

Utah State Bar

New Lawyer Training Program

MANUAL

(Proposed)

Resources for
New Lawyers
and
Mentors

Program Goal

The goal of the Utah New Lawyer Training Program is to train new lawyers during their first year of practice in professionalism, ethics, and civility; to assist new lawyers in acquiring the practical skills and judgment necessary to practice in a highly competent manner; and to provide a means for all Utah attorneys to learn the importance of organizational mentoring, including the building of developmental networks and long-term, multiple mentoring relationships.

Revised September 30, 2008

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INTRODUCTION TO THE UTAH STATE BAR NEW LAWYER TRAINING PROGRAM

Congratulations to all new attorneys for passing the Bar examination and being admitted to the Utah State Bar (the Bar). We know you have worked hard for your success and extraordinary achievements. To facilitate your transition into the practice of law, the Utah Supreme Court, in conjunction with the Utah State Bar, is providing you with the New Lawyer Training Program (NLTP), described in more detail below. For the first year of practice you will have a mentor with at least seven years of legal experience who will work with you every month in a variety of practice areas integral to and inherent in the practice of law. The primary purpose of the NLTP is to help you adjust to the new challenges you will face and to answer your questions regarding the practical aspects of the practice, wherever you may be working. The program is designed not only to provide an experienced coach readily available to assist you in substantive areas of the law but also to further your education in the areas of ethics, civility, professionalism and, where appropriate, recognizing conflicts of interest, client relations, and law office management.

In Utah, we are fortunate to have two outstanding and highly-regarded law schools that emphasize clinical and externship programs as part of their curriculum. New lawyers may receive partial credit toward the requirements of the NLTP for their participation in clinical-type programs during law school. The Utah Supreme Court and the Bar intend that the NLTP remain flexible in order to complement law school programs that provide necessary practical experience and supplement the goal and purpose of the NLTP.

The Utah Supreme Court and the Bar appreciate the experienced attorneys who are willing to generously give of their time and talents to train a new lawyer in their first year of practice. Your commitment to this program will determine its level of success. Thank you for devoting the time and skill necessary to implement the NLTP and enhance the career and life of a new lawyer.

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THE GOAL OF THE NEW LAWYER TRAINING PROGRAM (NLTP)

The goal of the Utah NLTP is to train new lawyers during their first year of practice in professionalism, ethics, and civility; to assist new lawyers in acquiring the practical skills and judgment necessary to practice in a highly competent manner; and to provide a means for all Utah attorneys to learn the importance of organizational mentoring, including the building of developmental networks and long-term, multiple mentoring relationships.

SUMMARY OF THE NLTP

- Lawyers newly admitted to the Bar with an active license are required to complete the NLTP program their first year of practice in Utah. The requirement for judicial law clerks is deferred until completion of the clerkship.
- The NLTP will replace the New Lawyer Continuing Legal Education (NLCLE) program for the first year of practice. Upon completion and certification, the NLTP will result in 12 hours of NLCLE credit. New lawyers are required to attend a half-day class early in their first year of practice. The requirements for CLE during the second year of the two-year compliance cycle remain the same.
- The program is designed to provide inside mentoring, outside mentoring, and, where appropriate, circle or group mentoring. Inside mentoring is simply having a mentor within the organization where you are employed, such as a law firm or government office. Outside mentoring is the opportunity to work with an appointed mentor from outside your workplace. Circle mentoring involves group discussions among new lawyers and mentors when deemed advisable or necessary by the NLTP administrator. The mentor and new lawyer should spend at least two hours a month fostering the relationship and learning from each other as the mentoring plan is implemented.
- The Utah Supreme Court will appoint qualifying mentors and place them on a list from which the new lawyer and/or the new lawyer's firm or office will make a selection. New lawyers will likely be paired with a mentor from within their firm or office where possible. A new lawyer may select a mentor who is not on the list, but that lawyer will need to

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submit a mentor application to the NLTP administrator and will need to be approved by the Utah Supreme Court.

- Mentor qualifications include: seven years of practice; no past or pending formal discipline proceeding of any type or nature; malpractice insurance in an amount of at least \$100,000/\$300,000, if in private practice; and approval by the Supreme Court's Advisory Committee on Professionalism.
- Mentors will receive 12 hours of CLE credit (including two ethics credits) for their efforts with the new lawyer. This credit may be shared where more than one lawyer (each qualifying as a mentor) plays a significant role in supervising and mentoring the new lawyer.
- The mentor and the new lawyer will develop a mentoring plan following the NLTP guidelines. Certain subjects are mandatory while others are elective. The plan must be submitted for approval to the NLTP program administrator and the New Lawyer Training Committee (NLTC) for approval. Firms and certain select groups, such as a Legal Defender's office or a District Attorney's office, may submit a model plan for approval that can be used in successive years.
- At the conclusion of the 12 months, the mentor will certify in writing to the Bar and the Supreme Court that the new lawyer has completed the NLTP. Absent such certification, the new lawyer must contact the NLTP administrator at the Bar office to discuss a plan to complete the program and to determine whether the license renewal is jeopardized.
- A new lawyer may migrate to a different mentor upon request to the administrator of the NLTP. No questions will be asked of the new lawyer on the first request for a change of mentor. If a second request for a change is made, questions of the new lawyer and/or the mentor are within the discretion of the NLTP administrator.
- A Mentor Training and Resources Committee (MTRC) has been created. The MTRC will meet periodically with mentors, firms, and government offices to provide training on effective mentor relationships and institutionalizing mentor programs.

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A BRIEF HISTORY OF THE EVOLUTION OF UTAH'S NLTP

In September 2005, the Honorable Antonin Scalia, Justice of the United States Supreme Court, the Honorable Deanell R. Tacha, then Chief Judge of the United States Court of Appeals for the Tenth Circuit, and Alan Sullivan, managing partner of the Salt Lake City office of Snell and Wilmer, developed a discussion paper entitled, "A Brief Comparison of the Training and Accreditation of Lawyers in the United States and the United Kingdom." (Unpublished article, on file with the Bar.) This paper was presented to the Utah appellate judges in spring 2006 and to the Bar Commission in early 2007. The discussion paper generated considerable dialogue between the Utah Supreme Court and Bar leadership.

The discussion paper suggests that most new lawyers are not well prepared for the practical aspects of practicing law. On-the-job training is not a condition of admission to the Bar. The discussion paper recognizes that while mentoring of new lawyers is crucial, the quality of mentoring is neither regulated nor coordinated by either the profession or law schools, with mentoring frequently an afterthought and rendered subordinate to billable hours and the demand to provide legal services.

According to several studies, only one-third of associates remain at the firm where they started their legal career after five years; lack of mentoring or misrepresentations regarding mentoring is cited by these associates as a key reason for leaving. Other scholars and organizations have expressed concern regarding the lack of effective mentoring of new lawyers and the failure of law schools to provide sufficient practical experience during law school. *See, e.g.,* ROY T. STUCKEY ET AL., *BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROAD MAP* (2007); WILLIAM M. SULLIVAN, ANNE COLBY, JUDITH WELCH WEGNER, LLOYD BOND & LEE S. SHULMAN, *EDUCATING LAWYERS: PREPARATION FOR THE PRACTICE OF LAW* (2007); IDA O. ABBOTT, *DEVELOPING LEGAL TALENT: BEST PRACTICES IN PROFESSIONAL DEVELOPMENT FOR LAW FIRMS* (2001); Karen Steinberger, *Law Firm Mentoring: A Fresh Look at an Ancient Concept*, ASSOCIATION OF LEGAL ADMINISTRATORS, *ALA MANAGEMENT ENCYCLOPEDIA* (2007).

