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Mentoring: Attitudes and Perceptions of New Lawyers

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A dissertation

presented to

the faculty of the Department of Educational Leadership and Policy Analysis

East Tennessee State University

In partial fulfillment

of the requirements for the degree

Doctor of Education in Educational Leadership

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by

Mindy Thomas Fulks

May 2019

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Dr. James Lampley, Chair

Dr. William Flora

Dr. Terence Hicks

Dr. Heather Moore

Keywords: Mentoring, New Lawyers, Law Schools, Bar Associations, Law Firms, Attitudes

## ABSTRACT

### Mentoring: Attitudes and Perceptions of New Lawyers

by

Mindy Thomas Fulks

Tennessee does not have a formal state-wide required mentoring program for Tennessee lawyers. Mentoring programs are available to Tennessee lawyers but no uniform standards exist. It has been suggested that providers of mentoring programs should develop strategies for improving and expanding mentoring experiences for new lawyers. The purpose of this study was to evaluate attitudes towards mentoring by Tennessee lawyers who are within their first 5 years of practice. The researcher sought to identify the perceptions of new lawyers regarding mentoring to better understand mentoring's role within the legal profession.

The methodology for this study was nonexperimental quantitative survey research. The survey instrument was an electronic questionnaire. The survey consisted of demographic questions and 17 items that were divided into 3 dimensions: Value of Mentoring, Access to Mentoring, and Structure of Mentoring. Demographic data consisted of gender, type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience). Of the 1,433 possible participants, 287 (20.02%) responded to the survey. Nine research questions were addressed using ANOVA and independent-samples t tests. The significant finding in this study indicated female attorneys have a stronger preference for mentoring experiences and programs with greater structure (Structure of Mentoring dimension). The Value of Mentoring and Access to Mentoring dimension scores were not statistically significantly different in the demographics consisting of gender, type of practice (private solo

practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) or years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience).

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## DEDICATION

To my parents Dennis and Jolaine Thomas who love all of me.

To Dr. Mark Fulks who supported me and my commitment to learning.

To my smart and amazing daughters Abbey and Leyna.

To my mentor and friend Barry Kolar.

To my best friend Elizabeth Feliciano.

To all my family and friends who never doubted me.

To coffee.

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## CHAPTER 1

### INTRODUCTION

Law schools focus on the theory of law and conceptual ideas of justice (American Bar Association, 1992; Anderson, 2014; Easton & Oseid, 2013; Henderson, 2003; The Carnegie Foundation for the Advancement of Teaching, 2007; Vila, 2008; Wald, 2005). This leaves newly admitted lawyers learning how to practice law on their own after law school (Anderson, 2014; Backman, 2009; Easton & Oseid, 2013). A gap exists between law school and law practice. Historically lawyers have filled this gap with mentoring at the local courthouse training provided by law firms. Many lawyer-mentoring programs are referred to as “bridge the gap” programs, this acknowledges the lack of law practice training within law school (Backman, 2009). In today’s fast-paced world, technology has created new disruptions to the practice of law, affecting access to the traditional courthouse networking lawyers once knew. Other disruptions to the traditional model include lawyers choosing nontraditional paths and more lawyers practicing law solo. Another dimension to this labyrinth is law firms creating new organizational structures to meet the demands of modern business models and clients’ demands for work-ready lawyers (Anderson, 2014). Because of these challenges and the limited access to the traditional mentors and mentoring opportunities the profession once had, new lawyers need a new model for law practice training opportunities in mentoring.

Mentoring has a long history with the legal profession (Backman, 2009; Clutterbuk, 2005; Hamilton & Brabbit, 2007). Mentoring provides an opportunity for new lawyers to participate in learning experiences with practicing lawyers. The need for mentoring in the legal profession continues to exist today (Anderson, 2014; Hamilton & Brabbit, 2007; Higgins, 2000; Kay & Wallace, 2010; Miller, 2017; Mobley et al., 1994; Wald, 2005).

### **Statement of the Problem**

The purpose of this study was to evaluate mentoring attitudes of Tennessee lawyers who are within their first 5 years of practice. Traditionally formal legal education focused on the theory of law and not the practice of law (American Bar Association, 1992; Anderson, 2014; Easton & Oseid, 2013; Henderson, 2003; The Carnegie Foundation for the Advancement of Teaching, 2007; Vila, 2008; Wald, 2005). New lawyers need law practice training and practicing lawyers play a vital role in assisting with mentoring new lawyers (Backman, 2009). In this study lawyers in Tennessee who are within their first 5 years of practice were surveyed. The study will provide information to legal associations, legal education providers, and legal leaders of the needs of lawyers in Tennessee.

### **Research Questions**

Research Question 1: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Research Question 2: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 3: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) between male and female lawyers?

Research Question 4: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Research Question 5: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 6: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) between male and female lawyers?

Research Question 7: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Research Question 8: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 9: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) between male and female lawyers?

### **Significance of the Study**

Mentoring has a long history with the profession as a form of law practice training (Backman, 2009). This study will provide new data for the profession, providers of legal mentoring programs, legal associations, law firms, and bar leaders in order to improve upon or develop new mentoring opportunities relevant for new lawyers in Tennessee. This study will add to the literature for mentoring. The findings will help the profession fill the gap between law school and law practice. The study may also have additional benefit to law firms, new lawyer training programs, law schools, bar associations, legal organizations and the field of professional development.

### **Definition of Terms**

The following definitions provide explanations for terms specific to this study.

Bar Association: an organization for lawyers (Black, Nolan, Nolan-Haley, & West Publishing Company, 1991). Bar associations in Tennessee are governed by boards and comprised of various committees.

Bridge the Gap: law practice skills training courses or a general reference to the need for law practice skills (Backman, 2009).

Mentoring: a relationship that enhances career development (Kram, 1985).

Mentors: lawyers with law practice skills who are willing to provide guidance to new lawyers (Abbott, 2000).

Mentees: new lawyers lacking in law practice skill who are willing to be coached (Mobley, Jaret, Marsh, & Lim, 1994).

New Lawyers: recent graduate of law school and new to the practice of law (Backman, 2009).

### **Limitations and Delimitations**

This study is limited by the appropriateness of the theoretical framework in determining the attitudes on mentoring of participants and that the value can be measured. It is assumed that the survey used for data collection is valid and reliable. It is also assumed that the methodology adequately addressed the research questions. It is assumed that the statistical tests were appropriate to detect differences in the variables if differences are present. It is assumed that participants responded to the survey honestly and that the sample was representative of the population. This study is also limited by the usefulness of the results to the stakeholders.

This study is delimited to lawyers within their first 5 years of practice in the state of Tennessee. This study is further delimited by the theoretical framework that was selected for the research. Attitude on mentoring is measured on a Likert-type scale with an instrument especially designed for this study. This study is also delimited to participants that choose to complete the survey.



## **Overview of the Study**

This study is organized into five chapters. Chapter 1 includes the introduction, the statement of the problem, the limitations of the study, the definition of terms, the research questions, the significance of the study, and the overview of the organization. Chapter 2 contains a review of literature related mentoring and mentoring for lawyers. This review includes a brief overview of the mentoring, types of mentoring, benefits for mentors and mentorees, mentoring effectiveness, and mentoring in the legal profession. The methodology used in this study is detailed in Chapter 3. This description includes the population, research questions, procedures used for research, data collection, and the procedures for data analysis. Chapter 4 reports the findings of the data analyses. Chapter 5 provides a summary of findings, conclusions, and recommendations for further research related to this study.

## CHAPTER 2

### REVIEW OF LITERATURE

A search for literature concerning mentoring and professional development resulted in a great number of books and scholarly articles. There are many facets of mentoring. The research revealed how the term “mentoring” has evolved into a verb allowing for more interactions between mentors and mentees. A further examination of mentoring within the legal profession yielded results of how lawyers and contributors to legal education have used mentoring in the profession. The review of the literature explored studies significant to the current topic under investigation.

The contributors to legal education and mentoring consist of lawyers, law firms, bar associations, and law schools. Understanding the roles of law firms, bar associations, and law schools provides the reader with the landscape of mentoring opportunities available to lawyers. This chapter is organized into the following sections: origins of mentoring to present-day understanding of the term, mentoring within the legal profession, the role of law schools in mentoring law students, the role of law firms in mentoring lawyers within their firms, how bar associations provide mentoring opportunities to their members, mentoring challenges, and ethical considerations and benefits of mentoring.

#### **Mentoring**

The concept of mentoring can be traced back to ancient literature through the work of Homer, legendary author and contributor to Greek literature. Homer described the act of mentoring in *The Odyssey*. In this classic account, Odysseus’ principal advisor, Mentor, was assigned to oversee Odysseus’ son and wife in his absence (Homer, 2004). Mentor’s role included guidance, education, and counsel.

The popularity of *The Odyssey* and later writings, including *Passages* by Sheehy (1976) and *The Seasons of a Man's Life* by Levinson (1978), contributed to the growth and development of mentoring as a concept. Sheehy's (1976) writings further advanced the concept of mentoring by taking readers through the various stages of life, focusing on how men and women are influenced by internal and external forces. A 3-year journey of interviewing 115 participants led to the creation of Sheehy's development of the stages (Sheehy, 1976). Levinson (1978) took the same concept of stages and formed her vision of the life cycle. Levinson (1978) explored the critical role our personalities play in each stage of our lives as we interact with others. The author demonstrated how challenges and creative change at each stage (twenties, thirties, forties, etc.) help us grow into our full potential.

Over the years the term mentoring has evolved to include many formal and informal relationships associated with guidance, education, and counsel in the areas of professional development (Abbott, 2000; Bolton, 1980; Dow, 2014; Kram, 1983, 1985; Mobley et al., 1994; Whiting & de Janasz, 2004). It has most often been associated with workplace professional development. Kram (1985) helped define mentoring as professional development by exploring workplace relationships. The author targeted managers and human resources specialists to create a set of strategies for successful workplace mentoring and organizational effectiveness.

Traditionally mentoring referred to a relationship between the mentor and the mentee. The research supports a shift from this model to one that is more inclusive. Kay and Wallace (2010) explored mentorship in the careers of young professionals and found that those with one or multiple mentors obtained more diverse rewards in their professional careers. Whiting and de Janasz (2004) reinforced that mentoring has evolved from its traditional one-on-one role to

multiple relationships but argued that the evolved concept of mentoring is beyond geographic boundaries.

Technology and the Internet have further expanded the concept of mentoring outside the traditional margins (Knouse, 2001; Whiting & de Janasz, 2004). Mentoring is no longer confined to synchronous activities and geography. The Internet created a platform for online mentoring allowing for asynchronous activities. Whiting and de Janasz (2004) stated that mentoring is critical to professional development in today's environment and suggested that the Internet has allowed mentoring to develop into multiple relationships, functions and opportunities -- responding to the 21<sup>st</sup> century marketplace. Mentees can use technology to substitute one-on-one mentoring and connect with multiple mentors (Whiting & de Janasz, 2004). Knouse (2001) promoted the concept of online mentoring because of the ability to immediately access information, assemble diverse feedback and deliver mentor experiences in a cost-effective manner. The author commented that online mentoring provides a level of privacy and anonymity to discuss sensitive issues that may not be explored in traditional face-to-face mentoring (Knouse, 2001). Organizations can use online mentoring to offer a more inclusive and diverse experience.

Regardless of the form it takes--formal or informal, individual or group, in-person or online -- mentoring plays an important role for many organizations (Billett, 2003; Chao, Walz & Gardner, 1992; Dow, 2014; Gay 1994; IJ Hetty, 2008; Kram 1983). Mentoring can augment onboarding for new hires, staff training, and expand leadership's role within the workplace. Dow (2014) outlined the role of mentors to new hires as a responsibility of the leadership and a necessity for the advancement of the organization's work. Kram (1983) argued the value of mentoring goes beyond new hires and has equal value to those in mid-career. Billett (2003)

studied the experience of the workplace mentor. The author found that mentors agreed on the effectiveness of mentoring. Challenges for mentors included time-commitment, organizational support and preparation time (Billett, 2003). Gay (1994) implied the success of mentoring also weighs on the commitment of the mentoring participants. The research supports a combination of mentor, mentee and organizational support as an effective method in mentoring programs.

Research supports the concept of mentoring as an effective means of professional development within the workplace. Mentoring aids in the socialization process that contributes to career advancement and development (Bolton, 1980; Dow, 2014; Kram, 1985; Levinson, 1978; Mobley et al., 1994). Dow (2014) outlined the benefits of mentoring to include greater compensation, better promotions, and enhanced mobility. The author suggested that because mentoring is a function of leadership, the leadership of the organization should be involved in the matching of mentor and mentee and provide proper training to mentors (Dow, 2014). Bolton (1980) explored mentoring relationships in the career development of women and found that women with limited access to mentoring relationships experienced disadvantages in the advancement of their career development (Bolton, 1980).

