfered with mentoring or led to mistakes in selection of mentors. For example, many minority lawyers might assume that mentors could not understand someone from a different race or culture. Yet several study participants had spouses of different races and were acutely sensitive to the issues that minorities face. Perhaps the most common assumption expressed was that all women partners are interested in talking about work/life and/or family issues. Some mentees were disappointed when their women mentors did not share these interests.

An interesting finding of this study was that women and minorities formed relationships more easily with each other. White women, and minority men and women, shared the experience of being outside the mainstream white male culture. Because of this common experience, they felt a higher degree of affinity with one another, which made relationships easier to start. Minority mentees could more comfortably discuss race issues with minority mentors, even if they were of different races or cultures, than with white mentors. One mentee noted that he and his mentor have different accents, which sometimes made it hard to understand each other. But they could poke fun at themselves, which helped their relationship grow.

Many women reported feeling a common bond with other women, especially if they both had young children. This bond transcended racial differences. Several mentees, including white and minority men, reported that they had chosen female mentors with young children so that they could more easily discuss work/life balance or unconventional career paths.

D. COMMUNICATING ABOUT DIVERSITY ISSUES

Specifically with respect to discussions of race, barriers existed mostly where one of the mentoring pair, usually the mentor, was white. In many of these cross-race relationships, participants comfortably discussed many kinds of professional and personal matters, but they avoided conversations about race or diversity. In some relationships, white mentors were uncomfortable discussing race issues with minority mentees, and in others, minority mentees felt they could not confide in white male mentors. The unaddressed issues most frequently mentioned by mentees were their insecurities or uncertainties about law practice, the impact of race or gender, and non-traditional career options. The problem was described by one mentee as having “half a mentor” because certain topics were not open to discussion. *“As a mentee, it doesn’t hurt my feelings if someone acknowledges the [racial] difference between us. In some ways I like those relationships better. It makes me feel more comfortable — we’re not dancing around the issues in some artificial way. What’s uncomfortable for me is when we have to pretend that there isn’t a difference.”* As a result, neither mentors nor the organization learned what mentees were thinking about in terms of diversity issues. When the topics were viewed as off limits, some mentees concluded that the organization did not care about either the issues or its women and minority lawyers.

These findings do not mean that all mentoring pairs with a white mentor or mentee avoided discussions of race. In fact, these issues were discussed freely in many successful mentoring relationships between white male mentors and women and minority mentees. In one study pair, a white mentor and his African American female mentee explored how the mentee’s race and gender affected her professional life. He counseled her on strategies to deal with situations where she believed her race or gender was an issue. Nor do the findings suggest that all minority mentor/mentee pairs discussed diversity issues. In another study pair, with a mentor and mentee from the same minority group, the male mentor was reluctant to address issues of gender diversity with his female mentee. In most cases, though, the shared status of being “outside” the majority gave mentors and mentees of different minority groups or ethnicities an initial comfort level and presumption of trust that made conversations about race and cultural issues easier.

In cross-gender and cross-race mentoring relationships where diversity issues were openly discussed, mentors made a concerted effort to build a trusting and comfortable environment. They listened carefully and

learned from the mentee; shored up the mentee’s self-confidence; and helped the mentee find opportunities to prove their excellence.

E. MOTIVATING FACTORS IN ESTABLISHING SUCCESSFUL CROSS-GENDER AND CROSS-RACE MENTORING RELATIONSHIPS

The primary motivators for mentoring were work-related. Mentors wanted proficient mentees to serve their clients. Mentees wanted access to and feedback from mentors with high-quality, high-visibility work experience. For work-related purposes, gender and race were not prominent factors in the development of mentoring relationships. Gender and race were often motivating factors, however, when mentoring was offered or sought for purposes of workplace orientation, social inclusion, and psychological support.

1. Mentors’ motivating factors in reaching out to women and minorities

When mentors identified a woman or minority lawyer with extraordinary talent and potential, their motivation in reaching out to that lawyer was practical, not altruistic. The mentor’s interest in helping that lawyer develop and advance was driven primarily by a desire to retain talented lawyers and increase the organization’s competitive advantage. *“Any time you are going to devote that much attention and energy to something, you feel like it will provide extra value to the firm and your own individual career to have some real strong people who work with you. That’s one of my real incentives.”* As one mentor pointed out, mentoring is *“an investment in the institution — if we don’t develop good lawyers, we can’t do well as a business.”*

Mentors who reached out to women and minority lawyers were also motivated by personal satisfaction and a desire to help a more diverse pool to succeed. They took pleasure in helping talented lawyers succeed. They tried to make life easier for mentees within the organization by building a supportive personal relationship and by imparting knowledge about the organization’s culture and operations. Some mentors made a special effort to mentor women and minorities because they were aware that these lawyers often had a harder time finding mentors in the organization. Minority mentors in particular knew from experience what it is like to be new to an organization and feel a sense of isolation. They were more likely to reach out to other minority lawyers to welcome them into the organization.

2. How employers create an environment that supports mentoring for women and minorities.

A. PRIORITIES AND POLICIES

The study found that employers promoting cross-gender and cross-race mentoring as part of their diversity initiatives, create an environment that supports diverse mentoring relationships. Inside the firm or company, they set priorities, policies, and compensation that reflect the importance of mentoring and diversity. They make it a priority for influential leaders to serve as mentors. Other examples include:

- Tangible and significant awards to outstanding mentors (e.g., cash, travel);
- In-house forums for women and minority lawyers;
- Alternative career paths and flexible working arrangements for lawyers with children; and
- In law firms, billable hour credit for mentoring and diversity activities.

Organizations also show their commitment to diversity through activities beyond the workplace. They encourage and support lawyers' participation in law school and community activities that promote mentoring and diversity. Two examples are:

- Participation in a mentoring program for minority law students; and
- Sponsorship of a forum for local law students on what to expect as a minority lawyer in local law firms.

B. DIVERSITY INITIATIVES

Many organizations undertake diversity initiatives that feature training and cultural events that raise awareness of diversity. Effective diversity training programs enable people to raise difficult or sensitive issues about diversity without fear of being penalized or shunned. They create an environment where speaking out about diversity was acceptable and normal. Study participants felt that such programs in their organizations were valuable, but that they tended to be too abstract and general, with little immediate application to their everyday work lives. They wanted programs that allowed them to discuss diversity on a more personal one-on-one level in the workplace.

C. MENTORING PROGRAMS

Formal mentoring programs provide access to mentors. They are a supplement, not a substitute, for informal mentoring. Participants found special value in formal programs because these programs:

- Ensured that all lawyers have at least some exposure to and experience with a mentor;
- Are particularly helpful in the early stages of a lawyer's career, when mentees do not know how to initiate a mentoring relationship with the right person; and
- Make mentoring relationships across gender and race normal rather than exceptional.

This last point is of special importance for women and minority mentees. For women, it lessens the likelihood of sexual innuendo. For minority lawyers, it reduces apprehension in potential mentors as cross-race mentoring relationships become accepted and more commonplace.

It is important to be realistic about what formal mentoring programs can accomplish. A formal program can jump-start the process, but the individuals must make a personal investment to take it to the next level. **In addition, although formal mentoring programs are valuable, they are not sufficient to meet most mentees' needs. Lawyers should be encouraged to find additional mentors informally.**

F. CHARACTERISTICS OF SUCCESSFUL CROSS-GENDER AND CROSS-RACE MENTORING RELATIONSHIPS

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.

Some of the strategies that study participants used to establish successful cross-gender and cross-race mentoring relationships include:

- Using work and work-related activities as a natural starting point to begin their mentoring efforts;
- Casting a wide net, they sought to establish mentoring relationships across many venues: internal departments within law firms; functional groups within corporate law departments and outside counsel; and within bar associations;
- Searching for common interests and values instead of focusing on surface differences;
- Among women and minorities, forming bonds through their shared status as outsiders to the mainstream culture of their employers, where white males were in the majority generally, and in particular at organizational leadership levels;
- Making efforts to learn about each other;
- Using empathy to understand each other's concerns;
- Being clear about their needs and expectations;
- Avoiding stereotypes and untested assumptions about each other; and
- Risking discomfort to make the relationship work.