As a result of the discussion paper, the Utah Supreme Court, through Chief Justice Christine M. Durham, requested that the Bar Commission consider implementing a mentoring program to assist newly admitted lawyers during their first year of practice. The New Lawyer Training Committee (NLTC) was formed to study the

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concept, as well as mentoring programs in other states, and to develop a proposal for Utah. The NLTC and its subcommittees have met periodically for about 18 months to create the NLTP, the culmination of their work.

A few states or Bar organizations have adopted mentoring programs. The NLTP has reviewed most of the new lawyer mentoring programs in the United States. Georgia started developing a mentoring program over ten years ago and now has one of the leading and most respected programs in the nation. Members of the NLTC and key Bar staff met with the director of the Georgia program to obtain an understanding of the details and administration of their mentoring program. Members of the NLTC also attended the First National Conference on Mentoring at the Center on Professionalism at the University of South Carolina School of Law. This conference derived from a request by the Conference of Chief Judges of the United States.

The NLTC also studied Delaware's Preceptorship Program, which requires at least five months of training in the practice before licensing is allowed. The NLTC opted against a licensure requirement of this type, instead recommending mentoring during the first year of practice as a requirement for maintaining licensure.

The NLTP was presented to and adopted by the Bar Commission on July 16, 2008. The NLTP was formally approved by the Utah Supreme Court on December __, 2008.

If the NLTP is effectively administered and implemented by the Bar, mentors, new lawyers, and their workplaces, the impact on current law practice will be dramatic.

Mentoring not only includes training a new lawyer in the art of practicing law but also provides an opportunity for support, friendship, and sharing confidences. It is a place to vent problems and concerns without fear of recrimination. And it is an opportunity to explore life and family balance. It is the vehicle by which the enjoyment of law practice can be enhanced and the retention of good lawyers in the profession increased.

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THE BENEFITS OF EFFECTIVE MENTORING

- Increases productivity for the individual and the organization
- Improves client relations and client attraction
- Reduces the likelihood of new lawyers leaving the organization
- Boosts morale
- Assists in attracting better talent to the organization
- Enhances work and career satisfaction
- Clarifies professional identity
- Increases advancement rates
- Promotes greater recognition and visibility
- Encourages career opportunities within the organization

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ADVICE TO NEW LAWYERS AND MENTORS

To the New Lawyers:

During your first year of practice, you will complete the NLTP with the help of a mentor. Building an effective mentoring relationship will require hard work. There is no perfect mentor. Be patient and understand that there will be times when your mentor may need to reschedule an appointment. Respect the time the program requires of the mentor. Use your mentor not only as an advisor in the law, but as a friend and someone with whom you can share a confidence. Check your ego at the door. Welcome feedback from your mentor and others with whom you may be working.

We encourage you to build multiple mentoring relationships. Effective developmental networks include peers, other lawyers (inside or outside of your workplace), judges, family, friends, and former professors.

Remember the fundamentals you have already mastered and the need to understand the details in any transaction or litigation experience. This is a constant. You started building your reputation as a lawyer the day you walked into your place of employment.

To the Mentors:

Congratulations on your approval by the Utah Supreme Court to serve as a mentor for this coming year. Thank you for accepting the challenge to train a new lawyer and for your willingness to be a friend and share your experience and talent. A mentor is a wise and loyal advisor; a teacher or coach. A mentor is also an experienced and trusted counselor. Being a mentor is hard work. A good relationship cannot be built in ten-minute segments. There is no substitute for spending the time needed to build a long-lasting and meaningful mentoring relationship. Create a safe context for growth. Keep confidences, build trust, and teach the art and practical aspects of thinking like a lawyer. Be sensitive to work/family issues. Treat the relationship as an opportunity for mutual learning. Provide constructive feedback. Remember to be respectful and responsive, even when new lawyers ask what may seem like dumb questions.

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MENTORING TRAINING AND RESOURCES COMMITTEE (MTRC)

The Bar Commission, under the direction of the Utah Supreme Court, has established the MTRC. Meetings will be held throughout the year to train and assist mentors. In addition, the committee will make valuable resources available to firms, agencies, and other organizations for building an effective mentoring program.

NEED FOR STRONG INSTITUTIONAL SUPPORT

With adequate institutional support, this program can exceed our expectations. The Supreme Court and Bar are so supportive of mentoring that the NLTP is a mandatory program. It is now the opportunity of firms, agencies, and employers to fold mentoring into their plans and administration. We suggest that each organization appoint an attorney to implement and monitor a mentoring program. Members of the MTRC are available to share resources and meet with you to assist in developing an effective mentoring plan.

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COMPLIANCE NOTICE, PROGRAM GUIDELINES, AND FREQUENTLY ASKED QUESTIONS AND ANSWERS

COMPLIANCE NOTICE FOR NEW LAWYERS

Congratulations on your admission to practice law in Utah (or if applicable, completion of your judicial clerkship or your change from “Inactive” to “Active” status). Compliance with the New Lawyer Training Program (“NLTP”) requires successful completion of a mentoring plan.

Mentoring Program You must: (1) have a mentor for a twelve (12) month period (mentoring periods occur from January 1st–December 31st; or from July 1st–June 30th); and, (2) satisfactorily complete, during your mentoring period, a written mentoring plan of activities and experiences which has been approved by both your mentor and by the Program Administrator. To assist you in complying with the mentoring component, this manual contains a Compliance Checklist in the Appendix of Forms.

Three (3) Month Compliance Deadline: COMPLIANCE IS MANDATORY. You must complete all enrollment requirements within three (3) months from the date of your registration with the Utah State Bar (or if applicable, the completion of your judicial clerkship or the effective date of your change from “Inactive” to “Active” status).

What You Should Do Now: Complete and submit the Compliance Checklist (*see* Appendix of Forms) with all applicable documents. This manual contains forms, checklists, and answers to frequently asked questions to assist you in completing the enrollment process.

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GENERAL REQUIREMENTS

Who is required to participate in the NLTP?

Lawyers newly admitted to the Utah State Bar with an active license are required to complete the program in their first year of practice in Utah. The requirement for judicial law clerks is deferred until completion of the clerkship.

Who is not required to participate in the NLTP?

- A. Attorneys with active Utah licenses who do not reside in Utah are not required to participate in the NLTP. Instead, these attorneys must comply with the applicable CLE requirements of their resident state. *See* R. 14-4-404(a).
- B. Attorneys who were admitted to practice in Utah on motion and have been actively engaged in the practice of law for at least two years immediately prior to admission in Utah.
- C. Attorneys who were admitted to practice in Utah after being actively engaged in the practice of law for at least two years in another state prior to admission to practice law in Utah.
- D. Judicial clerks' participation in the NLTP is deferred during their clerkships.
- E. New lawyers with active Utah licenses who are either unemployed or not engaged in the practice of law may petition the NLTP Office for a deferral or exemption from compliance with the NLTP.