The work of Mobley et al. (1994) helped define the present day understanding of mentor and described the role of the mentor as a friend, a coach, and a guide. A new understanding of the term sees the mentoring relationship as one that is more interactive and hands-on (Mobley et al. (1994). Mentoring has shifted from observation to demonstration and modeling (Bolton, 1990; Dow, 2014; Mobley et al., 1994). Mentoring, by modeling and demonstration, can expedite learning and enhance workplace relationships and career advancement. Dow (2014) explored the generational differences in mentoring and discovered that mentees of Generation Y had a greater need for expedited career advancement.

The literature also hints at the value of mentoring in one's personal life. In its original use mentoring developed between two friends, as Mentor was a trusted friend of Odysseus (Homer, 2004). Wald (2005) articulated the value of mentoring in both career and personal life and the need for both to facilitate success. Dow (2014) supported the concept of work-life balance in mentoring experience in his exploration of Generation Y mentees.

Legal associations across the country and in Tennessee offer a variety of formal and informal mentoring experiences for new lawyers. Mentoring experiences are not consistent, and participation is minimal. More research is needed to understand the attitudes of new lawyers towards mentoring.

### **Mentoring in the Legal Profession**

It was revealed in the literature that mentoring in the legal profession in many ways mirrors the evolution of mentoring in the nonlegal sector. Mentoring has a long history with the profession and was the primary source of legal education before law schools (Backman, 2009; Clutterbuck, 2005; Hamilton & Brabbit, 2007). Hamilton and Brabbit (2007) explained how the definition of the term "mentoring" has evolved from "experienced and wise counselor" to a broader and more inclusive definition to include a variety of people. The author suggested that mentoring has become a verb that refers to a process. In Abbot's (2000) *The Lawyer's Guide to Mentoring*, a systematic method for lawyer-mentoring is examined. The guidebook offers a strategic plan for law offices, guidance for mentoring lawyers at all stages of their professional development, and offers a variety of mentoring models that support the departure from traditional one-to-one mentoring methods. Abbot's (2000) nontraditional mentoring models include: enhanced informal mentoring (limited structure applied to informal mentoring relationship to enhance the mentoring experience), peer mentoring, reverse mentoring (younger

members of the organization mentoring senior members), virtual mentoring (online mentoring experiences), social mentoring (focusing on casual mentoring that can occur in a social setting), group mentoring, episodic mentoring, and self-mentoring.

Traditionally law schools have focused on the theory of law, analytical skills, legal research, substantive law, and conceptual ideas of justice (American Bar Association, 1992; Anderson, 2014; Easton & Oseid, 2013; Henderson, 2003; The Carnegie Foundation for the Advancement of Teaching, 2007; Vila, 2008; Wald, 2005). This leaves newly minted lawyers learning how to practice law on their own. A gap exists between law school and law practice. Easton and Oseid (2013) noted the need for skills beyond the academic knowledge base provided in law school. Many lawyer mentoring programs are referred to as “bridge the gap” programs, acknowledging the lack of law practice-ready training within law school (Backman, 2009). The Carnegie Foundation for the Advancement of Teaching (2007) questions the “think like a lawyer” approach to legal education and challenged law schools to connect analytical skills to actual law practice. The foundation conducted a 2-year study and reassessed how law schools teach and the learning that occurs among 16 American and Canadian law schools. Findings suggested better use of the second and third year of law school and an integrated curriculum on values, legal doctrine, and the practice of law (Carnegie Foundation for the Advancement of Teaching, 2007).

Anderson (2014) noted that practice-ready education is an afterthought to traditional legal education as the Socratic learning model focuses on the philosophy of law. Historically lawyers have filled this gap with mentoring at the local courthouse, bar association mentoring programs, and training provided by law firms. Presently many forms of bridge the gap programming exist. Morris (2015) recognized the trend of law office incubators as a method used to provide hands-

on training and mentoring for new lawyers starting their own practice. Incubators refer to new law offices managed by new lawyers who practice in underserved populations and supported by mentors (American Bar Association, 2016). The American Bar Association's (2016) survey of 60 incubator programs concluded with 46 respondents. The findings of the survey showed that while programs varied in structure, overall incubators provided support for access to justice and a new mechanism for delivering mentoring to new lawyers.

The need for mentoring in the legal profession continues to exist today (Anderson, 2014; Hamilton & Brabbit, 2007; Higgins, 2000; Kay & Wallace, 2010; Miller, 2017; Mobley et al., 1994; Wald, 2005). Wald (2005) and Hamilton and Brabbit (2007) endorsed the value of mentoring by highlighting the need for new lawyers to participate in learning experiences with practicing lawyers. Engaging with practicing lawyers builds on the black letter law, legal theories, and landmark cases taught in law schools.

Higgins (2010), Kay, Hagan, and Parker (2009), Kay and Wallace (2010), and Mobley et al. (1994) studied the intrinsic and extrinsic career rewards and found that professionals with multiple mentors had greater rewards. Dow (2014), Higgins (2000), and Mobley et al. (1994) found that lawyers with mentors experienced greater job satisfaction. Mobley et al. (1994) went beyond this conclusion and determined that while mentoring is a positive experience for lawyers, not all mentoring experiences produce lawyer-success (Mobley et al., 1994). Furthermore, Gunnarsson (2011) and Miller (2017) articulated the idea that lawyers who participated in mentoring programs are more likely to become mentors, establishing a "pay it forward" mechanism within the profession (Gunnarsson, 2011; Miller, 2017). Mentoring programs can offer opportunities for mentees to move into the role of mentor.



The value of mentoring for new lawyers lies in the opportunity to learn about the practice of law under the guidance of an experienced lawyer (Abbott, 2000; Anderson, 2014; Backman, 2009; Batt & Katz, 2004; Clutterbuck, 2005; Mobley et al., 1994). Backman (2009) found that outside of the mentoring experience lawyers are limited to law school clinics for legal practice training (Backman, 2009). Anderson (2014) revealed that challenges for new lawyers stems from the economic crisis of 2008, which caused firms of all sizes to cut back on training programs and slowed hiring, causing more setbacks for new lawyers. Clutterbuck (2005) noted that some client companies of firms are using reverse mentoring and allowing younger staff members to mentor senior staff members, there are also opportunities for mutual mentoring that encompasses traditional mentoring (senior to junior) and reverse mentoring. Reverse mentoring shows encouraging results for tackling issues of diversity (Clutterbuck, 2005).

Several researchers have examined mentoring experiences based on gender (Bolton, 1980; Dow, 2014; Kay & Wallace, 2009; Mobley et al., 1994; Ramaswami, Dreher, Bretz, & Wiethoff, 2010; Rhode, 2017; Wallace 2001). Bolton (1980), Kay and Wallace (2009), and Ramaswami et al., (2010) identified the socialization process within the occupation and the social theory surrounding the profession as a challenge for female lawyer career development. These challenges are common in professions that have traditionally been male-dominated (Ramaswami et al., 2010). Kay and Wallace (2009) discovered that while female lawyers with multiple mentors reported enhanced job satisfaction, male lawyers benefited the same but also experienced higher earnings. Alternatively, Wallace (2011) found that female lawyers with male mentors earned more than those with female mentors but experienced less career satisfaction (Wallace, 2011).

Rhode (2017) connected mentoring with leadership and indicated that mentoring programs were critical for women and minority lawyers (Rhode, 2017). Mobley et al. (1994) suggested that men and women are equally likely to report having a mentor and that the chances for mentoring vary greatly by practice area (Moby et al., 1994). Traditionally lawyer mentors have been matched with mentees based on practice area. Not having mentors in every practice area can limit matching in this type of program structure. Payne-Pikus, Hagan, and Nelson (2010) proposed more research be conducted on mentoring programs that would benefit minority attorneys.

### **Mentoring Through Continuing Legal Education Credit**

The Tennessee Supreme Court established the Tennessee Commission on Continuing Legal Education and Specialization to exercise authority over Tennessee Supreme Court Rule 21, the rule for mandatory continuing legal education for Tennessee lawyers (The Tennessee Supreme Court, n.d.). Exercising this authority the Tennessee Commission on Continuing Legal Education sent a survey in 2012 to a sample size of 222 Tennessee lawyers who were within the first 5 years of their practice. The validity and reliability of this survey are unclear, and the findings have not been published or peer reviewed. The survey was conducted by a market research company and questions were relative to continuing legal education credit awarded to participants of approved mentoring programs. The Tennessee Commission on Continuing Legal Education offered continuing legal education credit for approved mentoring programs effective July 1, 2013 (Tennessee Commission on Continuing Legal Education and Specialization, n.d.). Participation by in the mentoring program by young attorneys was minimal and the mentoring program for continuing legal education credit was sunset on December 31, 2016.

## **Law School Contribution to Mentoring in the Legal Profession**

Mentoring can take place in law school (Hamilton & Brabbit, 2007; Larson, 2011). Law schools across the country offer many forms of formal and informal mentoring opportunities for law students ranging from online mentoring programs to mentoring experiences through externships (Anderson, 2014; Larson, 2011; Rhode, 2017). Law schools can require law students to participate in programs offered by the law school (Hamilton & Brabbit, 2007).

In 1992 a task force created by the American Bar Association focused on narrowing the gap between law school and practice (American Bar Association, 1992). The task force reported on the necessary skills and professional values critical for lawyers and encouraged law schools and bar associations to provide skills training and education pertaining to the professional values the report identified. Fifteen years later, The Carnegie Foundation for the Advancement of Teaching (2007) reinforced the need for skills training and called for significant changes in legal education. The work of the task force and the foundation have been used to establish the need for mentoring and skill-training programs for new lawyers. Henderson (2003), Rosen (2002), and Westfahl and Wilkins (2017) expressed the same concern and need for new lawyer skills training and recommended changes to legal education that would connect new lawyers with real-world legal practice and business skills.

Batt and Katz (2004) noted that students themselves look for and recognize the value of real-world practice. Strum and Guinier (2007) and Todd (2008) indicated that legal education reform is in progress with law schools offering clinical education, skills training, legal writing programs, and experiential learning. However, Anderson (2014) commented on the serious financial considerations for law school reformation and experiential learning programs as a deterrent to change.

An exploration of Tennessee law schools found that many of the institutions provide mentoring through a variety of experiential learning opportunities. These opportunities include: peer-to-peer mentoring, legal clinics, externships, clerkships, and hands-on learning with public interest organizations (Belmont University College of Law, n.d.; Cecil C. Humphreys School of Law, n.d.; Duncan School of Law, n.d.; Nashville School of Law, n.d.; University of Tennessee College of Law, n.d.; Vanderbilt Law School, n.d.).

### **Belmont University College of Law**

Belmont University College of Law (n.d.) offers mentoring through a formal program, peer-to-peer mentoring experiences, and the facilitation of externships and judicial clerkships. The peer-to-peer program connects first-year students with senior students for the purpose of mentoring new students. The formal mentoring program is through the law school's affiliation with the American Inns of Court, offering opportunities for law students to meet with judges, law school faculty, and attorneys to discuss issues in the legal community (American Inns of Court, 2018).

### **Cecil C. Humphreys School of Law**

Cecil C. Humphreys School of Law (n.d.) offers legal clinics that students can participate in for mentoring. The clinic helps students learn legal skills and offers hands-on training focusing on client interviews, negotiations and settlements, use of experts, mediation preparation, trial prep, and drafting motions and legal documents. The law school facilitates externships and judicial clerkships and offers mentoring for female law students in affiliation with the Association for Women Attorneys, Memphis chapter (Cecil C. Humphreys School of Law, n.d.).

### **Duncan School of Law**

Duncan School of Law (n.d.) offers career services for law students, similar to other Tennessee law schools. The law school offers informal mentoring opportunities and participates in the American Inns of Court program. Duncan School of Law (n.d.) also facilitates externships and judicial clerkships.

### **Nashville School of Law**

Nashville School of Law (n.d.) offers a mentoring program that focuses on legal writing. Law students work with faculty and attorneys for 130 hours and meet in person with their mentors to develop a topic and produce a manuscript. In addition to externships and judicial clerkships, the law school offers a Wills clinic in association with Habitat for Humanity and a juvenile court clinic working with local courts (Nashville School of Law, n.d.)

### **University of Tennessee College of Law**

University of Tennessee College of Law (n.d.) offers a formal mentoring program allowing students to interact with practicing lawyers to develop professional goals and understand the professionalism and ethical standards associated with the practice of law. The University of Tennessee College of Law (n.d.) facilitates externships and judicial clerkships and offers a variety of clinics allowing for mentoring in the areas of appellate litigation, advocacy, business law, environmental law, educational law, intellectual property, mediation, and several other practice areas.

### **Vanderbilt Law School**

Vanderbilt Law School (n.d.) offers a veteran's clinic and a medical-legal partnership clinic that offers students mentoring opportunities and skills training. Vanderbilt Law School (n.d.) facilitates externships and judicial clerkships and offers a variety of clinics allowing for

students to work with clients and receive mentoring in the areas of criminal justice, law and government, intellectual property, international law, environmental law, and several additional areas.

Many of the programs are led by practicing lawyers and law school faculty. Some programs offer students opportunities to work with real clients. No uniform standards or benchmarks for law school mentoring programs currently exist in Tennessee.