G. BARRIERS TO SUCCESSFUL CROSS-GENDER AND CROSS-RACE MENTORING RELATIONSHIPS

Researchers have reported obstacles in the legal workplace that impede mentoring for all lawyers, and note additional, unique challenges for women and minority lawyers. To get work, these lawyers have to overcome prejudgments and low expectations about their abilities. Socially, they have to “fit in” despite their differences. Culturally, they have to adapt to a new and unfamiliar environment. Institutionally, they have to deal with and overcome obstacles to inclusion and advancement.

Our study group did not discount the importance of these challenges, but they did not dwell on them or use them as reasons not to move forward. They mentioned seven specific challenges to cross-gender and cross-race mentoring:

- White mentors' discomfort about mentoring minority lawyers;

- Male mentors' discomfort about mentoring women lawyers;
- Mentees' discomfort about discussing gender or race with mentors unlike them;
- Stereotyping by mentors and mentees;
- Minority and women lawyers' lack of appreciation of the value of mentoring;
- Mentees' perceived lack of suitable mentors; and
- Lack of institutional support for diversity and mentoring.

Not all cross-gender and cross-race mentor/mentee pairs experienced all of these challenges. In addition, participants noted other factors besides gender and race that interfered with mentoring relationships, including age and class differences:

- Younger lawyers placed greater value on making time for family life than did many of their mentors;
- Younger lawyers had different attitudes toward work than many of their mentors;
- Class differences hindered relationships with lawyers from lower socio-economic classes or rural backgrounds, or who are immigrants or first-generation Americans; and
- Lawyers without the “right” credentials (e.g., degrees from elite colleges or law schools) were subject to bias. This was less pronounced for in-house lawyers, because corporate employers tend to look for lawyers with proven ability and relevant experience in a field of practice, not law school or class rank.

Time is often cited as a barrier to mentoring because the pressure of work, and in law firms, the lack of billable hour credit for mentoring, makes it difficult to schedule meetings and to interact casually. This study got mixed results about the impact of time constraints on mentoring. Only 30 percent of the mentors in current mentoring relationships stated that time was a challenge, while over 70 percent of mentees said that it was.



RECOMMENDATIONS FOR MENTEES AND MENTORS IN DIVERSE MENTORING RELATIONSHIPS



A. RECOMMENDATIONS FOR THE MENTORING PAIR

Both parties must take an active role to make cross-gender and cross-race mentoring succeed.

1. Communicate expectations

In successful mentoring relationships, mentor and mentee discuss their expectations. If you and your mentor and mentee are matched in a formal program, review the program objectives and guidelines. Successful programs have a program coordinator, written program objectives and training that sets guidelines for the mentoring pairs. If there are few program resources or if your relationship is informal, review the mentee's development and career goals. Decide together what you want to achieve in the mentoring relationship. Additionally, it may be helpful to refer to the many published mentoring guidebooks and manuals that are available.⁴

- If you are the mentor, explain how you would like to help the mentee — and what you expect from the mentee.
- If you are the mentee, tell the mentor your development goals and your desire for assistance. Be as clear as possible about how the mentor can help you, and ask what the mentor will expect of you. Let the mentor know that you appreciate their willingness to mentor you.

2. Take steps to support trust-building

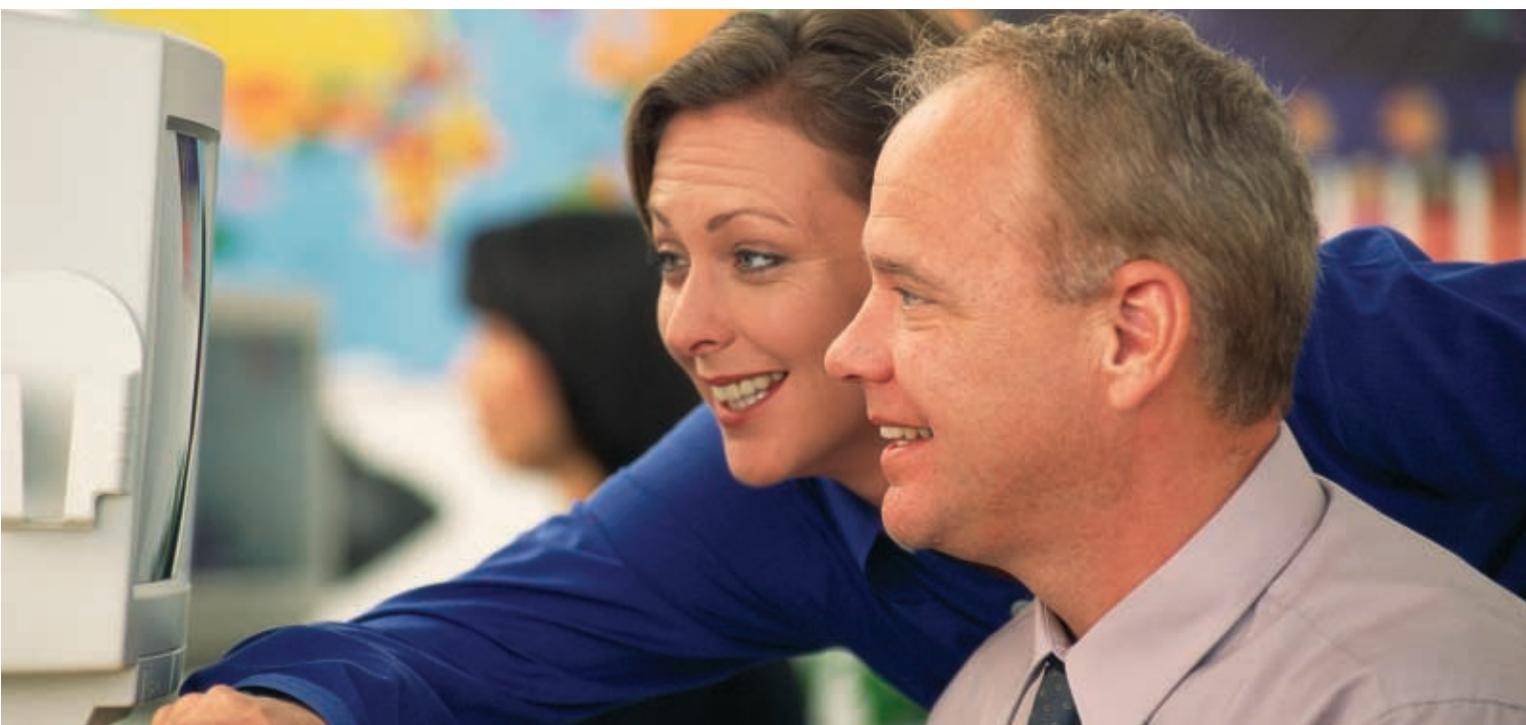
Trust is the cornerstone of a successful mentoring relationship. Trust builds in small steps and accumulates over time. When people see that their trust is well placed, they extend more trust. If they see that it is misplaced, they withhold future trust. Decide what information, tasks, or confidences you are willing to entrust to your mentor or mentee, and when it is appropriate to do so. Table 4 lists some general points to consider in building trust in a mentoring relationship:

Table 4:
Building trust in a mentoring relationship*

- Commitment to the confidentiality of your discussions
- Learning the other person's important professional and personal goals
- Speaking and acting with consistency
- Understanding faults without exploiting them
- Learning to value the differences in perspective and seeking to learn from them
- Avoiding public criticism of your mentoring partner
- Inquiring about unknowns rather than relying on assumptions

(* The Mentoring Bridge, 2001)

⁴ Some of these resources are listed in the additional resources at the end of this report.



A. MENTEES BUILD TRUST THROUGH WORK

Mentees build trust in large part by demonstrating that the mentor can depend on their abilities and commitment. (See Section IV.C.2 regarding elements of trust.) As a mentee, show that you have the intelligence, drive, and hard work to be an excellent lawyer. Study participants noted specific actions that demonstrate trustworthiness to a mentor, including:

- Performing confidently and showing enthusiasm for your work
- Aligning your behavior with firm or corporate norms and culture to the extent you can
- Being honest about mistakes
- Holding in confidence any “inside” information shared with you by your mentee
- Give your mentor the benefit of the doubt if his or her perspectives are different from yours, especially regarding diversity issues. Do not presume an insensitive statement to carry malice when it may simply indicate ignorance
- Build trust by sharing your views and experiences and helping to educate your mentor on diversity issues (race, gender, cultural, generational, socio-economic, etc.)