How does a new lawyer enroll in the program?

Enrollment forms are available on the Utah State Bar web site at www.utahbar.org/NLTP.

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Who pays for the program?

For the entire New Lawyer Training Program, each new lawyer will pay \$300.00 (\$150 on enrollment and \$150 on completion). This fee is about the same that was required for first year NLCLE credit.

What are the new lawyer's responsibilities?

The new lawyer's responsibilities include satisfactorily completing the NLTP by:

- A. devoting the time required for this mandatory program;
- B. making themselves available to the mentor's guidance;
- C. devising jointly with the mentor a mentoring plan; and
- D. satisfactorily completing the mentoring plan.

Before the mentor approves the plan, the new lawyer and mentor should sit down together and review it. While there is great flexibility in designing a particular plan, certain components of the Model Plan are required (see Model Plan). Further, care should be taken so that the selected plan fosters discussion and implementation of professional skills and values.

After the plan is approved, it should be signed by the new lawyer and the mentor and submitted to the NLTP Office by the new lawyer. If the new lawyer's office or firm is operating a mentoring plan under an agreement with the Bar, the plan may be submitted to the appropriate inside contact. New lawyers are responsible for completing the mentoring plan and certifying completion with the mentor before submitting completion documentation to the NLTP Office.

How long does the program last?

The program lasts twelve (12) months.

How often are the new lawyer and the mentor expected to meet?

The new lawyer and the mentor should meet at least two hours each month. Although the program only lasts twelve months, the mentoring relationship may last beyond the required timeframe.



What kind of mentoring relationships are there?

There are three types of mentoring relationships:

- A. *Inside Mentoring.* A mentor from within the new lawyer's own office is preferred. The mentor and new lawyer work together to fulfill the mentoring plan in connection with actual assignments handled in the office. Generally, the mentor should be someone other than the supervising attorney responsible for the new lawyer's normal assignments in the office; this will help facilitate confidentiality. The mentor and the supervising attorney should work together, as is appropriate, to coordinate projects completed as part of the plan.
- B. *Outside Mentoring.* A mentor who is not in the same office as the new lawyer (e.g., from small firms or solo practice) will aim to provide mentoring experiences as would be available for a new lawyer within the mentor's office. The mentor participates in as many of the assignments with the new lawyer as possible or gives approval to the new lawyer for work performed under the supervision of another qualified mentoring attorney ("mentor for the assigned activity"). Care should be taken to reduce problems associated with conflicts of interest, confidentiality, and liability limitations. For example, the mentor will not be responsible for work performed for the new lawyer's client unless the mentor has a written agreement with the new lawyer's client.
- C. *Mentoring Circle Alternative.* If deemed necessary, the Administrator will establish mentoring circles. Mentoring circles may be an alternative available to lawyers newly admitted to the Utah State Bar who are not actively representing clients or engaged in the practice of law. Other unforeseen circumstances may also require the Administrator to establish mentoring circles. A mentoring circle consists of four or five new lawyers and two or three mentors. The circle agrees to meet regularly (preferably two hours each month). Any meeting of the circle must include at least two new lawyers and one mentor. Mentors and new lawyers may work together in different combinations to complete the requirements of the new lawyers' mentoring plans.

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Can new lawyers nominate the person they wish to have appointed as their mentor?

Assignment of mentors from within a firm, office, or practice group will be based on the employer's recommendation with input from the new lawyer. The assignment of an outside mentor will be based on the new lawyer's nomination unless the new lawyer requests the NLTP to make the appointment. Mentors will be approved by the NLTP and appointed by the Supreme Court. Mentors must meet the stated qualifications for appointment as a mentor and agree to comply with all program requirements. The goal is to match the new lawyer with a mentor within the new lawyer's own law office if possible.

RELATIONSHIP TO CONTINUING LEGAL EDUCATION (CLE)

How does the NLTP relate to required CLE?

New lawyers must successfully complete the NLTP in order to renew their Bar license. CLE compliance is on a two-year cycle. The second year of the compliance cycle will be fulfilled by attending CLEs.

Are there any required CLEs during the NLTP?

Yes. The NLTP Seminar is required during the NLTP period. Contact the Utah State Bar CLE Department at 801-297-7032 or check online at www.utahbar.org/cle and select Calendar.

CLE regulatory questions and compliance with CLE questions can be forwarded to: Utah Board of Continuing Legal Education at MCLE@utahbar.org.

MENTOR QUALIFICATIONS

What are the qualifications to serve as a mentor?

Qualifications for mentors include seven years of practice; no past or pending formal discipline proceeding of any type or nature by a court or a state bar; malpractice insurance in an amount of at least \$100,000/\$300,000 if in private practice; and approval by the Utah Supreme Court's Advisory Committee on Professionalism.

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Mentors are screened by the Utah Supreme Court's Advisory Committee on Professionalism. The names of prospective mentors satisfying minimum qualifications are forwarded to the Supreme Court of Utah for consideration.

Why are mentors required to have minimum levels of professional liability insurance, or the equivalent?

Serving as a mentor in the New Lawyer Training Program is not an ordinary volunteer opportunity—it is a Supreme Court appointment. Therefore, it is appropriate to view minimum levels of professional liability insurance coverage as one factor in assessing whether or not a potential mentor handles the business management of his or her law practice in a responsible manner.

What are the mentor's Responsibilities?

- A. To devote the time required to be an effective mentor;
- B. To guide and to teach the new lawyer practical skills, seasoned judgment, and sensitivity to ethical and professionalism values;
- C. To devise jointly with the new lawyer a mentoring plan;
- D. To monitor the new lawyer's plan progress; and
- E. To certify, at the end of 12 months, whether or not the plan was satisfactorily completed.

MENTOR ORIENTATION

Is the mentor orientation required?

Yes, the mentor orientation is required.

The mentor orientation is a two-hour program created by the Utah State Bar CLE Department and NLTP. The Seminar is offered at the Utah State Bar Law & Justice Center. The training course is complimentary to the mentor and is accredited for two hours of CLE in Professionalism and Civility. Mentors who have already attended the mentor orientation are not required to repeat the course if they serve as a mentor in subsequent years.

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Access dates, times, and locations of mentor orientation programs at www.utahbar.org/cle/calendar or by emailing cle@utahbar.org or by calling 801-297-7036.

What is included in the mentor orientation program?

The Mentor Training and Resources Committee will present information and materials developed by professionals that will assist mentors in their effectiveness and help to make the program a success.

MANAGING THE MENTORING RELATIONSHIP

At the beginning of the 12-month mentoring period, who should initiate contact?

It is the new lawyer's responsibility to initiate contact.

How much time is a mentor expected to spend with the new lawyer?

The mentor and new lawyer are expected to spend sufficient time to carry out the mutually agreed upon mentoring plan. Two hours each month are expected.

Are communications between the mentor and the new lawyer confidential?

The NLTP anticipates that all communication designated by the new lawyer as confidential shall be deemed confidential by the mentor.

How is the mentoring plan monitored?