### **Law Firm Contribution to Mentoring in the Legal Profession**

Law firms offer many forms of mentoring through professional development within the firm (Clutterbuck, 2005; Dow, 2014; Mobley et al., 1994). Most law firms have a hierarchy that is used to implement mentoring programs. Mobley et al. (1994) demonstrated how this structure is used by outlining the role of partners (decision making role), senior associates (supervision of casework role), and junior associates (production role). Senior members of firms guide new lawyers in professionalism and ethics (Hamilton & Brabbit, 2007; Miller, 2017). Mentoring lawyers is an investment for law firms (Abbott, 2000; Dow, 2014; Laband & Lentz, 1995). Laband and Lentz (1995) found that while mentoring new lawyers was a way to promote loyalty, it was the productivity of the new lawyer that produced significant returns. Rhode (2017), Wesfahl and Wilkins (2017), and Hillman (2018) stated technology and the reality of the marketplace have pressed law firms to advance the education of their lawyers. Another dimension to this labyrinth is law firms creating new organizational structures to meet the demands of current and preferred business models and clients who want work-ready lawyers on their cases (Anderson, 2014). Technology and client expectations have pushed law firms to rethink their traditional law firm models and practice management models.

Clutterbuck (2005) warned law firms of bad mentoring practices that included the lack of clarity of purpose, poor communication, low emotional intelligence, and confusion regarding the mentoring process. Higgins and Thomas (2001) studied the effects of multiple relationships in a longitudinal study of career lawyers and found that the composition of one's entire collection of professional development contributes to retention and promotion. This reinforces Higgins (2000) study that supported multiple development relationships over traditional one-to-one. Mobley et al. (1994) concluded that mentoring was positively correlated with job satisfaction and is most common among the associate level in law firms.

### **Bar Associations Contribution to Mentoring in the Legal Profession**

Bar associations provide a means for mentoring with some offering state-wide programs that are run through a special commission, association, or the state's highest court. Backman (2009) recommended bar associations develop learning plans and educational objectives in their mentoring programs.

Across the United States there are many formal and informal mentoring programs provided by state and local bar associations. Research on state bar associations and state-wide mentoring programs revealed a variety of formats. Experiences between mentors and mentees range from podcasts available for download to traditional matching between mentors and mentees. Many state bar associations use mentoring as a component of the association's bridge the gap program or as a member benefit.

#### Illinois

The Illinois Supreme Court Commission on Professionalism (n.d.) takes a decentralized approach to mentoring and works with firms, legal organizations, and bar associations to provide mentoring opportunities for their lawyers. The Illinois mentoring program is sponsored by 80

organizations across the state producing a flexible and web-like network for mentoring opportunities (The Illinois Supreme Court Commission on Professionalism, n.d.). Gunnarsson (2011) reported that the goal of the Illinois program was to reinforce core professional values and elevate professionalism state-wide.

### North Carolina

The North Carolina Bar Association (n.d.) mentoring program offered a model mentoring plan for mentors and mentees to follow. The bar takes a situational approach to matching mentees and mentors with formal and informal mentoring experiences. Mentees are sent a list of approved mentors in the interested practice area, mentees are instructed to reach out to mentors for their availability (North Carolina Bar Association, n.d.).

### Utah

The Utah State Bar (n.d.) developed a 12-month program in conjunction with the Utah Supreme Court. The program provides new lawyers with gap training. A particular focus on addressing the concerns within the profession related to the:

- erosion of professionalism,
- fading civility,
- growing dissatisfaction with the profession, and
- work/life balance (The Utah State Bar, n.d.).

Mentors and mentees are encouraged to meet 2 hours per month, develop a mentoring plan, and complete two mid-term progress reports (Utah State Bar, n.d.). Mentoring plans consist of activities that must be completed. Mentees can search available mentors or identify an approved mentor within their law office.



## Colorado

The Colorado Mentoring Program (n.d.) offered traditional mentor and mentee matching and is a program of the Colorado Supreme Court. Mentoring experiences and matching are developed through a network of partnerships with bar associations and legal organizations throughout the state (Colorado Mentoring Program, n.d.). For mentees and mentors interested in brief mentoring experiences, the bar offered a Coffee Mentoring program and offered single mentoring meetings around:

- coffee,
- breakfast,
- lunch,
- social hours and
- social events (Colorado Mentoring Program, n.d.).

## Georgia

The State Bar of Georgia (n.d.) assigned every new lawyer to a mentor for their first year of practice. The mentoring experiences are part of the bridge the gap program mandated by the Supreme Court of Georgia. The mentoring program promotes one-to-one mentoring experiences; if no lawyer can be found, the new lawyer is assigned to a mentoring group (State Bar of Georgia, n.d.). Mentoring groups meet based on a predetermined schedule and include mentoring activities.

## Ohio

The Supreme Court of Ohio (n.d.) and the Ohio judicial system mirrored the Georgia program when they developed the Lawyer to Lawyer Mentoring program. Objectives of the program include:

- promote collegial relationships,
- learn best practices,
- develop professional judgment skills,
- learn legal customs, and
- build integrity within the legal profession (The Supreme Court of Ohio, n.d.).

### Oregon

The Oregon State Bar (n.d.) in conjunction with the Oregon Supreme Court implemented the state's New Lawyer Mentoring Program. The mandatory program allows mentees to recruit mentors through relationships they have established in the legal community (Oregon State Bar, n.d.). Curriculum and activities in the program include:

- introduction to the legal community,
- professional conduct standards,
- practice management tips,
- career development guidance,
- work/life balance,
- bar leadership, and
- practice area skills (Oregon State Bar, n.d.).

### Texas

The Texas Bar Association (n.d.) developed a mentoring program with the assistance of their young lawyer's group. The mentoring program is a series of online presentations. New lawyers can search videos by speaker or by category. Categories consist of practice areas, ethics and professionalism and practice management (Texas Bar Association, n.d.). The programs are available as videos and for download as a podcast.

## Louisiana

The Louisiana State Bar Association (n.d.) offered a voluntary mentoring program with activities for each quarter during the lawyer's first year. Activities included worksheets and checklists used to guide the mentoring experiences.

First quarter. Activates connected to serving the public and the profession.

Second quarter. Activities to promote ethical practices and professionalism.

Third quarter. Activities to build best practices for client relations and communications.

Fourth quarter. Activities to teach law office management (Louisiana State Bar Association, n.d.).

Mentors are required to have at least 10 years of practice, carry professional liability insurance, and be of good moral character.

## New Mexico

The State Bar of New Mexico (n.d.) developed a bridge the gap mentoring program to help new lawyers with practice skills. Participating mentors are required to be approved and appointed by the state's Supreme Court. New attorneys are required to enroll into the program within 30 days of being sworn in by the court (State Bar of New Mexico, n.d.). Mentees cannot be matched with their direct attorney supervisor at their law office.

## Florida

The Florida Bar Young Lawyers Division (n.d.) offered mentoring experiences through a series of videos produced by young lawyers. Videos offer best practices and practice pointers to help Florida new lawyers bridge the gap between law school and the practice of law. Videos cover:

- writing skills,

- procedures and rules,
- practice area pointers,
- client management,
- ethics,
- professionalism,
- civility,
- technology, and
- wellness (The Florida Bar Young Lawyers Division, n.d.).

### Tennessee

Tennessee bar associations have provided formal and informal mentoring opportunities for their membership for many years. Experiences in these programs include matching with bar leaders, access to mentors and bar leaders for questions, educational programs, and leadership training (Chattanooga Bar Association, n.d.; Knoxville Bar Association, n.d.; Memphis Bar Association, n.d.; Nashville Bar Association, n.d.; Tennessee Bar Association, n.d.).

Tennessee bar associations use mentoring as a benefit to their members. Attorneys must join the association as a member before enrolling in a mentoring program. Many programs with metro and local bar associations are underutilized.

### **Mentoring Challenges for the Legal Profession**

Challenges for mentoring programs are not unique to the legal profession. Many mentoring programs suffer from the lack of mentors. Kram (1985) demonstrated the critical role mentors play in providing performance feedback and encouragement. Mertz (2004) argued that the critical role and value of the mentoring experience hinges on the mentor's accessibility and availability to the mentee. Lawyer mentoring programs need reachable mentors who can guide

the new lawyer. New lawyers need engaged mentors; this is critical to the program and to the new lawyer's development (Backman, 2009). Kay and Wallace (2010) discovered that the organization and attributes of individuals participating in the mentoring were important predictors.

In addition to challenges that exists within mentoring programs, such as matching and available mentors, there are also challenges outside mentoring programs, such as work-life balance. Mentors and mentees have the opportunity to discuss work-life balance. Wald (2005) provided insight on work-life balance for new lawyers. The author recommended a strong and personal relationship for successful mentoring. It is a challenge for many law students and new lawyers, in particular female lawyers, to juggle the practice of law, family, and friends. Time management is also a factor to consider in mentoring (Batt & Katz, 2004).

Morris (2015) and Mobley et al. (1994) highlighted a very important issue regarding solo practitioners. Many lawyers start their own practice after law school or leave a firm to start their own practice. Solo practitioners can benefit from mentoring opportunities (Morris, 2015). Mobley et al. (1994) explained that lack of organizational structure available to a solo practitioner is what limits access to mentoring opportunities, but solo practitioners have the same needs as lawyers who practice in formal organizations.

### **Ethical Considerations**

The Tennessee Rules of Professional Conduct (2018) govern professionalism and ethics for Tennessee lawyers. A review of the rules indicated two ethical considerations to be factored in lawyer mentoring, confidentiality in Rule 1.6 and conflicts in Rule 1.7.

Rule 1.6 of the Tennessee Rules of Professional Conduct (2018) established the rule of confidentiality. It states that a lawyer shall not reveal information relating to a client's

representation. The rule does provide exceptions for disclosures made with the client's consent and those implied or necessitated by the representation agreement. Additionally, a lawyer may reveal information if the lawyer reasonably believes the client may commit a crime or fraud that may result in substantial injury or cause financial difficulties to property or person. However, the rule does not include an exception for mentoring programs. Yet mentors may use actual cases to illustrate legal dilemmas in a manner that is beneficial to their mentees. Likewise, a mentee may need to discuss an actual dilemma when seeking guidance.

Rule 1.7 of the Tennessee Rules of Professional Conduct (2018) established the rule governing conflicts of interests. It states that a lawyer may not represent two clients in a case whose interests are directly adverse. It also states that a lawyer may not represent a client if there is a significant risk that the representation will be materially limited by the lawyer's responsibilities to a third party. This rule implicates the mentoring relationship because the mentor-lawyer's relationship with the mentee-lawyer gives rise to responsibilities that could limit the mentor's ability to represent a particular client. This may be seen where the mentee's client and the mentor's client have adverse interests. In other words, the mentor cannot provide guidance to a mentee on the other side of a case.

### **Mentoring Benefits for the Legal Profession**

The literature revealed many benefits of mentoring for the legal profession. We have seen how the various players (law firms, law schools, bar associations) contribute to lawyer mentoring. Gay (1994) articulated the benefits of formal mentoring programs. The author explained how planned mentoring is more inclusive and helps structure informal mentoring experiences (Gay, 1994).

Mentoring can be a gateway for career advancement and job satisfaction (Abbott, 2000; Dow, 2014; Higgins, 2000; Knouse, 200; Kram, 1985; Mobley et al., 1994). Law firms use mentoring to guide new associates, law schools use mentoring to supplement legal education and bar associations use mentoring as a membership benefit. Kay and Wallace (2009) showed that mentoring benefits both the organization and the participant (Kay & Wallace, 2009). Dow (2014) examined the benefits for mentors and discovered that mentors experienced a renewed commitment when participating in a mentoring program (Dow, 2014).

Mentoring is used to facilitate professionalism. Mentors can help mentees understand ethical standards and guide their professional path (Hamilton & Brabbit, 2007; Miller, 2017). Wald (2005) concluded that a mentor adds value to work and life allowing for more meaningful work.

### **Summary**

Mentoring is an established resource for lawyers. Mentoring is an experiential educational opportunity and is available to the legal profession (Backman, 2009). More research is needed on mentoring attitudes. The survey conducted the Tennessee Commission on Continuing Legal Education was based on mentoring programs offering continuing legal education credit.

This study will consist of an academic understanding of mentoring. Literature relating to the origins of mentoring and its development within professional development have been explored. The survey used in this study focused on the attitudes of new lawyers within their first 5 years of practice and their perceived value of mentoring, access to mentoring, and forms of mentoring. Tennessee does not have a formal state-wide mentoring program for Tennessee

lawyers. This study will provide the profession and legal leaders within Tennessee insight on mentoring attitudes and needs for lawyers.



## CHAPTER 3

### RESEARCH METHOD

The purpose of this study was to evaluate mentoring attitudes of new Tennessee lawyers who are within their first 5 years of practice. Tennessee law schools, law firms and bar associations provide a variety of formal and informal mentoring programs. No uniform standards or benchmarks for mentoring programs currently exist in Tennessee. Tennessee does not have a formal state-wide mentoring program for Tennessee lawyers. This study may provide the profession and legal leaders within Tennessee insight on mentoring attitudes and needs for new lawyers.