B. MENTORS BUILD TRUST BY EXTENDING TRUST

Mentors can help build trust by extending trust to the mentee. Showing mentees that you place your trust in them builds their self-confidence and makes them more inclined to trust you as well. Study participants noted many of the specific ways that mentors helped make mentees feel trusted, including the following examples:

- Give information about the organization, practice issues, and what it takes to be a successful lawyer. Information about the organization’s culture and unwritten rules is especially valuable.
- Disclose private or “inside” information, such as information about firm or company business, politics, and clients. One mentor in the study group provided information about management committee priorities to a mentee coming up for partnership. Such disclosures are seen as a sign of respect for the mentee’s judgment and trust in the mentee’s character.

- Do not belittle mentees for what they do not know, but help them learn instead. Give them needed help and support, and if you cannot satisfy their needs, suggest or find additional assistance.
- Give the mentee the benefit of the doubt when work problems occur. Women and minority mentees may have fears, insecurities, awkwardness in the workplace culture, or sense of isolation that can interfere with their initial ability to perform. Let them know that you are supportive and help them find ways to improve performance.

3. Focus on rapport, not chemistry

In any personal relationship, “chemistry” matters. You need to like the other person or at least find them compatible. But while mentoring is personal, it is not a date or romance. Early in the relationship, focus on building rapport. *“If there is not some kind of rapport then you never get to where you actually care for the mentee’s career progress.”*

See if the other person’s work habits, communication style, and personality are sufficiently compatible so that you can have a meaningful mentoring relationship. Be receptive to the possibility that differences may actually help your relationship. For example, one of you may be a big-picture thinker while the other is more detail-oriented. These opposite characteristics can complement and strengthen your rapport.



4. Seek shared interests and values

Look for common interests that you both share. You start out together with a shared goal: both of you want the mentee to learn, succeed, and build a lasting career with the organization. Begin with this and then search for other shared goals and values. Explore personal information, such as interests, hobbies, or family. One of the minority mentees in the study started a relationship based on a common interest in wine that later expanded into a fruitful mentoring relationship.

5. Improve your ability to discuss diversity issues

You can learn how to be more at ease and competent in discussing diversity issues through diversity education that raises your awareness and improves your communication skills. (See Section VI. E. for a discussion of diversity education.) In addition, attending dialogue sessions and focus groups with participants who are of a different gender or race will expose you to new perspectives and give you hands-on experience in communicating with diverse individuals. This is equally true for Caucasians and non-Caucasians. Engaging in dialogues that are inclusive and open to divergent views from diverse individuals brings diversity down to a personal, one-on-one level, and increases comfort and competence in communicating across differences.

6. Be prudent when raising diversity issues

In raising issues of race or gender diversity, be prudent and use good judgment. Whether to raise the issues or not depends on the nature and maturity of your mentoring relationship, as well as the time and occasion. Consider whether there is a need to discuss the topic with this mentor or mentee and how the discussion might impact your relationship. Think about your previous discussions. Have there been any signals that the person is receptive or reluctant to discuss diversity issues? Start by bringing up low-risk subjects, or subjects more general than personal, until you get a sense of whether the person will be open to the discussion.

7. Commit to confidentiality

If you are in a formal mentoring relationship, adhere to your mentoring program's provisions regarding confidentiality of mentor-mentee communications. In both formal and informal mentoring relationships, honor requests made by your mentee or mentor to maintain the confidentiality of any personal or sensitive disclosures they make to you. If legal restrictions, or organizational rules or considerations, prevent you from maintaining confidentiality, advise the other person. If possible, do so before the disclosure is made.

B. RECOMMENDATIONS FOR MENTEES

1. Focus first on being an excellent lawyer

Make being a first-rate lawyer your highest priority. Your intelligence, desire, and effort to achieve top quality performance will make others interested in working with you and being your mentor. Dedicate yourself to producing outstanding work. Find opportunities to demonstrate your abilities and build a reputation for excellence and hard work.

- Show a passion for the law. Good mentors love what they do. If you don't, they lose interest in you.
- Make visible contributions to work projects, conversations, and client service.
- Follow through on work assignments, agreements, and promises. Let mentors see that you can be trusted to get the work done thoroughly and on time.
- When you need information or help, ask for it. Ask confidently, with self-assurance, and without apology.
- Ask for feedback, and show your mentor how you used the feedback to improve your performance.
- Acknowledge mistakes and be honest about the source. Do not blame others or sidestep the consequences.

A. LEARN AND OBSERVE

Learn the corporate culture and work ethic by observing, inquiring, listening, and participating. Determine what people expect of you, not just in terms of work, but also in terms of your professional image, behavior, and style. Develop a strong sense of who you are and the lawyer you want to be. Mentors can help you learn how others perceive you — and how you can create the perceptions you want.

Observe successful colleagues: What do they do? How do they operate? With whom are they allied? Consider whether you can emulate any of the principles, strategies and tactics used by others. Success in organizations often involves compromise. If the traits your organization requires for success contradict your values or cultural upbringing, you may be faced with some difficult choices. For example, organizations frequently expect their trial lawyers to project a certain image with clients and in their courtroom demeanor. If these behaviors are not natural or are not valued in

your culture, then some adaptations may be needed if you want to succeed as a trial lawyer in this organization. You may have to decide what you are willing to let go, what traits or habits you will adapt, and what essential new behaviors you must acquire in order to be successful. Knowing what your values and priorities are will make it easier to make those choices.

B. BECOME A VISIBLE PART OF THE ORGANIZATION

Your professional success depends on your becoming a visibly active member of your organization. This requires you to take part in social and community activities, committee work, and management endeavors in addition to doing your legal work. Use these activities to demonstrate your abilities and contributions to the organization, and also to meet potential mentors.

C. LIMIT ACTIVITIES AS DIVERSITY REPRESENTATIVES

Place appropriate limits on your “extra” and in the case of lawyers in law firms, non-billable diversity commitments to protect your self-interest in learning, development, and building connections in the firm. It is worthwhile for you to participate in some of these activities, but you should not have to be the organization’s representative in all diversity events. Turn down invitations tactfully, explaining that your commitments to clients, partners, or other diversity activities, make it hard for you to take more time away from work.

2. Approach mentoring strategically

Decide your development and career goals, then identify and approach potential mentors who can help you achieve them.

A. DECIDE ON YOUR DEVELOPMENT AND CAREER GOALS

Think about both short and long-term goals. Consider your own ambitions, as well as feedback from performance evaluations and supervisors, information from peers, and your observations about what it takes to succeed in your organization. Set goals and periodically revisit and adjust them. In determining goals, ask yourself:

- Who do I want to be?
- What do I want to achieve?
- What kinds of work, skills, and knowledge do I need to get me there?
- Who can help me get the work, learn the skills, and acquire the knowledge?
- What risks are involved? How can I manage them?
- Can I achieve a meaningful life balance if I do the kind of work I want to do?
- What options are available to me in this firm or company?
- What alternatives in the legal profession are available to me?

B. IDENTIFY POTENTIAL MENTORS

The best mentors are those who can help you toward the goals you set for yourself. Choose prospective mentors on the basis of your development and career needs, not comfort, convenience, or habit. These mentors are to help you deal with professional issues. They do not need to become your friends, although it is an extra bonus if they do. Some young lawyers think the best mentor is the firm’s managing partner or the corporation’s general counsel. The appeal of a powerful mentor is understandable, but those individuals might be valuable mentors for some purposes and wholly irrelevant for others. If your primary goal is to develop expertise in a legal field, a patient teacher with expertise in that field may be the best mentor. If the goal is to move to a business unit of the corporation, then the best mentor may be the director or vice president of the business unit that interests you.