The mentor and the new lawyer are both responsible for completing the plan and evaluating the mentoring relationship. The mentor has sole responsibility for certifying whether the new lawyer has satisfactorily completed the program. The plan is also monitored by the NLTP office through quarterly emails assessing the progress on plan completion.

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CERTIFYING COMPLETION OF THE PROGRAM

What does the new lawyer need to do to certify completion of the NLTP?

Use the Mentoring Completion Certification Form found in the Appendix of Forms in this manual.

What happens if the new lawyer does not complete the mentoring plan in the required time period?

Failure to complete the mentoring plan shall be reported to the NLTP office. The NLTP office will work with the new lawyer to assess options for completing the plan and whether license suspension is at risk. The program will have discretion in allowing extensions for NLTP completion.

LAW SCHOOL CREDITS

Can I get credit for activities accomplished during law school?

Yes. New lawyers are encouraged to take advantage of existing law school programs to fulfill assignments. Listed below are alternative opportunities available to the new lawyer which, if accomplished during law school, may allow the new lawyer to reduce the number of subjects required in the mentoring plan as a new lawyer:

- A. Law school externships for credit under the supervision of an attorney/judge;
- B. Law school clinical program courses under the supervision of an attorney/judge or law professor;
- C. Law school simulated skills courses under the supervision of an attorney/judge or law professor; and
- D. Law school pro bono (or low bono) program participation under the supervision of an attorney.

If the new lawyer participates in any of the above and fulfills an assignment while in law school, the new lawyer may apply to receive credit for that activity. The

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new lawyer should prepare a report to the mentor summarizing the assignment completed and describing what the new lawyer learned from the experience. The supervising attorney/judge or law professor for the assignment must sign the report certifying that the assignment was completed by the new lawyer.

Can I get credit for pro bono (or low bono) work I do with my mentor or with another qualified attorney?

Yes. Hands-on experience through pro bono (or low bono) activities is encouraged. Talk with your mentor about possibilities. Incorporate this into your plan.

CHANGING MENTORS

What happens if the new lawyer needs to change to a different mentor?

In the unlikely event that a new lawyer needs to change to a different mentor, the new lawyer shall notify the NLTP Office as soon as practicable. If the new lawyer is unable to notify the Office of the situation, the mentor shall notify the Office.

Neither the new lawyer nor the mentor is required to report the reason for a request to change. Completing the full year of mentoring in the original mentorship together is strongly preferred. Decisions regarding how and whether to reconstitute a mentoring plan because of the change in a new lawyer's status will be made by the NLTP Office, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and achievements during the original mentorship.

What happens if the mentor becomes unavailable to serve?

If the mentor becomes unavailable to serve, the mentor shall inform the NLTP Office as soon as practicable. If the mentor is unable to notify the Office of the situation, the new lawyer shall notify the Office.

If the situation arises in an inside mentoring relationship, and it can be resolved within the mentor's office, the NLTP Office shall only be notified of the change in assignment.

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If the situation arises in an outside mentoring relationship, the mentor shall notify the Office as soon as practicable. If the mentor is unable to notify the Office of the situation, the new lawyer shall notify the Office.

Completing the full year of mentoring in the original mentorship together is strongly preferred. The same rule of reason discussed above will be applied if a mentor becomes unavailable.

The NLTP Office has the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

What if problems arise in the mentoring relationship?

If problems arise within the context of an inside mentoring relationship, resolution of the issues is a matter to be determined by the firm's or office's policy if at all possible. Issues resolved within the firm or office need not be reported to the program.

For concerns about program requirements or procedures in general, a mentor or new lawyer should contact the NLTP Office.

Appeals from Bar decisions are made to the Utah Board of Continuing Legal Education.

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PAGE FOR NOTES:



MENTORING TIMELINE

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Who	What	Completed
New Lawyer	1. Receives “pass letter” and certificate of eligibility for admission to practice from Office of Bar Admissions.	
Supreme Court Justice	2. Administers oath of admission to practice law in Utah to new lawyer.	
Utah State Bar	3. Provides forms on the Utah State Bar website <i>www.utahbar.org</i>	
New Lawyer’s Employer	4. Designates mentor for new lawyer, with new lawyer’s input, for inside mentoring.	
New Lawyer	5. Nominates mentor (on NLTP form) for outside and inside mentoring. 6. Submits NLTP enrollment form to Utah State Bar.	
NLTP Administrator	7. Forwards Compliance Notice and Compliance checklist to new lawyer. 8. If new lawyer nominates mentor whose appointment status with Utah Supreme court is current, then skip to Timeline Item 16. 9. If new lawyer nominated mentor is not currently serving as appointed mentor by Utah Supreme Court, then proceed to Timeline Item 10.	
Mentor	10. Completes Mentor Volunteer Form (see Appendix of Forms). 11. Submits Volunteer Form to program.	
NLTP Administrator	12. Screens Volunteer for minimum qualifications. 13. Forwards volunteer’s name to Utah Supreme Court for appointment consideration.	
Utah Supreme Court	14. Considers qualifications and, if satisfactory, appoints mentor for one (1) year term.	
NLTP Administrator	15. Forwards Utah Supreme Court appointment certificate to mentor. 16. Confirms assignment of mentor to new lawyer.	
New Lawyer	17. Initiates contact with mentor to begin mentoring activities. (It is new lawyer’s responsibility to initiate contact and begin process.)	

NEW LAWYER TRAINING PROGRAM



Mentor & New Lawyer	18. Convene the initial meeting. Use the initial meeting guide in this Manual and the Compliance Checklist to set a timetable for devising a written mentoring plan and assembling all pertinent documents for submission to NLTP. (See Model Mentoring Plan at www.utahbar.org/nltp .)	
New Lawyer	19. Submits Compliance Checklist and all pertinent documents to NLTP within 90 days of item 1.	
NLTP Administrator	20. Acknowledges receipt of materials; certifies whether or not mentoring plan meets minimum guidelines.	
New Lawyer	21. Attends Introduction to the Practice of Law Seminar.	
Mentor	22. Attends mentor orientation CLE program.	
Mentor & New Lawyer	23. Monitor mentoring plan progress. (Both have joint responsibilities to monitor the mentoring plan progress throughout the 12-month period.)	
NLTP Administrator	24. Monitors mentoring plan progress. (NLTP may contact either or both mentor/new lawyer to monitor mentoring plan status.)	
Mentor	25. Certifies status of completion of mentoring component. (Mentor has sole responsibility to certify to NLTP whether or not new lawyer satisfactorily completes mentoring plan. <i>See Appendix of Forms for Certification Form</i>).	
NLTP Administrator	26. Reports to MCLE satisfaction of NLTP and the NLTP seminar. 27. Provides Certificate of Program Compliance for new lawyers who complete the mentoring program.	
New Lawyer	28. Exits New Lawyer Training Program and is subject to Utah Board of Continuing Legal Education rules and regulations governing remaining CLE requirements. 29. Considers serving as mentor upon attaining 7-year anniversary of admission to practice law in Utah.	