The methodology for this study was nonexperimental quantitative survey research. The objective of a research design is to outline the strategic plan for collecting data to address the research questions in the most accurate manner. This will allow for reliable, valid conclusions to be drawn from the procedures (McMillan & Schumacher, 2010). This chapter describes the research questions, instrument, population data collection, and data analysis used in the study.

#### **Research Questions and Null Hypotheses**

To determine the mentoring needs of new Tennessee lawyers who are within their first 5 years of practice and to identify attitudes towards mentoring practices, the following questions guided this study.

Research Question 1: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Ho1: There is no significant difference in the mean scores for Dimension 1: (Value of Mentoring) among Tennessee lawyers based on years of experience?

Research Question 2: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Ho2: There is no significant difference in scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 3: Is there a significant difference in scores on Dimension 1: (Value of Mentoring) between male and female lawyers?

Ho3: There is no significant difference in scores on Dimension 1: (Value of Mentoring) between male and female lawyers?

Research Question 4: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Ho4: There is no significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on years of experience?

Research Question 5: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Ho5: There is no significant difference in scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 6: Is there a significant difference in scores on Dimension 2: (Access to Mentoring) between male and female lawyers?

Ho6: There is no significant difference in scores on Dimension 2: (Access to Mentoring) between male and female lawyers?

Research Question 7: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on years of experience (1-5 years)?

Ho7: There is no significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on years of experience?

Research Question 8: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Ho8: There is no significant difference in scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

Research Question 9: Is there a significant difference in scores on Dimension 3: (Structure of Mentoring) between male and female lawyers?

Ho9: There is no significant difference in scores on Dimension 3: (Structure of Mentoring) between male and female lawyers?

### **Instrumentation**

This purpose of this study was to evaluate mentoring attitudes of new Tennessee lawyers who are within their first 5 years of practice. The survey instrument was an electronic questionnaire. The survey is an empirical approach used in research and is an instrument that measures data. The data gathered provides evidence obtained through a systematic method rather than opinion. The survey itself is a common instrument used in quantitative research and provides measurements demonstrating the reliability and validity of the study.

The survey was electronic and administered online to the population using a 6-point Likert-type scale. Each rating in the Likert-type scale was assigned a number for statistical analysis, where 1 = disagree strongly, 2 = disagree, 3 = somewhat disagree, 4 = somewhat agree, 5 = agree, and 6 = agree strongly.

The survey factored three dimensions with demographics. The instrument was created by the researcher and based on information obtained from the literature review. The survey was

piloted prior to the final distribution of the instrument to the participants. In the pilot phase, the survey was evaluated for readability, relevance, accuracy and clarity. The researcher considered and applied suggestion for reader clarification. After completion of the pilot, a factor analysis was run on SPSS to establish construct validity of the instrument. The entire survey was administered to all participants.

### **Population**

The population was Tennessee lawyers within their first 5 years of practice. A true and complete list of total participants was obtained from the Board of Law Examiners and the Tennessee Bar Association to compile a comprehensive list of participants. The population reflected the current landscape of today's new lawyers. The population includes participants in private practice, government, corporate, firm size of 2-5, firm size of 6-10, firm size of 11-50, and firm size of 50 or more. Participants also ranged between 1-5 years of practice and represent male and female lawyers.

The participants were drawn from the estimated population of 2,600 lawyers. There were 12 subgroups. The first eight subgroups pertain to the type of practice the new lawyer is in, followed by years of experience and gender.

### **Data Collection**

Data collection took place through an online survey to all participants. Approval was granted from the Institutional Review Board at East Tennessee State University.

The electronic correspondence described the purpose of the study, directions for completing the electronic survey, access to the survey, and completion date. Participants were free to choose to participate in the survey. The introduction of the survey included an informed consent. By accessing the survey, consent was given by the participant. There were no tangible

incentives were used. Participants could remain anonymous as there were no identifiable measures used in the survey instrument. Follow-up correspondence occurred as necessary.

### **Data Analysis**

The survey data were analyzed using a quantitative methodology. Data analysis procedures were conducted using IBM-SPSS software. The survey also included demographic questions.

Research questions 1, 2, 4, 5, 7, and 8 were analyzed using a one-way ANOVA test. The ANOVA test was used to compare multiple groups. Research questions 3, 6, and 9 were analyzed using an independent samples *t* test. The sample *t* tests were used to compare the means of the subgroups.

The quantitative research method was used in this study to understand relationships between the variables identified. An alpha level of .05 was used to evaluate all statistical tests.

### **Chapter Summary**

Chapter 3 is a descriptive summary reviewing the methodology used in this study. This description includes the population, research questions and hypothesis, procedures used for research, data collection, and the procedures for data analysis. Chapter 4 contains a report on the findings of the data analyses. A summary of findings, conclusions, and recommendations for further research related to this study are provided in Chapter 5.

## CHAPTER 4

### FINDINGS

The purpose of this study was to evaluate mentoring attitudes of Tennessee lawyers who are within their first 5 years of practice. The researcher sought to identify the perceptions of new lawyers regarding the value of mentoring and mentoring's role within the legal profession. Mentoring has a long history with the legal profession and has served to further educate lawyers, particularly with learning how to practice law. The profession will continue to rely on mentoring. Evolving social norms, technology, and disruption to the practice of law have created new opportunities to reexamine mentoring practices. Understanding the attitudes and perceptions of new lawyers will improve and challenge current mentoring practices, programs, and experiences.

The dimensionality of the 17 items from the Mentoring: Attitudes and Perceptions of New Lawyers survey was analyzed using maximum likelihood factor analysis. Three criteria were used to determine the number of factors to rotate: the a priori hypothesis that the measure was unidimensional, the scree test, and the interpretability of the factor solution. The scree plot indicated that the initial hypothesis of unidimensionality was incorrect. Based on the plot three factors were rotated using a Varimax rotation procedure. The rotated solution yielded three interpretable factors, Value of Mentoring, Access to Mentoring, and Structure of Mentoring. The Value of Mentoring factor accounted for 11.4% of the item variance, the Access to Mentoring factor accounted for 7.5% of the item variance, and the Structure of Mentoring factor accounted for 7.1% of the item variance (Green & Salkind, 2011).

A quantitative nonexperimental survey research design was employed by examining the results of a research-developed survey, Mentoring: Attitudes and Perceptions of New Lawyers Survey (Appendix A). Using combined data from the state bar association, the Tennessee Bar

Association, and The Board of Professional Responsibility of the Supreme Court of Tennessee, all lawyers who met the criteria for this study were sent the electronic survey. Data from the survey were analyzed to address each of the nine research questions.

The population in the study was Tennessee lawyers who were within their first 5 years of practice. The first dissemination of the survey was November 15, 2018, with reminder emails sent on November 20, 2018 and December 5, 2018. The data collection period ended, and the survey closed on December 17, 2018. Participants had to agree to the first question to access the survey which insured that they had read the informed consent (Appendix B), agreed to voluntary and anonymous participation in the study, were at least 18 years of age, and a licensed Tennessee lawyer within their first 5 years of practice. The survey link was delivered to 1,433 lawyers. Of 1,433 possible participants, 287 (20.02%) responded to the survey.

### **Demographic Information**

Descriptive data from demographic regions revealed that the majority of respondents were from Middle Tennessee at 57.1% (n = 164). Respondents from West Tennessee resulted in 9.1% (n = 26) responses, 22.3 % (n = 64) in East Tennessee and 11.5% did not indicate. Years of experience within the range of the first 5 years of practice varied among the respondents. The years of experience demographics reported the following: 13.2% (n = 38) for lawyers with less than 1 year of experience, 13.9% (n = 40) 1 year of experience, 17.1% (n = 49) 2 years of experience, 15.7% (n = 45) 3 years of experience, 16.4% (n = 47) 4 years of experience, 12.2% (n = 35) with 5 years of experience, and 11.5% did not indicate.

Respondents were asked about their practice setting. The number of reported private/solo practice respondents were 23.7% (n = 68). Firm size responses were divided into small and large firm size, 26.1% (n = 75) served small firms of 2-10 lawyers and 11.1% (n = 32) served larger

firms of 11 or more lawyers. Lawyers identifying with government practice resulted in 14.6% (n = 42). The remaining 12.5% (n = 36) of the sample varied in practice settings such as corporate, unemployed or marked other, and 11.8% did not indicate.

The survey asked for demographics on gender: male or female. The number of male respondents were 51.2% (n = 147), 37.3% (n = 107) female, and 11.5% did not indicate.

### **Survey Evaluation**

The survey results revealed attitudes and preferences of new Tennessee lawyers towards mentoring. Responses showed an overwhelming positive attitude in regard to the value of mentoring with over 99% agreeing that mentoring enhances new attorney performance and helps new lawyers learn how to practice law. The majority of lawyers at 96.48%, agree mentoring improves new attorney job satisfaction with 39.84% strongly agreeing, 43.36% agreeing, and 13.28% somewhat agreeing.

Respondents indicated a strong perceived relationship between mentoring and professionalism with 98.05% agreeing mentoring increases civility and professionalism within the profession.

In response to survey questions related to structure and access to mentoring. The majority of respondents desired access to mentors for basic legal questions (94.11%) and supported the notion that mentoring should be available to every new lawyer (97.27%). When asked about a mandatory mentoring program, 80.47% disagreed that a mandatory mentoring program was the only way they would make time for mentoring with 18.75% strongly disagreeing, 41.02% disagreeing and 20.70% somewhat disagreeing.

When asked to describe their view of a mentor, respondents choose: a principle advisor to guide and counsel 22.35%, someone to network with and get clients 0.39%, a career counselor



3.92%, someone to teach how to practice law 22.75%, a friend to help with professional and personal goals 25.49%, and someone to ask questions 25.10%.

Questions related to attitudes associated with mentoring involving technology and mentoring in the traditional in-person setting, new lawyers reported a strong desire for accessing mentors in-person with 93.36% agreeing they want to see their mentor in-person and over 90% disagreed that their interest in mentors and mentoring experience required the use of technology. New lawyers showed a preference for multiple mentors with 80.07% indicating that multiple mentors are better than one mentor, yet no strong preferences were shown for having lawyers within the same practice area and only a slight preference for senior attorney mentors (59.61%) over peer mentors (40.40%). Respondents preferred a variety of opportunities from mentoring providers as opposed to identifying one provider and showed interest in mentoring opportunities during and after law school.

## **Research Questions**

### **Research Question 1**

Is there a significant difference in the mean scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience)?

Ho1: There is no significant difference in the mean scores for Dimension 1: (Value of Mentoring) among Tennessee lawyers based on years of experience?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between value of mentoring and years of experience. The factor variable, years of experience, included six categories: less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience. The dependent variable was the Dimension 1 scores (Value of Mentoring) on the

Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 1, 2, 3, 4, and 16). The ANOVA was not significant,  $F(5, 244) = 1.72$ ,  $p = .131$ . Therefore,  $H_01$  was retained. The strength of the relationship between years of experience and the value of mentoring as assessed by  $\eta^2$  was small (.03). The results indicate that scores on the value of mentoring dimension were not significantly related to a new lawyer's years of experience. The means and standard deviations for years of experience are reported in Table 1 and Figure 1 displays the distribution of scores for the five groups.

Table 1

*Means and Standard Deviations of Years of Experience (Dimension 1)*

Years of Experience	N	M	SD
Less than 1 year	37	23.76	3.65
1 year	39	24.54	2.66
2 years	49	23.82	2.46
3 years	44	24.89	2.31
4 years	47	23.79	2.04
5 years	34	23.53	2.41

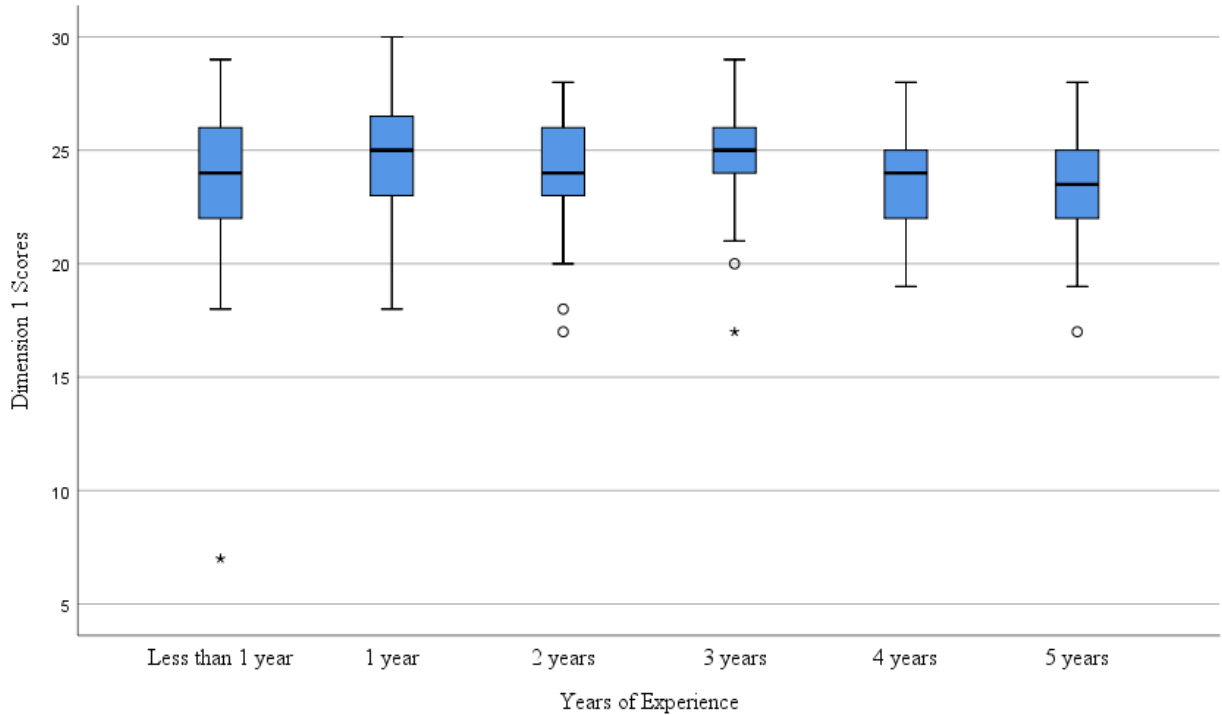


Figure 1. Dimension 1 scores by years of experience

## Research Question 2

Is there a significant difference in the mean scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on their type of practice or size of firm (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice or other)?