C. MAKE YOUR SEARCH FOR MENTORS EXPANSIVE

Expand your mentoring horizons. Do not limit your search for mentors to any particular group or category of people. You may need different mentors for different needs:

- Mentors of the same race and gender to serve as role models
- Mentors of the same race and gender who understand your professional identity issues
- Mentors who can open doors for you. These are frequently white men and women.
- Mentors who can share their wisdom and contacts
- Mentors of various races and cultures, and both genders, who will increase your ability to work with diverse people
- Peers who can give you advice and support

Work supervisors are a likely source of mentors, although not all supervisors will want to be your mentor nor will they necessarily be the mentors you want.

Here are some questions to consider when you are looking for a potential mentor. The answers will vary depending on the reasons for your search:

- What skills, talents, connections, or other traits should the mentor have?
- What kind of mentor would best suit my professional needs at this point in my career (e.g., teacher, role model, confidante, advocate for advancement)?
- Is the person's position in the organization important? Must it be a partner, manager, or executive?
- Is the person's race, gender, age, sexual orientation, or other diversity characteristic important? Must the mentor be like me or can it be someone who is different?
- Should the mentor be someone I work with? In the same practice group? In the same department?
- Should the mentor be in my firm or corporation? Would an outside perspective be of benefit?

D. ATTRACT MENTORS

Potential mentors want mentees who they perceive as smart, enthusiastic, hard working, and receptive to help. You must demonstrate these traits to show the mentor that you are worth his or her investment of time and effort. Take the initiative, ask questions, show your desire to learn, and be open to direction and feedback. Offer something of benefit to the mentor (e.g., assistance on a work project or simply the eagerness to become a better lawyer). Because familiarity is important, find a way to interact often with a potential mentor. The most fruitful interactions are on business or client matters, but almost any activity is opportune if it allows you to prove, through your performance and commitment, that you “have what it takes.” If occasions to work together are not immediately available, create opportunities for contact by offering to help on a legal matter or by inviting the potential mentor to lunch.

E. BE ALERT TO MENTORING OPPORTUNITIES

In addition to seeking mentors, be on the lookout for potential mentors who come your way. Accept invitations to participate in activities not strictly related to your work, e.g., to attend a client meeting or join a women's bar association. Such activities can lead to fruitful mentoring relationships. Do not make the mistake of missing, ignoring, or even rejecting overtures of help or offered feedback. When someone takes an interest in you, respond favorably!



If you are not receptive to a potential mentor's offer, the mentor will assume you are not interested and therefore not worth a mentoring investment. Even if you decline the particular offer, acknowledge the overture, thank the person, and keep the lines of communication open. If you wish to pursue the relationship, contact the person soon afterward and find reasons to get together or stay in touch.

3. Build a network of mentors

Do not expect or demand everything from any one mentor. No single mentor is likely to have all the answers or help you need. Instead, find multiple mentors. Take advantage of a corporate or law office mentoring program if there is one, but look for other informal mentors as well. Build relationships with many mentors who meet different needs. This process should be purposeful and ongoing; it does not stop after your first two or three years in practice. Look for mentors, and build your network, throughout your career.

Building a network requires that you get out and meet people. You need to participate in office functions, meet people in other departments, and look for people who share your interests outside of work. Do not isolate yourself within one identity group, but get to know individuals with diverse interests and backgrounds.

You may not believe that networking is important, or it may be contrary to your nature or upbringing. But it is vital. Alliances with peers, partners, and colleagues at work help you stay informed, avoid pitfalls, learn about opportunities, and increase your visibility. Peers who move into influential positions in your organization or who move elsewhere and rise up the ladder are future sources of sponsorship, clients, and work. Business and community contacts become potential mentors and clients, and community leaders and clients make excellent, influential sponsors for you both inside and outside the organization.

4. Be willing to discuss race and gender issues

Do not avoid discussing the impact of race or gender on your career. If you have concerns about the way you are treated, and suspect it may be related to your race or gender, have the conversation with someone whom you feel would be a good sounding board. This might be a mentor, a peer, a parent, or a friend. If you do not raise these issues, they cannot be addressed.

Similarly, be receptive to overtures from mentors who want to learn from you and help you. Do not bristle when they raise the subject of race or gender, and do not assume questionable comments or inquiries have bad intentions. Remarks that seem offensive often derive from ignorance rather than malice. People cannot correct their ignorance or confront their assumptions without someone making an effort to educate them.

C. RECOMMENDATIONS FOR MENTORS

Effective mentors realize and accept a pivotal role in lawyers' mentees' professional development. The single most valuable thing you can do as a mentor is to take a genuine and active interest in a mentee's success. In a cross-gender or cross-race relationship, an effective mentor requires you to be especially sensitive and empathetic.

1. Help women and minorities become excellent lawyers

A. GIVE GOOD WORK AND OPPORTUNITIES TO EXCEL

The sine qua non of success in law firms and corporate law departments is outstanding performance. Quality work experience is the most important way mentors can help women and minority lawyers show their ability, drive, and commitment to excellence. If you are in a position to control work assignments, ensure that their work experience gives them increasingly greater challenges, responsibilities and visibility. If you do not control the mentee's work, assist by monitoring and offering guidance on the mentee's workload and range of experience. Once mentee's prove their ability, acknowledge their achievements and help build their reputation in the organization. When you call attention to their merit, other partners and managers will take interest in them.

B. GIVE MEANINGFUL AND CONSTRUCTIVE FEEDBACK

Feedback is critically important for lawyers' learning and development. Your feedback must be constructive, meaningful, candid and ongoing — not just during annual or semi-annual reviews. In giving feedback, be patient, tactful, and honest. No one is helped when you soft-pedal your feedback to women or minorities. In giving feedback, patience, honesty and tact are important. If praise is due, give it and be specific. If criticism is warranted, base it on facts and observations. If you can base your feedback on concrete, observable data, there should be no reason to worry that your comments are sexist or racist. If you still have concerns that your feedback may seem

sexist or racist, examine your motivation and your message. Ask yourself:

- Are my intentions constructive and positive?
- Would I give the same feedback if the person were not a woman or minority?
- What is the best way to say what I want the mentee to understand?
- Does my feedback refer to specific work or behavior I observed?
- Does my feedback point out specific performance standards that were not met?

C. BE OPEN TO DIFFERENT STYLES AND APPROACHES

Women and minority lawyers may approach work in a way that is different from what you expect. Recognize that different perspectives, styles, and behaviors may lead to the same goals in a more creative way, and look for ways that those differences can add value to the work team. Consider how the mentee's differences can impact the organization's culture, methods of operation, or client relationships, both positively and adversely.



Certain behaviors and styles may have a negative effect on the mentee's performance evaluations and advancement opportunities, but mentees may not know it. Good mentors do not shy away from discussing these issues with mentees. Instead, reach out to them, share information, and offer resources and advice. In the study group, one mentee believed that "keeping her nose to the grindstone" was sufficient to progress in the company. Her mentor counseled her that she needed to be more socially engaged in the organization in order to advance and assume a leadership position. Together they worked out a plan for the mentee to become involved in certain office activities that would make her more visible and raise awareness within the company of her leadership abilities.

People often make assumptions about an individual based on their beliefs about or past experience with members of a group with which they associate that individual. Some of these assumptions are based on a lack of knowledge about cultural values and customs. Be aware that the assumptions you make affect the quality of your expectations, evaluations, and interactions, particularly in cross-gender and cross-race relationships. Make it a point to learn about different cultures and individuals from those cultures. This will help you be a more effective mentor in mentoring relationships with members of different racial and cultural groups.

2. Initiate mentoring relationships

A. BE APPROACHABLE AND AVAILABLE TO POTENTIAL WOMEN AND MINORITY MENTEES

Potential women and minority mentees need to believe that you would be interested in them and willing to be their mentor. The first step is to establish a reputation as a person who cares about and is committed to diversity. Be a visible and vocal advocate for diversity on your work teams and in the organization, the community, and the profession.

You also need to be accessible to these potential mentees. Participate in office, professional, and community events where you will meet and get to know men and women of different races and cultures. When you attend, make a special effort to engage in conversation and establish rapport. Introduce them to others and help make them feel welcome and included. Encourage potential mentees to contact you, and when they do, respond promptly. Create follow-up occasions to be sociable; invite potential mentees for coffee or to lunch.