INITIAL MEETING GUIDE

for use during
the initial meeting between
the Mentor and New Lawyer

NEW LAWYER TRAINING PROGRAM



INITIAL MEETING GUIDE

WHAT	MENTOR	NEW LAWYER
Come prepared	Learn what you can about your new lawyer prior to your initial meeting.	Learn what you can about your mentor prior to your initial meeting.
Tell mentor's career story	Tell mentor's career story. Tell a brief career story, including a description of your mentors and their lessons. If you lacked mentors, describe how it impacted your career.	Listen. Ask questions.
Discuss new lawyer's needs	Discuss. Listen. Ask questions.	Explain your career goals, including practice areas of interest to you.
Review enrollment process and compliance deadlines	Explain—clearly—the enrollment process and the compliance deadlines.	Acknowledge your understanding of the enrollment process and compliance deadlines.
Review the Compliance Checklist (in Appendix of Forms).	Determine whether you have submitted a Mentor Volunteer Form and are currently serving as an appointed mentor. If you are not currently serving under a term of appointment, be prepared to execute a Mentor Volunteer Form and give it to your new lawyer for submission along with other pertinent documents.	Review the Compliance Checklist in advance. Be ready to prepare and assemble the pertinent documents.
Determine if your firm or organization has a Master mentoring plan on file. (See next item below if no Master mentoring plan is in place.)	Confirm that the existence of a master mentoring plan for your organization removes the need for your new lawyer and mentor to individually prepare and submit a written plan. (See next item below if no Master mentoring plan is in place.)	Complete the applicable item of the Compliance Checklist accordingly. (See next item below if no master mentoring plan is in place.)

NEW LAWYER TRAINING PROGRAM



Review the Model Mentoring Plan at www.utahbar.org/nltp .	Explain that the model plan is a guide. It can be, and should be, adjusted for new lawyer's specific practice areas.	Review the model plan in advance. Be ready to discuss an individualized plan.
Set timetable for submitting Compliance Checklist and applicable items.	Set date (considering compliance deadline) for finalizing all items on Compliance Checklist and submitting all pertinent enrollment materials to the Program Administrator.	Assume responsibility for preparing, assembling, and submitting enrollment materials.
Agree on meeting times and who will set them.	Inform the new lawyer of your schedule, generally, including convenient vs. inconvenient times to call, etc.	Agree to organize your time so as to make efficient use of the mentoring meetings. Be considerate of mentor's work schedule.
Agree to be candid about any problems.	Explain that you will inform new lawyer if a problem arises in the mentoring relationship, or if a desired result is not being obtained.	Explain that you will inform mentor if a problem arises in the mentoring relationship, or if a desired result is not being obtained.
	Areas Below Left Blank For Additional Notes:	



Appendix of Forms

New Lawyer Forms

NLTP Enrollment Form
Compliance Checklist
Quarterly Report
Mentoring Completion Certification
Migration Form
Survey

Exemption Forms

NLTP Exemption Affidavit
Written Notice of Completion of Judicial Law Clerkship

Mentor Forms

Mentor Volunteer Form
Survey

NEW LAWYER TRAINING PROGRAM



NEW LAWYER TRAINING PROGRAM ENROLLMENT FORM

Utah Bar Number: _____ (State Bar Office use)

ATTENTION: (ONLY active instate residents who took the 2-day exam must complete this form)

COMPLETE AND RETURN FORM TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

Please check only one box below

____ **JUDICIAL LAW CLERK :**

Rule ____ provides that NLTP compliance is deferred until the completion of your Clerkship. Written confirmation of NLTP deferral and further information will be furnished upon receipt of this form.

____ **EMPLOYED IN LAW FIRM OR LEGAL ORGANIZATION:**

Your mentor should be nominated through consultation with your employer.
Print or type your mentor's name and Utah Bar Number:

Mentor's Name and Bar Number

If your employer has not identified your mentor yet, please check this box _____

____ **SOLE PRACTITIONER OR SMALL OFFICE PRACTICE:**

You have the opportunity to nominate your mentor. Print or type your mentor's name and Utah Bar Number:

Mentor's Name and Bar Number

If you need help locating a mentor, (1) please check this box _____; and (2) list the practice areas you intend to pursue:

NOTE: THIS IS PAGE ONE (1) OF A TWO (2) PAGE FORM

NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE TWO (2) OF A TWO (2) PAGE FORM

OTHER:

I am either unemployed, or I am not employed with a law firm or legal organization. I will contact the NLTP Administrator to determine whether I will participate in a mentoring circle for my NLTP compliance.

(THIS FORM DOES NOT REQUIRE A NOTARY).

I hereby certify that the above information is correct and complete.

YOUR SIGNATURE AND DATE

PRINT YOUR NAME (REQUIRED)

NOTE: Your original signature is required. This information cannot be submitted electronically or via facsimile transmission.

NEW LAWYER TRAINING PROGRAM



COMPLIANCE CHECKLIST
NEW LAWYER MUST
COMPLETE AND RETURN THIS CHECKLIST TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

Initial

1 – NEW LAWYER INFORMATION (Initial and complete “A” and “B”)

- _____ A. MY NAME IS: (Print or Type) _____
_____ B. MY UTAH BAR NUMBER IS: _____

2 – THREE (3) MONTH COMPLIANCE DEADLINE (Initial “A”)

- _____ A. I understand **COMPLIANCE IS MANDATORY**. I must complete all enrollment requirements within three (3) months from the date of my registration with the Utah State Bar (or if applicable, the completion of my judicial clerkship or the effective date of my change from “Inactive” to “Active” status).

3 – MENTOR NOMINATION (Initial “A” and “B” and complete)

- _____ A. MY MENTOR’S NAME IS: (Print or Type) _____
_____ B. MY MENTOR’S UTAH BAR NUMBER IS: _____

4 – MENTOR VOLUNTEER FORM (Initial “A” or “B” and attach document, as applicable)

- _____ A. MY MENTOR HAS ALREADY SUBMITTED A MENTOR VOLUNTEER FORM (You do not have to attach a copy of the volunteer form)

—OR—

- _____ B. MY MENTOR’S ORIGINAL VOLUNTEER FORM IS ATTACHED (Attach the original notarized form, not a copy. The form may be found at:
www.utahbar.org/nltp.)

NOTE: THIS IS PAGE ONE (1) OF A TWO (2) PAGE CHECKLIST

NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE TWO (2) OF A TWO (2) PAGE CHECKLIST

Initial

5 – MENTORING PLAN (Initial “A” and “B” and attach document)

_____ A. MY MENTORING PLAN, APPROVED BY MY MENTOR, IS ATTACHED
(Attach copy of plan—for a sample, view the Model Mentoring Plan at:
www.utahbar.org/nltp).

_____ B. MY MENTOR AND I HAVE BOTH SIGNED THE ATTACHED MENTORING
PLAN (Your signatures evidence your mutual pledges to satisfactorily complete
the plan).

6 – CERTIFICATION (Must be signed—NOTARY IS NOT REQUIRED)

I HEREBY CERTIFY that the above information is correct and complete,

Sign and Date:

Your original signature is required; this form cannot be submitted electronically or via fax.

Do not submit this checklist until you have completed all items and attached all pertinent documents. Incomplete or incorrect submissions will be returned.



Quarterly Report

UTAH STATE BAR

I, _____ hereby inform the NLTP Administrator that I have been meeting with my mentor at least two hours per month and that I am making good progress toward completing the requirements of my plan. By signing this form, my mentor and I certify that I have completed the following elective and required activities:

(Insert list of Required Sections 1–6 and Elective Sections A–Q you have completed.)