Ho2: There is no significant difference in the mean scores on Dimension 1: (Value of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between value of mentoring mean scores and type of practice or size of firm. The factor variable, type of practice or size of firm, included five categories: private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice or other. The dependent variable was the Dimension 1 scores (Value of Mentoring) on the Mentoring: Attitudes and

Perceptions of New Lawyers Survey (survey questions 1, 2, 3, 4, and 16). The ANOVA was not significant,  $F(4, 244) = 1.32$ ,  $p = .265$ . Therefore,  $H_{o2}$  was retained. The strength of the relationship type of practice or size of firm and the value of mentoring as assessed by  $\eta^2$  was small (.02). The results indicate that the value of mentoring dimension were not significantly related to type of practice or size of firm. The means and standard deviations for type of practice or size of firm are reported in Table 2 and Figure 2 displays the distribution of scores.

Table 2

*Means and Standard Deviations of Type of Practice or Size of Firm (Dimension 1)*

Type of Practice or Size of Firm	N	M	SD
Private/Solo	66	23.98	2.50
Small Firm	74	24.47	2.93
Large Firm	31	24.23	2.47
Government	42	23.33	2.62
Other	36	24.17	2.31

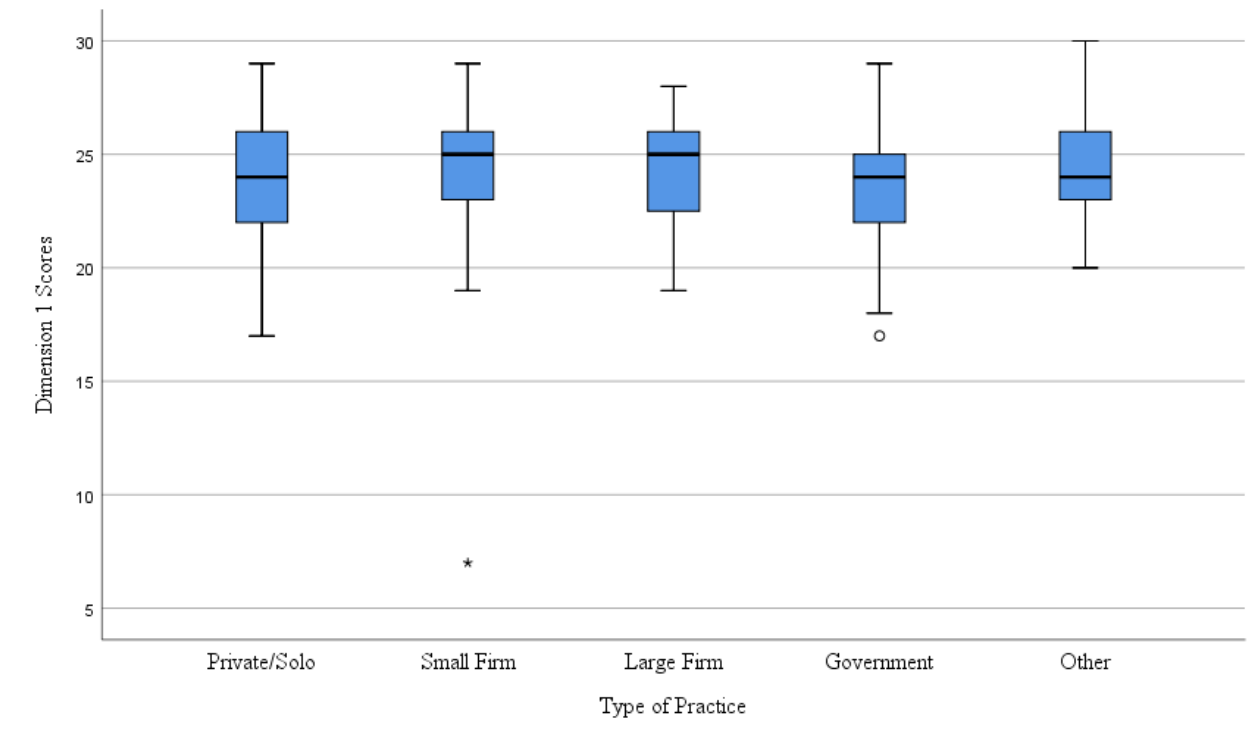


Figure 2. Dimension 1 scores by type of practice or wize of firm

### Research Question 3

Is there a significant difference in the mean scores on Dimension 1: (Value of Mentoring) between male and female lawyers?

Ho3: There is no significant difference in the mean scores on Dimension 1: (Value of Mentoring) between male and female lawyers?

An independent-samples  $t$  test was conducted to evaluate whether the mean scores of value of mentoring and gender. The scores for Dimension 1 (Value of Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 1, 2, 3, 4, and 16) was the testing variable and the grouping variable was gender. The test was not significant,  $t(248) = -.68, p = .498$ . Therefore, Ho3 was retained. The  $\eta^2$  index was  $<.01$ , which indicated a small effect size. Male respondents ( $M = 24.06, SD = 2.39$ ) indicated similar scores on the value

of mentoring dimension as female respondents ( $M = 24.26$ ,  $SD = 2.42$ ). The 95% confidence interval for the difference in means was  $-.82$  to  $.40$ . Figure 3 shows the distributions for the two groups.

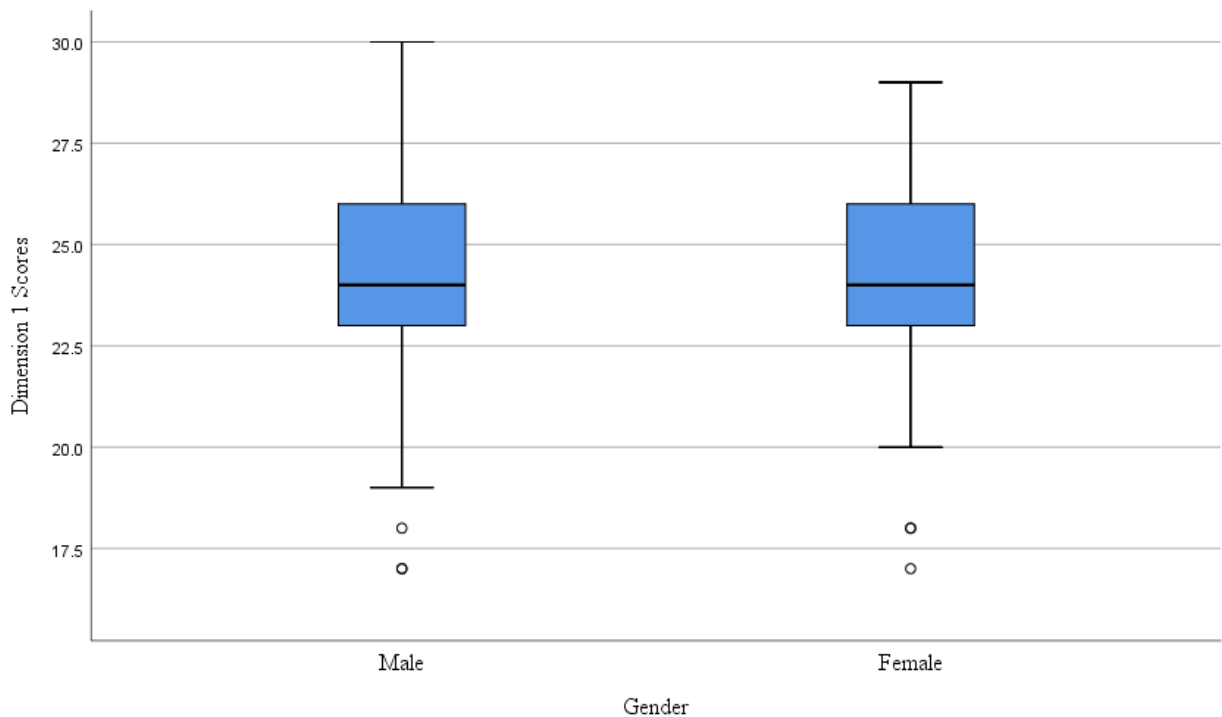


Figure 3. Dimension 1 scores by gender

#### Research Question 4

Is there a significant difference in the mean scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience)?

Ho4: There is no significant difference in the mean scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on years of experience?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between access to mentoring and years of experience. The factor variable, years of experience, included six categories: less than 1 year, 1 year, 2 years, 3 years, 4 years and 5 years of experience. The dependent variable was the Dimension 2 scores (Access to Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 5, 7, 9, 10, 11, 13, and 15). The ANOVA was not significant,  $F(5, 246) = .45$ ,  $p = .816$ . Therefore, Ho4 was retained. The strength of the relationship between years of experience and the access to mentoring assessed by  $\eta^2$  was small (.01). The results indicate that scores on the access to mentoring dimension were not significantly related to a new lawyer's years of experience. The means and standard deviations for years of experience are reported in Table 3 and Figure 4 displays the distribution of scores for the five groups.

Table 3

*Means and Standard Deviations of Years of Experience (Dimension 2)*

Years of Experience	N	M	SD
Less than 1 year	38	22.71	4.53
1 year	39	23.41	3.79
2 years	49	23.39	3.45
3 years	44	23.30	2.96
4 years	47	22.64	3.05
5 years	35	22.71	4.09

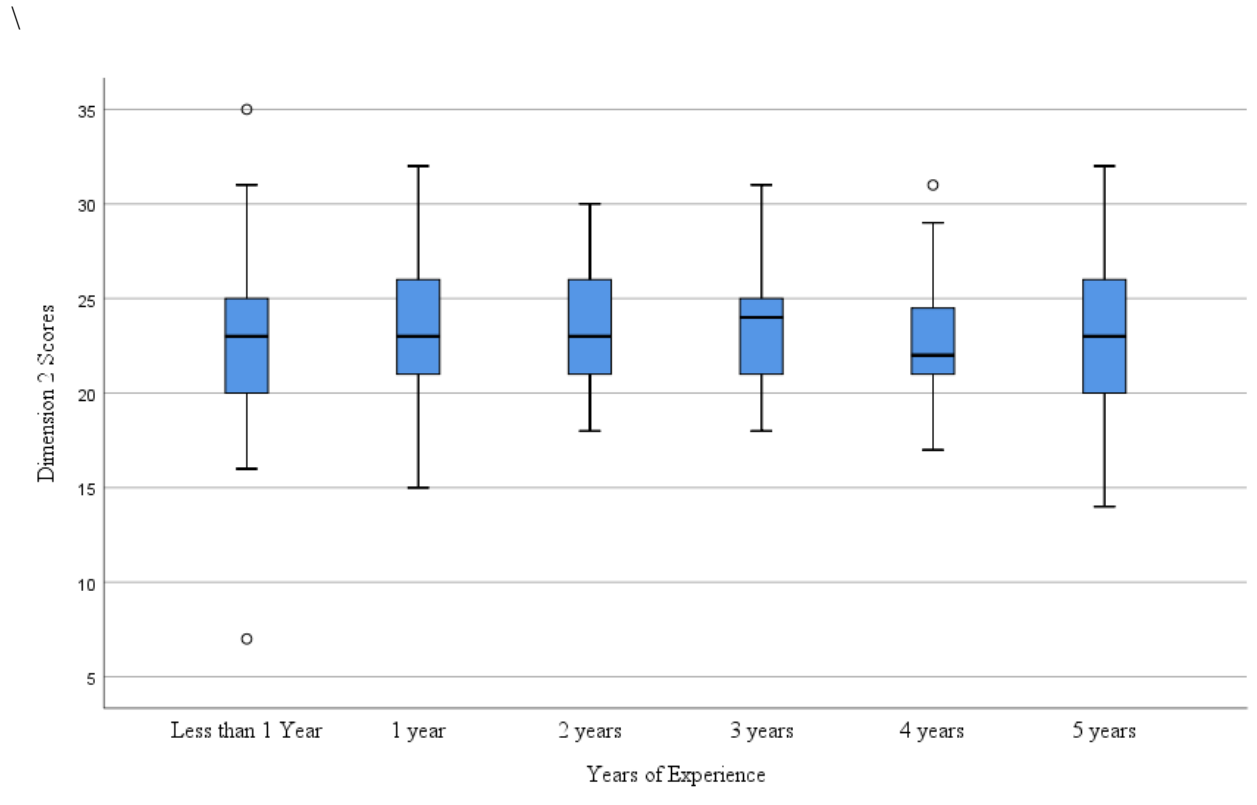


Figure 4. Dimension 2 scores by years of experience

### Research Question 5

Is there a significant difference in the mean scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on type of practice or size of firm (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other)?