B. TAKE THE INITIATIVE

As the mentor, you should make the opening moves. Invite the mentee to talk and get acquainted. Talk about your life experiences and career goals, and ask them about theirs. In most instances, **how you ask matters more than what you ask**. What is most important is to have a genuine and sincere interest in learning about the mentee — not as a symbol of their race or gender — but as an individual. Show mentees that you care about them personally and that you are interested in their development. Make these discussions concrete, not abstract. Explore what the mentees are thinking, doing, and experiencing in the organization by asking open-ended questions. Gauge their comfort level by their answers and body language, and continue the discussion at their level of comfort. Conversations about personal issues may need to be delayed until the relationship is firmly established.

C. BE EMPATHETIC

Empathy is a mechanism for building trust. Empathetic people try to share in another person's thinking and feeling. The ability to be empathetic can be improved through training, self-reflection, and practice. Learn about others' experiences, especially the experience of being different. *"I, a white woman, have been in meetings where I was the only woman, but I never felt anything like I felt when I walked into that room with 70 African American lawyers."* Try to understand how the mentee interprets events, comments, and people. In addition to asking directly about how women and minorities experience the world. The following approaches may be helpful:

- Ask your women and minority mentees directly about how they experience the world. Do not assume that life is the same for the mentee as it is for you. One mentor frequently describes a personal experience and states, *"This was my experience. Has it been the same for you?"*
- Put yourself in situations where you are in the minority, e.g., attending a conference for women or minorities. One study participant, a white non-Hispanic lawyer with a Spanish-sounding surname, was invited to participate in several diversity-oriented conferences because she was presumed to be Hispanic. She participated anyway and found the experience to be powerful and enlightening about what it means to be a minority lawyer. Today she serves on the board of a minority bar organization.

- Get involved in diversity initiatives and programs where you come into frequent contact with people of other races and cultures.
- Read about the experiences of individuals of other races and cultures.

D. BE A GOOD LISTENER

Listening is a powerful tool that shows you are interested in the person, take them seriously, and care about what they are saying. Recognize what one participant called “drop everything” moments. When, for example, the mentee asks you, “Was I mistreated in that deposition because I’m a minority?,” listen and deal with this question right away. Ask for details about what happened and why the mentee perceived the situation to be discriminatory. Help them put the situation in perspective. Let them know if this situation occurs commonly for all lawyers and is not race or gender based. If the situation does seem to be discriminatory, help the mentee decide how it should be dealt with.

3. Encourage discussion of diversity topics

A. INTRODUCE RACE AND GENDER ISSUES

Let mentees of a different race or gender know that you are open to discussing race and gender issues and are available if they want to talk. Acknowledge that they might not want to talk to you about these things, or might not be prepared to talk about them at this particular point in your relationship. Let them know that they are not obligated to talk with you, but that they may raise the subject with you if and when they are interested. Some situations or topics may make you or the mentee feel uncomfortable. If either of you is ill at ease dealing with a subject, acknowledge your unease and allow the mentee the same courtesy.

If you believe that a mentee is having a problem because of their race or gender, let them know. One mentee told her mentor about a bad time she was having with a supervisor. She felt it was work-related. After hearing the facts, however, the mentor questioned whether the supervisor might be uncomfortable having a minority woman working on the project. This new insight enabled the mentee to develop new strategies for working with the supervisor.

Sometimes a mentee will seek your advice about a race or gender issue. If you feel you do not have enough knowledge or insight about what they are experiencing or feeling as a woman or minority lawyer,

admit it. One white male mentor tells his women and minority mentees, “I don’t have your experience or background, so let me learn to see it through your eyes.” He asks the mentees, “What’s important to you? If I understand better how you view things, I can help you more and understand you better.”

B. FIND NATURAL OPPORTUNITIES TO DISCUSS GENDER, RACE, AND WORK/LIFE ISSUES

There are natural opportunities for mentors to talk with mentees about diversity issues. Seize such moments to address these issues if the time and setting are appropriate. Some examples include:

- Pregnancy and birth present a natural backdrop for talking about family and children. Let the mentee know that you are supportive and willing to discuss how these events will affect them at work. Avoid assumptions about the lawyer’s level of work commitment or work schedule. If they need flexibility (e.g., in workload, scheduling, telecommuting) because of their changed circumstances, be willing to advise them about how to present proposals to the organization. If you can, ensure that the lawyer continues to have challenging work and meaningful responsibility.
- Lawyers who practice labor and employment law often have reason to discuss discrimination issues in the course of work. In the course of these discussions about clients or cases, discussions might shift to a less abstract, more personal level. Be open to them.
- Participating together in diversity-oriented events in the firm or corporation, a bar association, or the community presents a natural forum for starting discussions about diversity. Be willing to participate in professional and bar association activities where you will not be in the majority. Invite your mentee and attend together.



RECOMMENDATIONS TO EMPLOYERS FOR SUPPORTING MENTORING ACROSS DIFFERENCES



A. CREATE AN ENVIRONMENT CONDUCTIVE TO CROSS-GENDER AND CROSS-RACE MENTORING

Cross-gender and cross-race mentoring requires a supportive environment that accepts differences and promotes lawyers' learning and development. To create such an environment, law firms and corporations need strong leadership supplemented by activities that support diverse groups and promote interaction among diverse individuals.

1. Provide leadership and support

Have leaders model mentoring behavior by being visible and active mentors to diverse mentees. When leaders visibly invest in women and minorities, it creates a positive perception of cross-gender and cross-race mentoring relationships. It shows others that these relationships are important and encouraged by the organization. It also shows women and minorities that they are valued, and that they can be — indeed, are expected to be — successful here.

Ask your professional development director to ensure that lawyers' training and development activities address diversity issues, promote mentoring, and manage work allocation and evaluations fairly and thoroughly. If you also have a diversity director, then those two individuals should work together on diversity and mentoring issues. If no one coordinates these activities in your organization, consider creating one or both positions or placing someone in charge of professional development and diversity.

2. Encourage affinity groups

Sponsor and support affinity groups where women and minorities can speak freely about issues of specific concern to them and to the organization. Affinity groups are composed of individuals in the organization who meet together to address issues of particular concern to group members, e.g., women, minority lawyers, parents, gay and lesbian lawyers. Such groups provide a forum to discuss professional concerns and build a sense of community within the firm or company. They provide professional development opportunities, an expansive internal network, and social support, as well as a source of potential mentors, mentees, and role models. Lawyers who participate in these groups come from all practice areas and business units in the organization.



3. Make social activities purposeful and inclusive

If your organization holds social events, use them to bring together potential mentors and mentees of various races and backgrounds. These events should have a broad appeal rather than focus on male-oriented activities such as hunting, fishing, and sporting events. Instruct everyone that people they are expected to meet others people they do not already know, especially women and people of color who are new to the organization. Remind those who attend that these events are opportunities to meet potential mentors and mentees.

B. ENSURE GOOD WORK EXPERIENCES

Ensure that women and minority lawyers receive a wide range of increasingly complex work, consistent with their demonstrated ability. This will promote their learning and enhance their visibility. Give junior lawyers leading roles on client matters, especially if it will give them direct client contact.

Implement systems for allocating and monitoring work. A work monitoring system can prevent women and minority lawyers from being passed over for important assignments, and will ensure that they are not given repetitive, undemanding tasks. In law firms, partners tend to utilize associates with whom they are comfortable and familiar when a new matter comes. This tendency often excludes women and minority lawyers from challenging, high profile work assignments. A work monitoring system can prevent this from happening.

C. MAKE GOOD SUPERVISION A MANAGERIAL IMPERATIVE

Talent development is an obligation of all partners and managers. Teach them to recognize and practice effective supervisory and mentoring skills, and hold them accountable by reflecting the quality of their performance as supervisors in compensation decisions.

Make partners and managers aware that many of the junior lawyers they supervise are expecting them to serve as mentors. Although supervisors cannot be expected to become mentors for everyone they supervise, they should be expected to help the people they supervise find and make the best use of training, development, and mentoring opportunities.