(THIS FORM DOES NOT REQUIRE A NOTARY).

I hereby certify that the above information is correct and complete.

YOUR SIGNATURE AND DATE

PRINT YOUR NAME (REQUIRED)

NEW LAWYER TRAINING PROGRAM



MENTORING COMPLETION CERTIFICATION*

RETURN ORIGINAL (DO NOT FAX) TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, Utah 84111

I hereby certify that

(Print/Type name and Bar Number of New Lawyer)

_____satisfactorily completed a Mentoring Plan of Activities and
(has or has not)

Experiences approved by the New Lawyer Training Program within twelve (12)
months as required.

This ____ day of _____, 20____.

Mentor's Name (Please print)

Mentor's Signature (Notary not required)

At the end of twelve (12) months from the start of the mentoring period, the mentor is expected to sign this certification evidencing whether the new lawyer satisfactorily completed the mentoring plan to which they committed.

*** All Lawyers must comply with Continuing Legal Education requirements set out in Utah Board of Continuing Legal Education Rules. This document pertains only to the NLTP component of the CLE.**

NOTE: Your original signature is required. This information cannot be submitted electronically or via facsimile transmission.

NEW LAWYER TRAINING PROGRAM



MIGRATION FORM

NEW LAWYER MUST
COMPLETE AND RETURN THIS FORM TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

1 – NEW LAWYER INFORMATION (Initial and complete “A,” “B” and “C.”)

_____ A. MY NAME IS: (Print) _____

_____ B. MY UTAH BAR NUMBER IS: _____

_____ C. MY EMAIL ADDRESS IS: _____

(Note: Receipt confirmation of this form will be provided via email at the address you provide above).

2 – PREVIOUS MENTOR INFORMATION (Initial and complete “A” and “B.”)

_____ A. MY PREVIOUS MENTOR’S NAME IS: (Print) _____

_____ B. MY PREVIOUS MENTOR’S UTAH BAR NUMBER IS: _____

3 – NEW MENTOR NOMINEE INFORMATION (Initial and complete “A” and “B.”)

_____ A. I WISH TO NOMINATE THE FOLLOWING INDIVIDUAL TO SERVE AS MY
NEW MENTOR: (Print or Type NEW MENTOR NOMINEE’S NAME)

_____ B. MY NEW MENTOR NOMINEES UTAH BAR NUMBER IS:

NOTE: THIS IS PAGE ONE (1) OF A TWO (2) PAGE FORM

NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE TWO (2) OF A TWO (2) PAGE FORM

4 – MENTOR VOLUNTEER FORM (Initial “A” or “B” and attach document, as applicable)

_____ A. MY NEW MENTOR NOMINEE HAS ALREADY SUBMITTED A VOLUNTEER FORM (You do not have to attach a copy of the volunteer form)

—OR—

_____ B. MY NEW MENTOR NOMINEE’S ORIGINAL VOLUNTEER FORM IS ATTACHED (Attach the original notarized form, not a copy. The form may be found at: www.utahbar.org/nltp)

5 – CERTIFICATION BY NEW LAWYER (Must be signed – NOTARY IS NOT REQUIRED)

I HEREBY CERTIFY that the above information is correct and complete and I hereby request reassignment from my previous mentor (or circle mentoring) to my new mentor nominee. I understand that the NLTP must approve this request. I certify that I will disclose to my new mentor nominee the status of my progress in completing NLTP’s mentoring component requirements, including but not limited to, providing my new mentor nominee a copy of my written mentoring plan or such other documents as may be required.

Sign and Date: _____

Address Information can be changed at:
https://utahbar.org/forms/member_address_change.html.

Do not submit this form until you have completed all items and attached all pertinent documents. Incomplete or incorrect submissions will be returned.

NOTE: Your original signature is required. This information cannot be submitted electronically or via facsimile transmission.

NEW LAWYER TRAINING PROGRAM



COMPLETE AND RETURN FORM TO:
Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

NEW LAWYER TRAINING PROGRAM (NLTP) EXEMPTION AFFIDAVIT

STATE OF _____

COUNTY OF _____

Personally appeared before me, an officer duly authorized to administer oaths,

Name

Address

Utah Attorney Bar No. (State Bar Use)

the undersigned, who after being duly sworn, deposes and states as follows:

EXEMPTIONS Pursuant to Rule _____

Check all that apply below

ADMITTED ON MOTION:

I was admitted to the state(s) of _____ on the following date(s):

_____. I have been actively engaged in the practice of law for two or more years immediately prior to my admission on motion to practice law in the State of Utah.

1-DAY EXAMINATION:

I was admitted to practice in the State of Utah on (Date) _____ in

_____ Court. I was admitted to the State(s) of

_____, on the following date(s): _____. I have been actively engaged in the practice of law for two or more years in another state prior to my admission to practice law in the State of Utah.

NON-RESIDENT:

I am not a Utah resident. I will comply with the applicable CLE requirements of my resident state.

NOTE: THIS IS PAGE ONE (1) OF A TWO (2) PAGE FORM
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NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE TWO (2) OF A TWO (2) PAGE FORM

I am over eighteen years of age, under no legal disabilities, competent to give this affidavit, and have personal knowledge of the facts contained herein.

Print Your Name (Required)

Your Signature (Required)

Signed, sealed and subscribed before the undersigned this
_____ day of _____, _____.

Notary Public

NOTE: Original signatures are required. This information cannot be submitted electronically or via facsimile Transmission.
If you have questions about the NLTP, please call this number 801.297.7033 or email us at NLTP@utahbar.org.

NEW LAWYER TRAINING PROGRAM



WRITTEN NOTICE OF COMPLETION OF JUDICIAL LAW CLERKSHIP

RETURN TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

Pursuant to State Bar Rule _____

Full Name: _____

Utah Bar Number: _____

E-mail Address: _____

Date of Birth: _____

MY CLERKSHIP HAS ENDED/WILL END ON (insert date) _____

AND MY JOB STATUS IS AS FOLLOWS (check only one item below):

[] **EMPLOYED IN LAW FIRM OR LEGAL ORGANIZATION:**

I am employed in a law firm or legal organization. I understand that my mentor should be nominated in consultation with my employer.

My mentor's name and Utah Bar Number are: _____

NOTE: If your employer has not identified your mentor yet, please initial here: _____

[] **SOLE PRACTITIONER (OR SMALL OFFICE):**

I am employed as a Sole Practitioner or am practicing with a small office. I understand that I have the opportunity to nominate my mentor.

NOTE: THIS IS PAGE ONE (1) OF A TWO (2) PAGE FORM

NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE TWO (2) OF A TWO (2) PAGE FORM

My mentor's name and Utah Bar Number are: _____

NOTE: If you need help locating a mentor, initial here: _____; and list the practice areas you intend to pursue:

OTHER:

I am either unemployed, or I am not employed with a law firm or legal organization. I will contact the NLTP Administrator to determine whether I will participate in a mentoring circle for my NLTP compliance.

EXEMPT AS NON-RESIDENT (Rule _____):

I am not a Utah resident and request an exemption from NLTP compliance. I will comply with the applicable CLE requirements of my resident state.