Ho5: There is no significant difference in the mean scores on Dimension 2: (Access to Mentoring) among Tennessee lawyers based on type of practice or size of firm?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between access to mentoring mean scores and type of practice or size of firm. The factor variable, type of practice or size of firm, included five categories: private solo practice, small



firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other. The dependent variable was the Dimension 2 scores (Access to Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 5, 7, 9, 10, 11, 13, and 15). The ANOVA was not significant,  $F(4, 246) = 1.10$ ,  $p = .356$ . Therefore,  $H_0$  was retained. The strength of the relationship between type of practice or size of firm and the access to mentoring as assessed by  $\eta^2$  was small (.02). The results indicate that scores on the access to mentoring dimension were not significantly related to type of practice or size of firm. The means and standard deviations for type of practice or size of firm are reported in Table 4 and Figure 5 displays the distribution of scores.

Table 4

*Means and Standard Deviations of Type of Practice or Size of Firm (Dimension 2)*

Type of Practice or Size of Firm	N	M	SD
Private/Solo	68	23.62	3.49
Small Firm	74	22.62	4.18
Large Firm	31	22.45	3.25
Government	42	22.86	3.44
Other	36	23.58	3.20

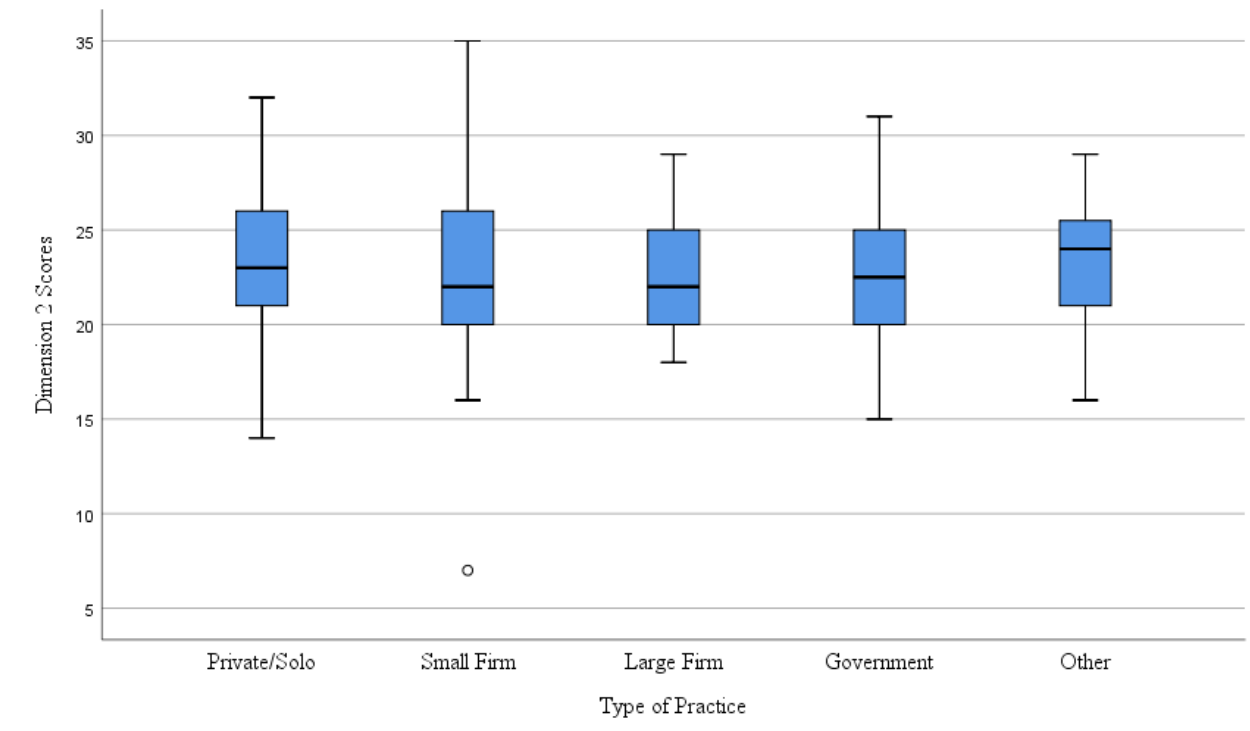


Figure 5. Dimension 2 scores by type of practice or size of firm

### Research Question 6

Is there a significant difference in the mean scores on Dimension 2: (Access to Mentoring) between male and female lawyers?

Ho6: There is no significant difference in the mean scores on Dimension 2: (Access to Mentoring) between male and female lawyers?

An independent-samples  $t$  test was conducted to evaluate whether the mean scores of access to mentoring and gender. The scores for Dimension 2 (Access to Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 5, 7, 9, 10, 11, 13, and 15) was the testing variable and the grouping variable was gender. The test was not significant,  $t(250) = -1.48, p = .139$ . Therefore, Ho6 was retained. The  $\eta^2$  index was  $<.01$ , which indicated a small effect size. Male respondents ( $M = 22.85, SD = 3.11$ ) indicated similar value on

the access of mentoring dimension as female respondents ( $M = 23.51$ ,  $SD = 3.95$ ). The 95% confidence interval for the difference in means was -1.57 to .25. Figure 6 shows the distributions for the two groups.

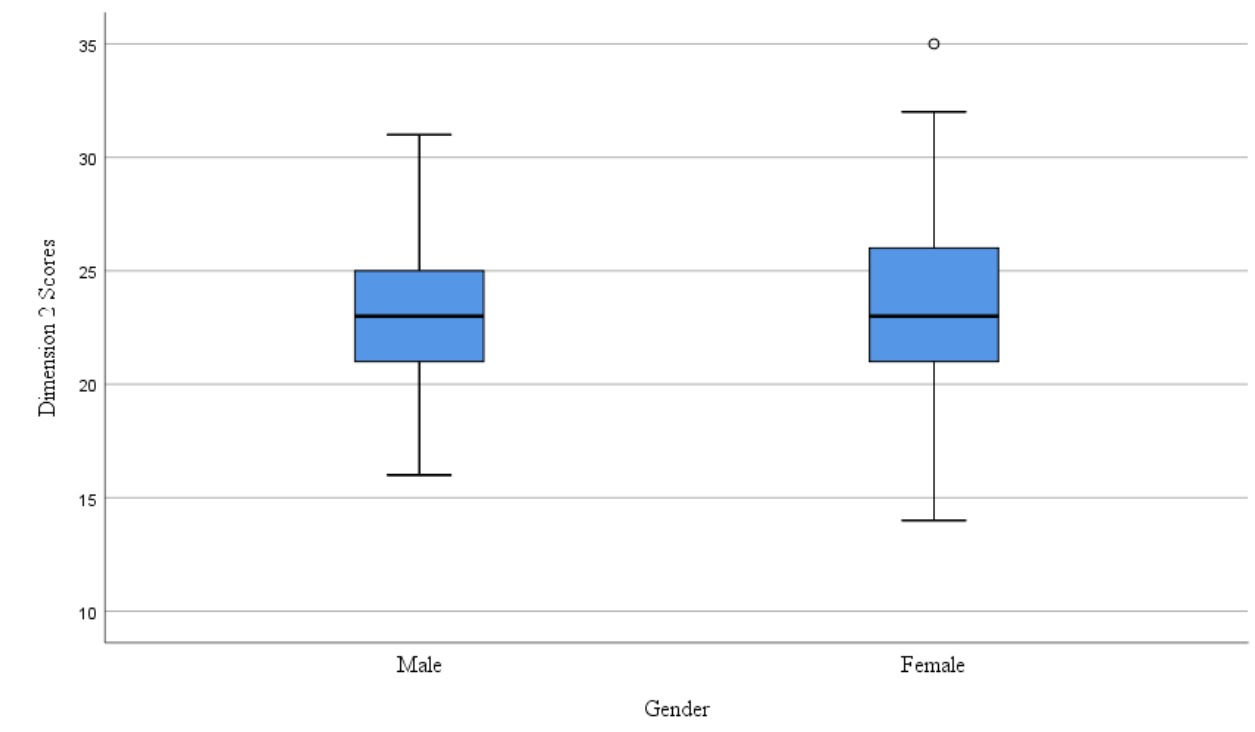


Figure 6. Dimension 2 scores by gender

### Research Question 7

Is there a significant difference in the mean scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience)?

Ho7: There is no significant difference in the mean scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on years of experience?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between structure of mentoring and years of experience. The factor variable, years of experience, included six categories: less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience. The dependent variable was the Dimension 3 scores (Structure of Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 6, 8, 12, 14, and 17) . The ANOVA was not significant,  $F(5, 245) = .89$ ,  $p = .491$ . Therefore,  $H_0$  was retained. The strength of the relationship between years of experience and the structure of mentoring as assessed by  $\eta^2$  was small (.02). The results indicate that the scores on structure of mentoring dimension were not significantly related to a new lawyer's years of experience. The means and standard deviations for years of experience are reported in Table 5 and Figure 7 displays the distribution of scores for the five groups.

Table 5

*Means and Standard Deviations of Years of Experience (Dimension 3)*

Years of Experience	N	M	SD
Less than 1 year	38	19.74	3.73
1 year	39	20.21	2.71
2 years	48	20.00	2.70
3 years	44	19.98	2.25
4 years	47	19.21	3.33
5 years	35	19.17	2.74

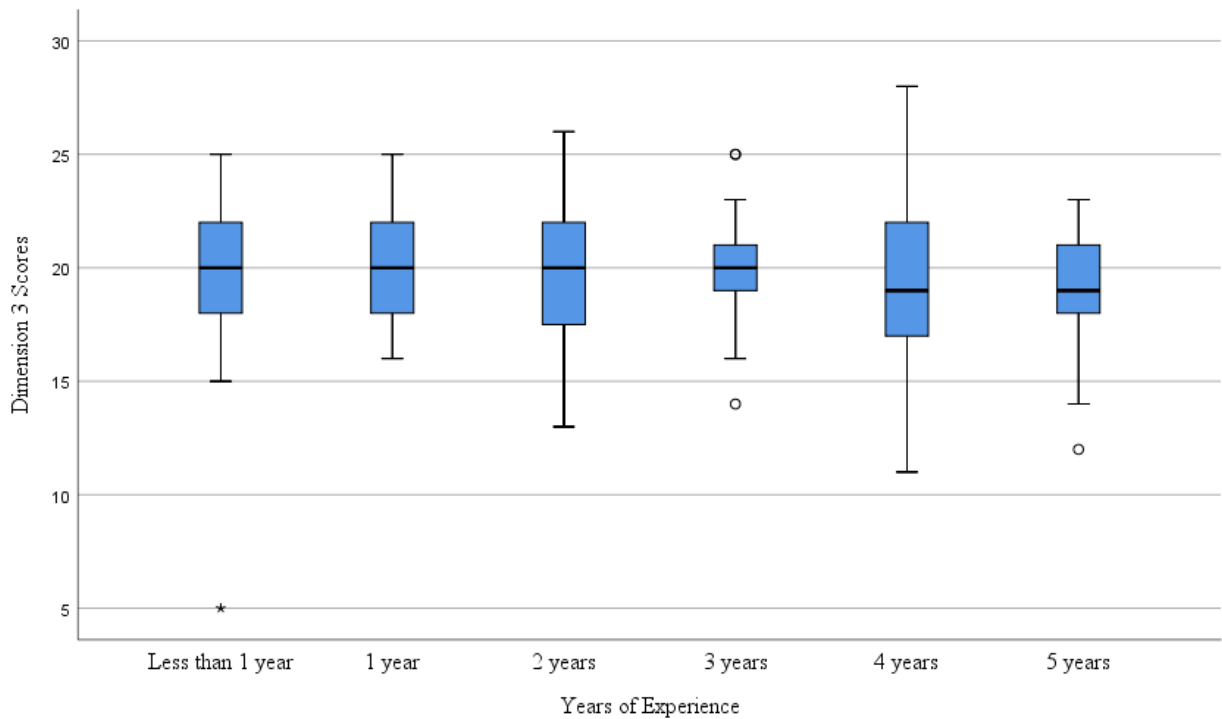


Figure 7. Dimension 3 scores by years of experience

### Research Question 8

Is there a significant difference in the mean scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on type of practice or size of firm (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other)?