When supervisors also act as mentors, make both mentors and mentees aware of resources available to help them deal with mentoring conflicts if any occur. Let them know that it is acceptable (in fact, advisable) for mentees to seek assistance elsewhere if such conflicts arise, and provide institutional resources for conflict resolution. In case conflicts arise for example, a program coordinator can change mentoring assignments or an ombudsperson can serve as a neutral intermediary.

D. MAKE PERFORMANCE EXPECTATIONS CLEAR AND EVALUATIONS FAIR

Present and explain work standards and performance expectations to lawyers. Partners and managers often assume that everyone knows what it takes to advance in the organization. But many women and minority lawyers may be less familiar with those standards and expectations. They do not know how law firms and corporations operate and how they should conduct themselves within the workplace.

1. Explain promotion criteria

Let lawyers know the rules of the game, e.g., all the bases on which they will be evaluated. To the extent that “unwritten rules” and political considerations can be written down, do it. Tell lawyers what it takes to succeed. Explain how promotion decisions are made. Make the process more transparent, consistent, and fair by describing the capabilities, skills, and behaviors required for promotion. When the promotion process is data-driven, it becomes less political and more objective. It focuses more on merit and capability, not just on advocacy. And in order to have credibility, the same data-driven criteria must be applied equally, regardless of race or gender differences.

2. Ensure fair evaluations

Make performance evaluations as objective and fair as possible. Base them on explicit performance standards and competencies, and ensure that evaluations of women and minorities are honest, fair, and free from bias.

- Review your evaluation forms, procedures, and results to ensure that they do not reflect stereotypes or unfair values. For example, in some organizations, aggressive men are lauded while aggressive women are criticized.
- Evaluate partners and managers on their competency and performance as mentors, particularly in developing and advancing women and minorities.
- Adopt a definition of success criteria for successful performance that embraces diversity, and reflect those criteria in lawyer evaluations. For instance, include the ability to work with diverse people or to adapt to multicultural situations as a competency to be evaluated.

3. Make expectations about participation in diversity activities fair and equal

Employers expect women and minority lawyers to participate actively in diversity, hiring, and committee activities. Women and minority lawyers need to balance participation in organizational life with learning what they need to know to become excellent lawyers. It is important and valuable to have lawyers participate in these diversity, hiring, and committee activities. But do not expect women and minority lawyers to devote more time to these activities than white male lawyers. This is especially true for women and minority lawyers in their first year or two of practice, when they are learning the fundamentals of being a lawyer.

It is a delicate balance because participating in these activities is interesting to the mentee, important for the organization, and vital to the mentee’s success in the organization. Moreover, turning down “invitations” from the organization to take part in these activities may generate negative perceptions that the mentee is not a “good citizen” of the firm or corporation. To help lawyers cope with these competing pressures, employers should be less demanding of the time they devote to extra activities and more concerned with their development of legal knowledge and skills.

E. EDUCATE ALL LAWYERS ABOUT DIVERSITY AND MENTORING

Education can assist lawyers to move beyond awkwardness and discomfort in dealing with race and gender differences. It helps lawyers develop the knowledge and ability they need to competently engage in cross-gender and cross-race mentoring relationships.

Education about diversity stimulates curiosity and understanding of people who see and experience the world differently. It increases comfort and willingness to talk about diversity issues with people who are different. It can also carry over into other practice areas, such as helping lawyers understand diverse clients and jury panels.

1. Key points to consider in building a Diversity Education program:

- Build the foundation for a diversity education program by:
 - Benchmarking best diversity and mentoring practices in the organization, the profession, and the business world.
 - Presenting the business case for diversity and mentoring as a component of diversity.
- Include personality type assessments to promote better understanding of communication, learning, and work style differences and how to relate effectively to people with these differences.
- Conduct training programs for all employees:
 - Train all lawyers involved in recruitment of women and minorities.
 - Include mentoring and diversity training in orientation programs for new hires, summer hires and interns.
- Divide the training into stages. The first stage should focus on raising awareness and the second stage on improving communication.

Table 5.

Two Stages of Diversity Training: Awareness and Communication

- **In the first stage** of diversity training the primary objectives are to:
 - Provide information about diversity and the multi-cultural nature of the world
 - Help participants understand the power of assumptions
 - Understand the role of stereotypes in decision-making
 - Learn how values of different cultures prescribe certain behaviors
 - Learn how to break out of “narrow-gauge” thinking and limiting behavior patterns.
- **In the second** stage of diversity training the primary objectives build upon the initial foundation of awareness. The objectives of this stage are to:
 - Increase the competency of individuals to have dialogues with individuals who are different, and
 - Increase their willingness to engage in conversations about diversity.



2. Make diversity a part of management education

In particular, educational efforts should be directed at supervisors and managers. Even with education in diversity and mentoring, not all supervisors or managers will become good mentors. But it will make them more capable and willing to try to mentor women and minority lawyers. Train partners, supervisors, and managers in teaching, coaching, feedback, and careful observation of the work of lawyers they supervise. This will facilitate early recognition of performance or socialization problems and improve the supervisor's ability to promptly implement appropriate interventions.

3. Provide mentoring education

Educating lawyers about the importance of mentoring, and teaching them mentoring skills, increases their ability to be successful mentors and mentees. Training that increases lawyers' competence in dealing with the unique issues of cross-race and cross-gender mentoring will promote diversity in mentoring relationships. Training programs should cover:

- The benefits of mentoring to mentees, mentors and the organization
- Expected roles and responsibilities of mentors, mentees and work supervisors
- Eradication of mentoring myths and unreasonable expectations
- How to start a mentoring relationship
- How to set mentoring goals and objectives
- How to find common ground and build a foundation for communicating across differences
- How to identify and resolve areas of potential conflict
- How to monitor and evaluate the mentoring relationship
- How to exit from a mentoring relationship, whether formal or informal

A sample core training curriculum for a mentoring program appears in part VII. C. Program Models.

F. PROVIDE MENTORING OPPORTUNITIES

1. Implement mentoring programs

Provide the elements that your mentoring program must have to succeed:

- Program coordination is essential. Someone must provide oversight to a mentoring program.
- Provide written guidelines, training, support, careful matching, and a system for handling problems in matched mentoring relationships.
- Clearly spell out goals and expectations for mentoring relationships, and be sure that mentors, mentees, and the program coordinator share a common understanding of their respective roles and responsibilities in the program.

Corporate law departments can take advantage of their company's mentoring program, if available.

Provide guidelines and resources to support informal mentoring as well. In addition to offering education,

- Consider alternatives to one-on-one mentoring, i.e. group mentoring.⁵
- Start your program to impact lawyers at the earliest possible entry into the organization, e.g. with summer hires and interns.
 - Build on the momentum set by mentoring programs for summer interns and summer associates in corporations and firms.
 - Encourage junior lawyers to be mentors.
 - Remind summer program mentors of their influence not just as recruiters but also as mentors. Urge them to continue their mentoring role when the mentee arrives for a full-time position.

2. Uphold confidentiality

Confidentiality is necessary for a trusting mentoring relationship, whether that relationship is informal or formal. In order for people to disclose their personal feelings and thoughts, they must believe that the other person will hold their comments in confidence. There are legal and often organization restrictions on what may not be kept confidential (e.g., information about possible sexual harassment). Be sure lawyers understand, communicate, and uphold their expectations about confidentiality.

⁵ See, e.g., Ida O. Abbott, *The Lawyers' Guide to Mentoring*, for a discussion of group mentoring.

In informal mentoring relationships, mentor and mentee develop their own agreements about how confidential disclosures will be handled. In formal mentoring programs, however, your organization typically may promise that most mentor-mentee conversations will be treated confidentially. But many mentees remain skeptical in spite of these promises. They are reluctant to reveal concerns or problems about work relationships or personal insecurities to an assigned mentor, especially someone a mentor in the same work group or department. A more effective approach to this situation is for mentees to have at least one mentor outside the practice area or department, with whom they can discuss matters confidentially.

3. Provide role models for women and minority lawyers

Women and minority lawyers need to see that various models of success are available to them, and that there is no one “right” way to succeed. Partners and managers need to be reminded of this fact as well. Lawyers take many alternative routes to partnership or promotion, and they use many different approaches to business development, client management, and leadership. Expose mentees to successful women and minority lawyers who have succeeded using a variety of styles and approaches. This can be arranged in many ways, including group mentoring, affinity groups, and in-house forums for women and minorities.