I hereby certify that the above information is correct and complete. (Must be signed – notary is not required.)

Your Signature

NOTE: Your original signature is required. This information cannot be submitted electronically or via facsimile transmission.

NEW LAWYER TRAINING PROGRAM



RETURN ORIGINAL (DO NOT FAX OR EMAIL) TO:

Utah State Bar
New Lawyer Training Program
645 South 200 East
Salt Lake City, UT 84111

MENTOR VOLUNTEER FORM

• **SECTION 1 – NAME, PHONE NUMBER & UTAH BAR NUMBER** (Please complete)

Your Name: _____

Phone Number: _____ **YOUR UTAH BAR NUMBER:** _____

• **SECTION 2 – EMAIL** (We will email confirmation of our receipt of this form to the address you provide below)

Your Email: _____

• **SECTION 3 – MENTOR TYPE** (Please check the blank for Inside or Outside. If Outside, list practice areas)

_____ **INSIDE MENTOR.** I am willing to mentor a new lawyer in my firm or organization.

_____ **OUTSIDE MENTOR.** I am willing to mentor a new lawyer who is a sole practitioner or practicing with a small office. I prefer to mentor a new lawyer in the following practice areas: (list practice areas) _____

NEW LAWYER (Please complete if you have identified a new lawyer to mentor)

I will mentor the following

New Lawyer (insert name): _____

New Lawyer's Utah Bar Number: _____

• **SECTION 4 – CERTIFICATION, AUTHORIZATION AND RELEASE** (Must be signed and notarized)

STATE OF UTAH
COUNTY OF _____

I, the undersigned attorney, do hereby volunteer for appointment as mentor in the New Lawyer Training Program.

A. Minimum Qualifications Certification. I DO HEREBY CERTIFY that I meet all of the Minimum Qualifications set out below to be eligible for appointment:

(i) **Active Status.** I am an active member of the Utah State Bar, in good standing; and,

(ii) **7 Years of Practice.** I have been admitted to practice law for not less than seven (7) years; and,

(iii) **Professional Reputation.** I maintain a professional reputation in my local legal community for competence, ethical and professional conduct; and,

NOTE: THIS IS PAGE ONE (1) OF A THREE (3) PAGE FORM



NOTE: THIS IS PAGE TWO (2) OF A THREE (3) PAGE FORM

(iv) Disciplinary Action. I have never received the sanction of disbarment or suspension from the practice of law in any jurisdiction, nor have I voluntarily surrendered my license to practice law for the purpose of disposing with a pending disciplinary proceeding in any jurisdiction. During the ten (10) years preceding the nomination as mentor, I have not been otherwise sanctioned by the pertinent entity governing the admission and practice of law in any jurisdiction. I understand that “sanctioned” means subjected to disciplinary action. (Thus, in Utah, “sanctioned” currently means any of the levels of discipline whether public or confidential listed in State Bar of Utah Rule 4-102(b) (i.e., Disbarment; Suspension; Public Reprimand; Review Panel Reprimand; Investigative Panel Reprimand; Formal Admonition); Rule 8-107 (C) (i.e., Administrative Suspension for deficiency in continuing legal education hours); or State Bar Bylaws Article I, Section 4, Item 2 (i.e., Failure to Register with State Bar of Utah within one year upon eligibility)). I understand that nominations of individuals having formal complaint(s) pending before the Supreme Court of Utah will be deferred until the final disposition of the formal complaint(s); and,

(v) Court-ordered Disciplinary Action. During the ten (10) years preceding the nomination as mentor, I have not been the subject of a written order issued by a court of competent jurisdiction that prohibits or otherwise limits my practice before that court or class of courts. I understand that a directive, request or order by a judge of a court requesting or directing that an attorney employed by an agency of government or a legal aid organization who is assigned to handle cases before that judge be transferred or reassigned to other duties or another courtroom does not constitute court-ordered disciplinary action under this paragraph. (NOTE: A prospective mentor who is or has within the preceding ten (10) years been the subject of such a written order may petition the Commission on Continuing Lawyer Competency (the “Commission”) for a waiver of this requirement. After review of the facts and circumstances which led to the entry of such order, the Commission may, upon good cause shown, grant such waiver if the prospective mentor is otherwise qualified to be a mentor); and

(vi) Professional Liability Insurance or Equivalent. I am currently, and while serving as mentor will remain, covered as an insured under a professional liability insurance policy with minimum limits of \$100,000.00/\$300,000.00, or, if applicable, the equivalent to such coverage through the legal status of my employer. I am aware that neither the State Bar of Utah nor the Commission on Continuing Lawyer Competency provides professional liability insurance to mentors in this program. I assume sole responsibility for disclosing my participation in this program to my professional liability insurance carrier (or, if applicable, to my employer whose legal status provides the equivalent to such coverage).

B. Authorization, Confidentiality, and Release Regarding Relevant Information.

(i) I DO HEREBY AUTHORIZE the State Bar of Utah Office of General Counsel and any person providing information to the program to: answer any inquiries, questions or interrogatories concerning me submitted to them by the program or its authorized representatives; disclose complete information in any of their files; and permit the program’s authorized representatives to inspect and make copies of any complaints (including but not limited to complaints dismissed or expunged) made against me at any time whatsoever and any other records and information about or related to me. I UNDERSTAND AND AGREE that all information obtained or received in connection with my selection for and participation in the program will be kept confidential from all other persons, firms, or corporations, including myself. I HEREBY RELEASE and exonerate the State Bar of Utah New Lawyer Training Program, the State Bar of Utah Office of General Counsel and every other person, firm, officer, corporation, association, organization or institution who provided, received, or used any information as part of my selection for and participation in the program from any and all liability, claims, or damages of every nature and kind growing out of or in any way pertaining to providing, receiving, or using information about me in connection with selection for and participation in the program.

(ii) I FURTHER release the Utah State Bar from any claims, causes of actions or damages of any kind or nature that may arise directly or indirectly from my participation as a mentor in the Utah State Bar New Lawyer Training Program

C. Continuing Duty of Disclosure. I understand that the certifications I have made on this form are continuing and must correctly and fully show information sought herein as of the date of my appointment as a mentor. I agree to notify the program within ten (10) days, in writing at the return address on this form, as to any change to the information contained herein and/or of any incident that may have any bearing upon my ability to meet the Minimum Qualifications.

NEW LAWYER TRAINING PROGRAM



NOTE: THIS IS PAGE THREE (3) OF A THREE (3) PAGE FORM

D. Certification of Date of Birth, Bar Number, Name. I DO HEREBY CERTIFY that my Date of Birth is _____ and my State Bar Number is _____. I understand this information is required in order to verify State Bar membership records. If appointed I wish for my name to appear on the MENTOR APPOINTMENT CERTIFICATE as follows (**PLEASE TYPE OR PRINT**):

IN WITNESS WHEREOF I have set my hand and seal this _____ day of _____, _____

SIGNED: _____

Subscribed before me this _____ day of _____, _____

Notary Public (SEAL)

NEW LAWYER TRAINING PROGRAM



Utah State Bar New Lawyer Training Program

SURVEY

FOR BEGINNING LAWYERS WHO COMPLETED
THE NEW LAWYER TRAINING PROGRAM
ON OR BEFORE DECEMBER 31, 200_ (ALTERNATIVELY JUNE 30, 200___),
AND THEIR MENTORS

The purpose of this survey is to collect data from (1) new lawyers who were admitted to practice law in Utah during 200_, and enrolled in the New Lawyer Training Program with a compliance deadline of December 31, 200_ (alternatively June 30, 200___); and, (2) all mentors who served during January 1, 200_ – December 31, 200___ (alternatively July ___, 200___ - June 30, 200___). Please answer the following questions. All responses must be received on or before Friday, January 18, 200_ (alternatively Friday, July ___, 200_).