Ho8: There is no significant difference in the mean scores on Dimension 3: (Structure of Mentoring) among Tennessee lawyers based on type of practice or size of firm?

A one-way analysis of variance (ANOVA) was conducted to evaluate the relationship between structure of mentoring mean scores and type of practice or size of firm. The factor variable, type of practice or size of firm, included five categories: private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other. The

dependent variable was the Dimension 3 scores (Structure of Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 6, 8, 12, 14, and 17). The ANOVA was not significant,  $F(4, 245) = 1.77$ ,  $p = .134$ . Therefore, Ho8 was retained. The strength of the relationship between type of practice or size of firm and structure of mentoring, as assessed by  $\eta^2$  was small (.02). The results indicate that scores on the structure to mentoring dimension were not significantly related to type of practice or size of firm. The means and standard deviations for type of practice or size of firm are reported in Table 6 and Figure 8 displays the distribution of scores.

Table 6

*Means and Standard Deviations of Type of Practice or Size of Firm (Dimension 3)*

Type of Practice or Size of Firm	N	M	SD
Private/Solo	68	20.25	2.64
Small Firm	74	19.51	3.37
Large Firm	31	18.81	3.08
Government	42	19.60	2.84
Other	35	20.31	2.29

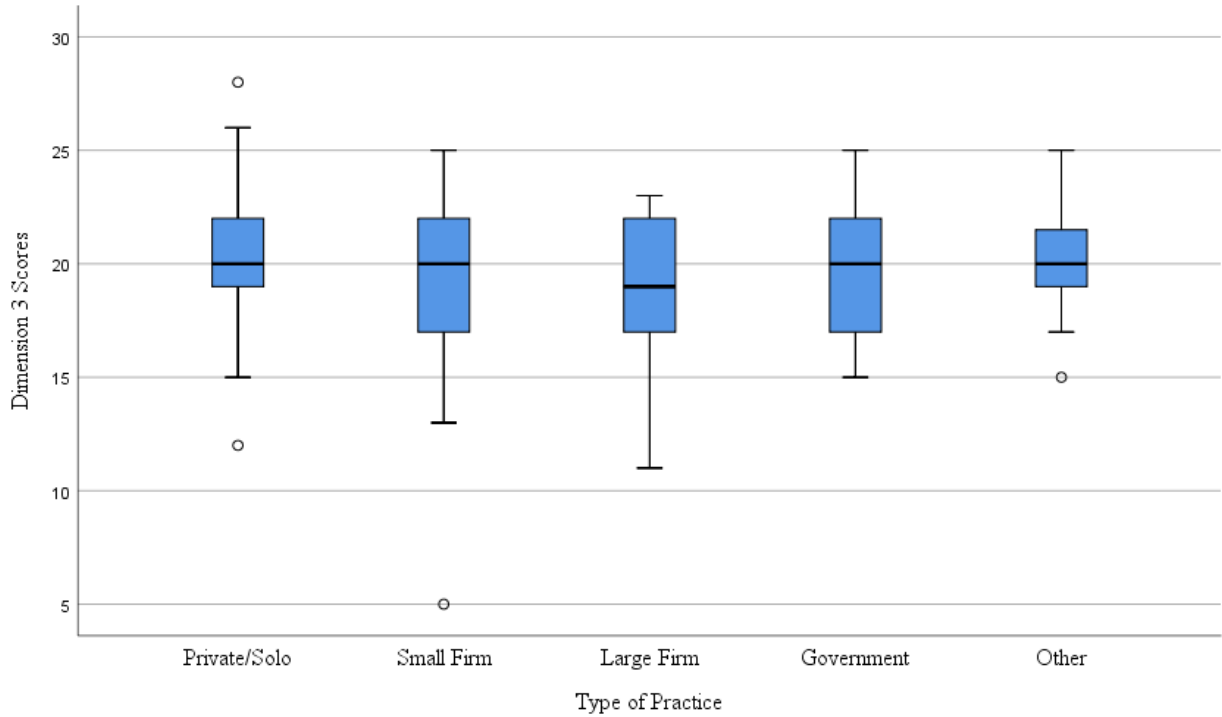


Figure 8. Dimension 3 scores by type of practice or size of firm

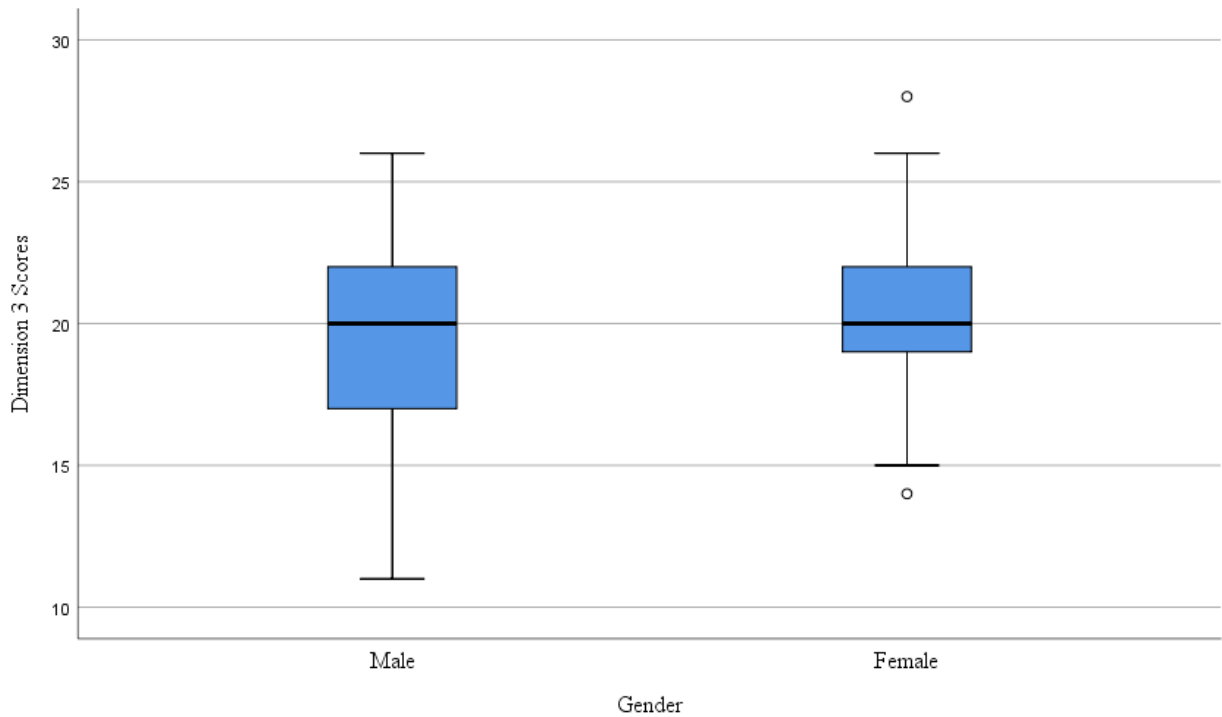
### Research Question 9

Is there a significant difference in the mean scores on Dimension 3: (Structure of Mentoring) between male and female lawyers?

Ho9: There is no significant difference in the mean scores on Dimension 3: Structure of Mentoring) between male and female lawyers?

An independent-samples  $t$  test was conducted to evaluate whether the mean scores of structure of mentoring and gender. The scores for Dimension 3 (Structure of Mentoring) on the Mentoring: Attitudes and Perceptions of New Lawyers Survey (survey questions 6, 8, 12, 14, and 17) was the testing variable and the grouping variable was gender. The test was significant,  $t(249) = -2.87, p = .004$ . Therefore, Ho9 was reject. Male respondents ( $M = 19.37, SD = 2.76$ ) indicated preference for less structure than female respondents ( $M = 20.38, SD = 2.75$ ). The 95%

confidence interval for the difference in means was -1.71 to -.32. The  $\eta^2$  index was  $<.01$ . Male respondents prefer less structure for mentoring than female respondents. Figure 9 shows the distributions for the two groups.



*Figure 9.* Dimension 3 scores by gender



## CHAPTER 5

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Mentoring attitudes of Tennessee lawyers who are within their first 5 years of practice were evaluated. The study will provide information to legal associations, legal education providers and legal leaders of the needs of lawyers in Tennessee. The researcher sought to identify the perceptions of new lawyers regarding the value of mentoring and mentoring's role within the legal profession. Data were collected and analyzed from the results of a researcher developed survey, Mentoring: Attitudes and Perceptions of New Lawyers Survey (Appendix A). The electronic survey was sent to Tennessee lawyers who were within their first 5 years of practice. Demographic data consisted of gender, type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience). This chapter contains the finding, conclusions, and recommendations for practice and future research on the topic.

#### **Summary of Findings**

Data were gathered from 1,433 possible participants who were sent the invitation to participate in the study, resulting in a 20% response rate. Testing of the null hypotheses associated with the nine research questions resulted in one statistically significant finding and eight findings that were not statistically significant. The dependent variables were the three dimensions of the survey: value of mentoring, access to mentoring, and structure of mentoring. Independent variables were gender, type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience).

Value of mentoring (Dimension 1) scores were not statistically significantly different in the demographics consisting of gender ( $p = .498$ ), type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) ( $p = .265$ ) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience) ( $p = .131$ ). The value of mentoring included the following survey items: 1) enhancing new attorney performance, 2) improving new attorney job satisfaction, 3) learning the practice of law, 4) increasing civility and professionalism within the profession, and 5) connecting with other lawyers.

Access to mentoring (Dimension 2) scores were not statistically significantly different in the demographics consisting of gender ( $p = .139$ ), type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) ( $p = .356$ ) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience) ( $p = .816$ ). Access to mentoring included the following survey items: 1) perception of mandatory programs, 2) mentoring experiences within the workplace, 3) privacy and anonymity within mentoring, 4) use of technology in mentoring, 5) perceptions of mentors in connection to practice area, and 6) availability of mentoring to new lawyers.

Structure of mentoring (Dimension 3) scores were not statistically significantly different in the demographics consisting of type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice, or other) ( $p = .134$ .) or years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience) ( $p = .491$ ). However, female attorneys reported significantly greater value in mentoring experience and programs with structure ( $p = .004$ ). The structure of mentoring included the following survey

items: 1) preferences for planned and structured programs, 2) network and traditional formats, 3) number of mentors, and 4) peer versus senior mentors.

### **Conclusions**

This study was an examination of mentoring attitudes of Tennessee lawyers who are within their first 5 years of practice. The significant finding in this study indicates female attorneys have a stronger preference for mentoring experiences and programs with greater structure. Several researchers have examined mentoring experiences based on gender (Bolton, 1980; Dow, 2014; Kay & Wallace, 2009; Mobley et al., 1994; Ramaswami, Dreher, Bretz, & Wiethoff, 2010; Rhode, 2017; Wallace 2001). Structured and formal programs provide opportunities for female attorneys to access mentoring. The findings are supported by Bolton (1980), Kay and Wallace (2009), and Ramaswami et al., (2010) who identified the socialization process within the occupation and the social theory surrounding the profession as a challenge for female lawyer career development. Mentoring programs with structure support the socialization process for female lawyers. Bolton (1980) explored mentoring relationships in the career development of women and found that women with limited access to mentoring relationships experienced disadvantages in the advancement of their career development. Additionally, Rhode (2017) connected mentoring with leadership and indicated that mentoring programs were critical for both women and minority lawyers.

While the value of mentoring (Dimension 1) and access to mentoring (Dimension 2) were not statistically significantly related to the demographics consisting of gender, type of practice (private solo practice, small firms of 2-10 lawyers, large firms of 11 or more lawyers, government practice or other) and years of experience (less than 1 year, 1 year, 2 years, 3 years, 4 years, and 5 years of experience) the findings contribute to the literature and provides guidance

to law firms, new lawyer training programs, law schools, bar associations, legal organizations, and the field of professional development.

The value of mentoring was important to both genders and was not affected by the practice setting identified in this study or by years of experience. The research-developed survey used in this study revealed an overwhelming positive attitude in regard to the value of mentoring with over 99% agreeing that mentoring enhances new attorney performance, helps new lawyers learn how to practice law, and that mentoring improves job satisfaction. The relationship between mentoring and professionalism resulted in 98.05% agreeing mentoring increases civility and professionalism within the profession. These findings are supported by Dow (2014), Higgins (2000), Kram (1983), Mobley et al. (1994), and Wald (2005). Kram (1983) who stated the value of mentoring goes beyond new hires and has equal value to those in mid-career. Wald (2005) articulated the value of mentoring in both career and personal life and the need for both to facilitate success. Dow (2014), Higgins (2000), and Mobley et al. (1994) found that lawyers with mentors experienced greater job satisfaction. Specifically, Mobley et al. (1994) concluded that mentoring was positively correlated with job satisfaction and is most common among the associate level in law firms.