G. SUPPORT NETWORKING ACTIVITIES

Encourage lawyers to become involved in outside professional activities where they will be able to meet women and minority lawyers.

- Encourage participation in bar associations, especially minority bar networks
- Sponsor activities that bring potential mentors or mentees into your organization
- Encourage lawyers to mentor minority law students.
- Hold noontime roundtable discussions where lawyers from different law practice and business units can meet.

H. ACCOMMODATE WORK/LIFE NEEDS

All women and minority lawyers, particularly young women and men, want to believe that it is possible to “have a life” while being a successful partner or in-house lawyer. Young men and women of all races expected their employers to make some accommodation to their work/life concerns. These lawyers expect to stay on a career track without having to sacrifice family for work. If this accommodation is not possible in your organization, then be honest with them up front. If it is possible, show them that it can be done and how men and women in your organization do it. A mentor can be an important guide for helping the mentee address life balance issues including, putting the mentee in touch with others who have successfully faced similar challenges.

- If your organization would like to become more accommodating to lawyers’ work/life concerns.
- Rethink traditional career paths and provide alternatives.
- Make work hour expectations reasonable and not excessive.
- Make part-time work convertible to partnership, not a dead-end.

Establish a “work/life quality” initiative that includes such policies as flexible schedules, family leaves, telecommuting, and childcare assistance. Companies that already have “work/life quality” initiatives, should make them available to in-house lawyers. Organizations that have adopted programs to benefit women and minorities find that they ultimately make the organization better for all lawyers.

I. CONDUCT CONFIDENTIAL EXIT INTERVIEWS

Interview women and minority lawyers who leave the firm to determine the reasons for their departure. This is an especially important measure if your organization is having problems retaining women and minorities. Use the information to make changes and implement measures to make the work environment and organizational culture more hospitable to women and minority lawyers.



PROGRAM MODELS



A. ESTABLISHING A MENTORING PROGRAM IN LAW FIRMS: CHECKLIST⁶

A. Leadership commitment

- How committed are your firm leaders to a structured mentoring program?

B. Program objectives

- What do you want your mentoring program to achieve?
- How will a mentoring program further the firm's business strategy?
- What are your program objectives?
- Are your objectives practical, realistic, and measurable?
- Which attorneys will the program serve?
- What professional development needs will it address?

C. Program Parameters

- How long will the mentoring relationships last?
- What types of issues and concerns are within the scope of the mentoring relationship?
- How much time should the mentor and associate spend in mentoring activities?
- What should mentoring activities include?
- How much money should mentors spend on mentoring activities?
- Who will pay for these activities?

D. Procedure and criteria for matching mentors and associates

- How will associates and mentors be matched?
- What criteria will be used?
- Will participants select their own mentors and/or associates?
- Who will make the matching decision?

E. Program management

- Who will be your program coordinator?
- What will the program coordinator do exactly?

F. Training

- What will be included in your mentoring training curriculum?
- Who will provide the training?
- When will training be given?

G. Ongoing support and monitoring

- What kind of support will the program coordinator give to participants?
- How will the program be monitored?

H. Evaluation

- How and when will the program be evaluated?
- Who will do the evaluation?
- How will individual mentoring experiences be evaluated?
- How will success be measured?

I. Mentoring Incentives

- How will you encourage and reward people who engage in mentoring activities?

J. Mentors

- Who are the potential mentors in your program?
- What attributes will you look for in potential mentors?
- Who can be mentors: partners? associates? retired partners? counsel? non-lawyer personnel?
- How will mentors be recruited?

K. Associates

- Which lawyers will be mentored in your program?
- Will participation be open to all or limited to selected associates?
- If the program will be limited, what will the selection criteria be?
- Will your program include part-time attorneys?

L. Mentor-associate relationships

- What will mentors' responsibilities be?
- What will associates' responsibilities be?

⁶ From Ida O. Abbott, *The Lawyer's Guide to Mentoring*, pages 143–145 Sponsored by the New York Women's Bar Association Foundation, Inc. (National Association for Law Placement, Washington, DC, 2000)

- Are mentor-associate communications confidential?
- Are there any limits on confidentiality?
- How will you deal with problems that arise in mentoring relationships?
- Will the mentor supervise the associate's work?
- If mentor and associate work together, how will that impact confidentiality?
- What will be the mentor's role in associate evaluations?
- How will the mentor be expected to handle sensitive information about the associate?
- What role, if any, will the mentor play in deciding the associate's work assignments?
- How will the mentor relate to the associate's supervising attorneys?
- How many mentors will be assigned to an associate?
- How many associates will be assigned to a mentor?

M. Written guidelines

- Do your written guidelines cover all essential elements of the program?

N. Pilot project

- Which individuals, groups, and offices will be included?

- How long will the pilot project last?
- What procedure is in place to monitor and make adjustments?
- How will it be evaluated?

O. Marketing the program

- What will you use to market the program inside the firm?
- Do your materials inform and promote?
- Are your marketing materials designed to attract lawyers and clients to the firm?
- How will you launch your program?
- How will you educate your lawyers and staff about the program?
- What publicity materials will you use?

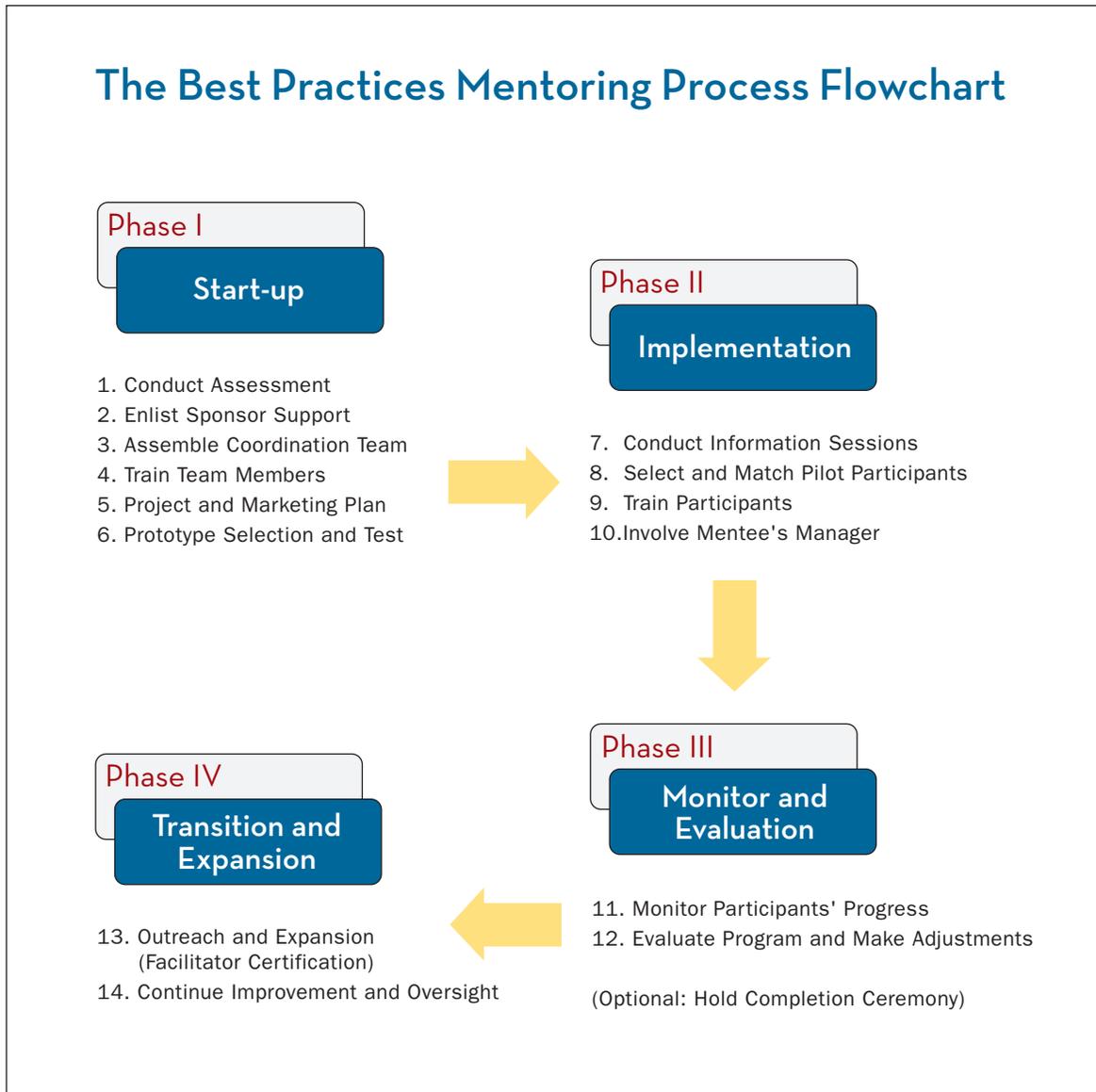
P. Integrating professional development activities

- Is your mentoring program coordinated with other professional development activities?
- Will the mentoring program coordinator organize any other aspects of associates' professional development?
- Will mentors play a role in coordinating any other professional development activities?