The access to mentoring was not related to gender, type of practice, or by years of experience. The survey revealed the majority of respondents desired access to mentors for basic legal questions (94.11%) and preference for multiple mentors (80.07% ) These findings are supported by Higgins (2010), Kay, Hagan, and Parker (2009), Kay and Wallace (2010), Mertz (2004), and Mobley et al. (1994). The need for greater access to mentoring is echoed in Mertz (2004) who highlighted the critical role and value of the mentoring experience hinges on the mentor's accessibility and availability to the mentee. Higgins (2010), Kay, Hagan, and Parker

(2009), Kay and Wallace (2010), and Mobley et al. (1994) supported the intrinsic and extrinsic career rewards and found that professionals with multiple mentors had greater rewards.

### **Recommendations for Practice**

The findings and conclusions of this research led to the following recommendations for mentoring programs and practices within the legal profession. Addressing the significant findings in this study, male attorney preferences for less structure, it is recommended that mentoring providers support a variety of formal and informal mentoring experiences that vary in length and commitment and support a variety of interactions to facilitate the onboarding of male attorneys.

Additional recommendation are provided resulting from the survey, Mentoring: Attitudes and Perceptions of New Lawyers Survey (Appendix A). These recommendations factor the transition from law school to law practice and consider the multiple paths lawyers may take in their legal careers. Specific recommendations for law schools, law firms, and bar associations are included. Overall mentoring recommendations are:

- Make mentoring available to every new lawyer;
- Establish a network of mentoring experiences and programs using law firms, law schools, state bar, local bars, affinity groups, and legal associations;
- Use mentoring to bridge the gap between law school and law practice;
- Highlight an inclusive mentoring path for nontraditional lawyers using existing mentoring programs;
- Provide mentors with basic resources and tools to teach new lawyers law practice skills;
- Offer mentoring during law school and after law school;

- Communicate the value of mentoring in program marketing and material to highlight the benefits of mentoring related to professionalism, civility, performance and job satisfaction;
- Create access or opportunities for lawyers to gain answers to basic legal questions;
- Mix mentoring experience within and outside of the workplace;
- Continue to offer traditional and face-to-face mentoring experiences but use technology to substitute and enhance mentoring;
- Offer experiences that allow mentees to connect with multiple mentors;
- Incorporate professional and personal goal setting in mentoring exchanges; and
- Use peer-mentors in addition to the traditional senior-mentors format in all mentoring programs.

Beyond these overarching recommendations, a few recommendations specifically for bar associations, law school, and law firms would enhance the mentoring offerings for Tennessee lawyers.

Bar associations should:

- Offer mentoring program to lawyers within their first few years of practice and beyond;
- Connect and communicate with other bars within the state and affinity groups on mentoring gaps, collaborative opportunities, and program advancements;
- Work with law schools to bridge the mentoring gap between law school and law practice;
- Create opportunities for peer-to-peer mentoring; and

- Maximize technology to enhance mentoring and expand access to mentoring experiences.

Law schools should:

- Offer mentoring programs to law students;
- Connect with local bars, state bar, and affinity groups to bridge the mentoring gap after law school;
- Maximize peer mentoring opportunities among law students; and
- Facilitate opportunities for students and alumni to engage in mentoring experiences.

Law firms should:

- Offer mentoring programs to new associates;
- Use reverse-mentoring to engage and assist senior lawyers;
- Create opportunities for peer-to-peer mentoring;
- Work with local bars, state bar, and affinity groups to provide mentoring opportunities outside the firm;
- Create experiences that allow lawyers to mentor outside of their practice area so that mentoring is not limited to practice area; and
- Allow for personal goals to be discussed and addressed along with professional goals.

### **Recommendations for Further Research**

The research provided in this study provides mentoring recommendations to legal associations, law schools, law firms, bar associations, legal education providers, and legal leaders limited to the data resulting from the survey.

Additional research should be conducted on:

- the application and effectiveness of peer-to-peer mentors and the use of technology-based experiences;
- use of technology in mentoring experiences;
- mentoring gap between law school and law practice; and
- effective combinations of mentoring experiences.

The addition of peer-to-peer mentoring to existing mentoring programs could greatly expand the mentoring network across the state. The use of technology can be explored to add value and substitute traditional mentoring. Technology can also be used to engage rural attorneys, out of state attorneys, and those with nontraditional legal careers.

Research on the mentoring gap between law school and law practice would fill a gap in the literature and assist with the effectiveness of bridging the gap between law school and law practice. The findings of this study would identify needs of new lawyers as they begin to practice law.

Beyond Tennessee, additional research should be conducted on mentoring experiences to identify the most effective combinations of mentoring offerings. It is known from research in higher education adults learn in different ways. Research should include information from the mentor's perspective and the mentee's perspective. Both a longitude study and a qualitative study would add to this literature.



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## APPENDICES

### APPENDIX A

#### Mentoring: Attitudes and Perceptions of New Lawyers Survey

1. Mentoring enhances new attorney performance.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
2. Mentoring improves new attorney job satisfaction.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
3. Mentoring helps with learning how to practice law.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
4. Mentoring increases civility and professionalism within the profession.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
5. A mandatory mentoring program is the only way I would make time for mentoring.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
6. Mentoring programs should be planned and structured.  
(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly

7. A mentor should not be someone I work with.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
8. I want a mentor who can answer basic legal questions.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
9. I prefer privacy and anonymity in mentoring.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
10. I want to see my mentor in person.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
11. I am only interested in mentors and mentoring experience through the use of technology.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
12. I prefer a network of mentoring activities over traditional one-on-one mentoring.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly
13. Mentoring should be available to every new lawyer.
- (1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree, (6) Agree strongly



14. Having multiple mentors is better than one mentor.

(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree,  
(6) Agree strongly

15. Mentoring only works if the mentor practices in the same area of law.

(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree,  
(6) Agree strongly

16. I don't need a mentor, I just want to meet with another lawyer over coffee or lunch to chat.

(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree,  
(6) Agree strongly

17. I am more likely to approach a peer mentor than a mentor who is a senior attorney.

(1) Disagree strongly, (2) Disagree, (3) Somewhat disagree, (4) Somewhat agree, (5) Agree,  
(6) Agree strongly

18. A mentor is:

- A principal advisor to guide and counsel me
- Someone I can network with to get clients
- A person I can ask questions
- Someone who will teach me how to practice law
- A career counselor
- A friend who helps me professional and personally with my goals

19. Mentoring should be available:

- ☐ During law school
- ☐ After law school
- ☐ Both

20. Mentoring should occur:

- ☐ At my place of employment
- ☐ Outside of my place of employment
- ☐ Both

21. Who should offer mentoring programs:

- ☐ Law firms and offices
- ☐ Local bar associations
- ☐ The Tennessee Bar Association
- ☐ Law schools
- ☐ The Supreme Court
- ☐ All of the Above

### **Demographic Information**

22. Select the region that best describes the location in which your practice is located.

- ☐ West Tennessee (urban)
- ☐ West Tennessee (metro)
- ☐ Middle Tennessee (urban)
- ☐ Middle Tennessee (metro)
- ☐ East Tennessee (urban)
- ☐ East Tennessee (metro)

23. To which gender do you most identify with?

- ☐ Male
- ☐ Female
- ☐ Other

24. Select the type of practice that best describes your situation:

- ☐ Private/Solo Practice
- ☐ Firm Size 2-5 attorneys
- ☐ Firm Size 6-10 attorneys
- ☐ Firm Size 11-30 attorneys
- ☐ Firm Size 31-50 attorneys
- ☐ Firm Size 50 or more attorneys
- ☐ Government
- ☐ Corporate
- ☐ Unemployed
- ☐ Other: \_\_\_\_\_

25. How many years have you been practicing?

- ☐ Less than 1 year
- ☐ 1 year
- ☐ 2 years
- ☐ 3 years
- ☐ 4 years
- ☐ 5 years

## APPENDIX B

### Informed Consent

Dear Participant:

My name is Mindy Thomas Fulks and I am a graduate student at East Tennessee State University. I am working on my Doctorate in Educational Leadership. The name of my research study is Mentoring: Attitudes and Perceptions of New Lawyers.

The purpose of this study is to provide new data for providers of legal mentoring programs to improve or develop new mentoring experiences for new lawyers in Tennessee. The survey should only take about 5-10 minutes to finish. You will be asked questions about mentoring. Since this study deals with attitudes and perceptions the risks are minimal. There is no direct benefit to you for taking this survey, the information will benefit legal associations, legal education providers and legal leaders of the needs of lawyers in Tennessee.

Your confidentiality will be protected as best we can. Because we are using technology no guarantees can be made about the interception of data sent over the Internet by any third parties, just like with emails. We will make every effort to make sure that your name is not linked with your answers. Survey Monkey has security features that will be used to prevent the collection of IP addresses. Although your rights and privacy will be protected, the East Tennessee State University (ETSU) Institutional Review Board (IRB) (for non-medical research) and people working on this research in the Department of Educational Leadership and Policy Analysis can view the study records.

Taking part in this study is voluntary. You may decide not to take part in this study. You can quit at any time. You can exit the online survey form if you want to stop completely. If you

quit or decide not to take part, the benefits or treatment that you would otherwise get will not be changed.

If you have any research-related questions or problems, you may contact me, Mindy Thomas Fulks, or my Committee Chair, Dr. James Lampley, at 423.439.7619. Also, you may call the chairperson of the IRB at ETSU at (423) 439-6054 if you have questions about your rights as a research subject. If you have any questions or concerns about the research and want to talk to someone who is not with the research team or if you cannot reach the research team, you may call an IRB Coordinator at 423/439-6055 or 423/439-6002.

Sincerely,

Mindy Thomas Fulks

## APPENDIX C

### Email to Participants and Reminder Email

Dear Participant:

My name is Mindy Thomas Fulks and I am a graduate student at East Tennessee State University. I am working on Doctorate in Educational Leadership. The name of my research study is Mentoring: Attitudes and Perceptions of New Lawyers.

The purpose of this study is to provide new data for the profession in order to improve upon or develop new mentoring opportunities relevant for new lawyers in Tennessee.

Your input will provide new data for the profession, providers of legal mentoring programs, legal associations, law firms and bar leaders.

If you are interested in being a part of this study, please click on the link below after reading the attached informed consent.

Link: <https://www.surveymonkey.com/r/MD9TYC7>

Sincerely,

Mindy Thomas Fulks

Dear Participant:

If you have already completed the survey, you can disregard this email. Thank you very much for your participation!

This a My name is Mindy Thomas Fulks and I am a graduate student at East Tennessee State University. I am working on Doctorate in Educational Leadership. The name of my research study is Mentoring: Attitudes and Perceptions of New Lawyers.

The purpose of this study is to provide new data for the profession in order to improve upon or develop new mentoring opportunities relevant for new lawyers in Tennessee.

Your input will provide new data for the profession, providers of legal mentoring programs, legal associations, law firms and bar leaders.

If you are interested in being a part of this study, please click on the link below after reading the attached informed consent.

Link: <https://www.surveymonkey.com/r/MD9TYC7>

Sincerely,

Mindy Thomas Fulks

## VITA

### MINDY THOMAS FULKS

- Education: Doctor of Education in Educational Leadership  
East Tennessee State University - 2019
- Master of Education  
Middle Tennessee State University - 2013
- Bachelor of Science  
Middle Tennessee State University - 2007
- Professional Experience: Director of Membership and Leadership Services, Tennessee  
Bar Association - 2018 to Present
- Director of Continuing Legal Education, Tennessee Bar  
Association - 2008 to 2018
- Instructor and Program Manager (English and Spanish),  
Correctional Management Services - 2001 to 2016
- Instructor (English and Spanish, Davidson County Sheriff  
Office and Metro Government - 2007 to 2014
- Interpreter, Translator and Teacher (English and Spanish) -  
1996 to 2008
- Professional Presentations: Standards for Lawyer Professionalism Through Continuing  
Educations (Bar Association of Sri Lanka)
- Applying Higher Ed Technology to Continuing Legal  
Education (Association for Continuing Legal Education)
- Curriculum Mapping in Continuing Legal Education  
(Association for Continuing Legal Education)
- Game Mechanics and Gamification (Association for Continuing  
Legal Education)
- Rapid Authoring Tools in Online Education (Association for  
Continuing Legal Education)



Working with Volunteers and Presenters/Speakers (Association  
for Continuing Legal Education)

Managing Board Communication and Expectations  
(Association for Continuing Legal Education)

The Un-Conference: New Trends for Conferences  
(National Association for Bar Executives)

Applying Fun and Games to Learning  
(National Association for Bar Executives)

Back to Basics: Online Learning  
(Tennessee Society of Association Executives)

Brainstorming Techniques, Thinking Innovation and Managing  
Bad Ideas (Sonic Foundry Technology Conference)

Recruiting and training Speakers with No Experiences (Sonic  
Foundry Technology Conference)