B. MENTORING PROGRAM DESIGN FOR CORPORATIONS, LAW DEPARTMENTS AND PUBLIC AGENCIES

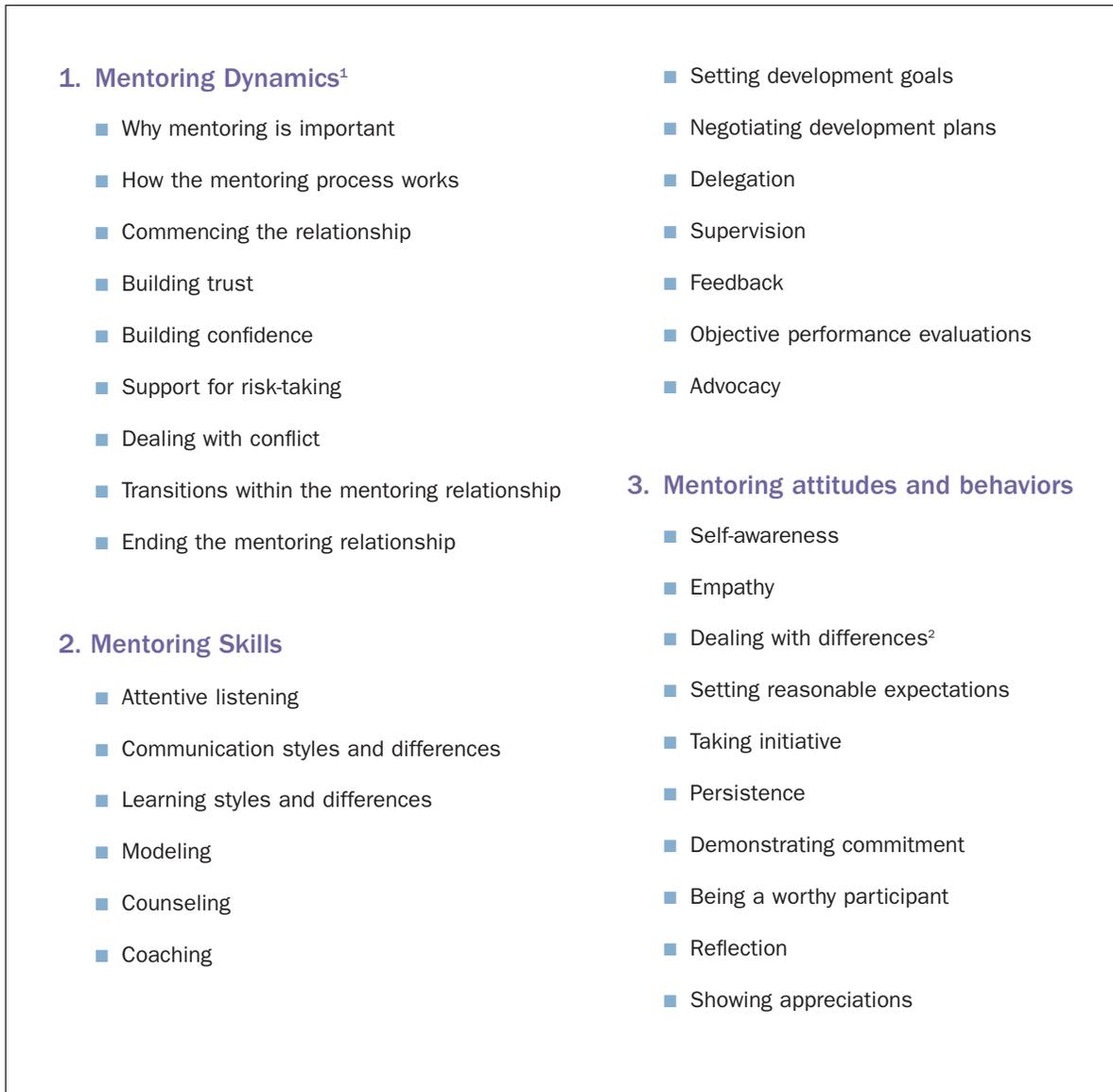
Figure 4.*



*From R.S. Boags, "Implementing a Best Practice Mentoring Initiative," 2001, Page 8

C. CORE TRAINING CURRICULUM FOR A MENTORING PROGRAM

Figure 5. Core Training Curriculum*



1. For group mentoring, mentors also need to also understand group dynamics and facilitation skills.

2. Generational, gender, racial, ethnic, sexual orientation, disabilities.

*From Abbott, *The Lawyer's Guide to Mentoring*, page 106

APPENDICES

A. AUTHORS' BIOGRAPHIES

IDA O. ABBOTT, ESQ.

Ida Abbott, principal of Ida Abbott Consulting, helps clients manage, develop, and retain outstanding lawyers. Ms. Abbott is an expert in mentoring and professional development, and specializes in maximizing lawyers' learning, growth, performance, and career satisfaction. She is the author of numerous books and publications, including *The Lawyer's Guide to Mentoring and Lawyers' Professional Development: The Legal Employer's Comprehensive Guide* (NALP, 2000 and 2002). Her website is www.IdaAbbott.com.

Before starting her consulting practice in 1995, Ms. Abbott practiced law for 20 years, specializing in complex litigation. She also served as judge pro tempore for the San Francisco Superior Court, presiding over jury trials and small claims court appeals, and as a private and court-appointed arbitrator and mediator.

Ms. Abbott is a founder and past board member of the Professional Development Consortium, an organization of professional development specialists at major law firms in the United States, Canada, and England. She has been a leader in many local and state bar sections and committees, including the State Bar of California Committee on Women in the Law and the Section on Law Practice Management and Technology.

Ms. Abbott holds an A.B. from Smith College, an M.A. from the University of Miami, and a J.D. from Hastings College of the Law.

RITA S. BOAGS, PH.D.

Rita S. Boags is the principal consultant at Leadership Technologies, LLC. The company specializes in the implementation of mentoring and leadership programs which impact the Glass Ceiling in Fortune 500 companies and public agencies. She is the author of several guidebooks on mentoring which include *MENTORING: Information Guide, Implementing a Best Practices Mentoring Initiative: A Coordinator's Guide and Toolkit, and The Mentoring Bridge: A Self-Study Guide for Informal Mentoring Partnerships*.

Before launching her consulting practice in 1985, Dr. Boags worked as an independent clinical psychologist, taught at the California School of Professional Psychology, and became a staff member of the Training and Development department at Hughes Aircraft Company. She gained valuable experience as a diversity consultant working as an associate with Dr. Price Cobbs of Pacific Management Systems as an associate consultant on major diversity projects.

Dr. Boags has served as the coordinator and co-host of four Best Practices in Mentoring Conferences. She is currently a member of the American Society for Training and Development, the Diversity Leadership Forum, the International Mentoring Association, the Multi-Cultural Foodservice and Hospitality Association, and the Society for Human Resource Development.

Dr. Boags received her B.A. from Mt. St. Mary's College in Los Angeles and a doctorate degree from the University of Southern California in Los Angeles. While a graduate student she was the recipient of a Ford Foundation Fellowship for Black Americans.

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