GOAL OF THE NEW LAWYER TRAINING PROGRAM: To afford every new lawyer newly admitted to the Utah State Bar with meaningful access to an experienced lawyer equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values necessary to practice law in a highly competent manner:

1. In your experience as a mentor or as a new lawyer, has the New Lawyer Training Program substantially accomplished the above goal?

___ YES ___ NO

2. Would you recommend that the mentoring component of the New Lawyer Training Program be continued for future new lawyers?

___ YES ___ NO

3. Were you a: ___ New Lawyer or a ___ Mentor?

4. What type of mentoring did you participate in? (If more than one, check all which apply):

___ CIRCLE MENTORING

___ OUTSIDE MENTORING (Solo Practice OR Small Office Practice, i.e. outside mentor did not work in same firm or organization with new lawyer)

___ INSIDE MENTORING (i.e. inside mentor and new lawyer worked in same firm or organization)

Inside Mentoring - check applicable blank: ___ Government ___ Private Firm ___ Other

Inside Mentoring - complete: Number of lawyers in your office? _____ (estimate if necessary)

5. Attach any comments you may have about the New Lawyer Training Program Mentoring Component:

6. Your name (optional) _____

END OF SURVEY – THANK YOU FOR YOUR PARTICIPATION – RETURN THIS SURVEY BY: _____ [to be filled in].

Fax: Fax survey to 801.531.0660; or,
Email: Scan this survey as .pdf file and email it to NLTP@utahbar.org; or,
First Class Mail: Mail to: NLTP, Utah State Bar, 645 S. 200 E., Salt Lake City, UT 84111
All responses must be received on or before _____

NEW LAWYER TRAINING PROGRAM



CONTACT INFORMATION NLTP Administrator and Staff

(insert phone numbers)



Utah State Bar

New Lawyer Training Program

MODEL MENTORING PLAN

NEW LAWYER TRAINING PROGRAM



Utah State Bar New Lawyer Training Program Model Mentoring Plan

The Model Mentoring Plan is intended as a guide. All participants must engage in activities and experiences noted as required in Required Sections 1 through 6 in the model plan. The mentor and new lawyer should also select several activities and experiences from at least five of the Elective Sections A through Q. The model plan may also be individualized to fit the practice setting of the new lawyer.

Once the proposed plan is completed and executed, it must be submitted by the new lawyer to the New Lawyer Training Program Office. Both the new lawyer and the mentor should retain a copy of the plan for reference.

If the mentor does not practice in all the areas selected and agreed upon by the mentor and the new lawyer, the mentor may choose to call on another experienced lawyer who practices in the specific area to assist in mentoring the new lawyer in that area. Multiple mentors are encouraged and may be appropriate in some circumstances. In such a situation, the program allows for shared credit between supervising mentors.

REQUIRED ACTIVITIES AND EXPERIENCES

All plans must include activities marked as “Required” in sections 1 through 6 below. Additionally, you are encouraged to complete as many of these activities as feasible while adjusting the plan to a particular practice setting and individual needs.

Required Section 1. Introduction to the Legal Community.

Activity	Initial Each Selected Item
The new lawyer should contact the mentor as soon as practicable after receipt of the mentoring match and arrange to meet at the mentor’s office to get acquainted and discuss an appropriate mentoring plan.	Required.
During the initial meeting, or shortly after the initial meeting, the mentor should introduce the new lawyer to other lawyers and staff members at the mentor’s office or ascertain that such introductions have already occurred. (Not necessary for an outside mentor.)	Required.
Invite the new lawyer to attend a meeting of the local bar association (CLE, event, pro bono, social) and discuss advantages of involvement with local, state and/or national bar or professional associations.	Required.

NEW LAWYER TRAINING PROGRAM



Required Section 1. cont.	
Introduce, as feasible, the new lawyer to other lawyers in the community through attendance at local bar association meetings or otherwise.	Optional.
Escort the new lawyer on a tour of the local courthouse(s) and, to the extent practicable, introduce him or her to members of the judiciary, court personnel, and clerks of court.	Optional.
Acquaint the new lawyer with And Justice For All, including Legal Aid, Utah Legal Services, Disability Law Center, and opportunities for lawyers in private practice to engage in pro bono activities or have the new lawyer report on a visit with someone closely connected to these services.	Required.

Required Section 2.

Rules of Professional Conduct and Standards of Professionalism and Civility.

Activity	Initial Each Selected Item
Review and discuss the Rules of Professional Conduct. Review and discuss at least two of the following Rules. 1.7-8. Conflict of interest: current clients; 3.3. Candor toward the tribunal; 4.2 Communication with persons represented by counsel; or 4.3 Dealing with unrepresented persons.	Required.
Review and discuss the Utah Standards of Professionalism and Civility. Discuss the Preamble and all twenty standards. Discuss any “unwritten” customary rules of civility or etiquette among lawyers and judges in the community.	Required.
Discuss ethical issues that arise with some regularity in the practice setting. Discuss ways to resolve the issues, referring to experience, as well as the Rules of Professional Conduct. Include in the discussion the importance and use of an in practice or firm conflict resolution committee. Review and discuss the importance of and methods used to screen for potential conflicts. Discuss the differences between issue conflicts and client conflicts.	Required.

NEW LAWYER TRAINING PROGRAM



Required Section 3.

Litigation and Transaction Handling Experiences.

The new lawyer is required to accomplish at least ten (10) of the following Experiences in Handling a Case or Transaction. Up to four (4) of the selected Experiences may be accomplished during law school in a credit-earning Externship, a Law School Clinical program, a simulated skills course, or a supervised Pro Bono case. See pages 19–20 of the Guidelines and FAQs in the New Lawyer Training Program Manual for information about receiving credit for experiences accomplished during law school.

The experiences in this section are intended to give all new lawyers an opportunity to receive cross-training and exposure to areas of practice beyond their usual work.

Activity	Initial Each Selected Item
Participate in drafting a fee agreement for a client.	
Participate in a deposition of a witness or adverse party in a civil action.	
Participate in a trial in a civil or criminal case in either a state or federal court.	
Participate in an evidentiary hearing in a state or federal court.	
Observe or participate in a mediation or arbitration.	
Observe or participate in a negotiation and explain relevant background context.	
Participate in the interviewing of a client.	
Participate in the counseling of a client.	
Prepare a complaint and a summons.	
Participate in trial preparation and observe or participate in a trial.	
Participate in or observe an appellate argument in the Utah Supreme Court, Utah Court of Appeals or in a Federal Appellate Court.	
Participate in plea negotiations or reviewing a plea agreement.	

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Required Section 3. cont.	
Participate in drafting and reviewing wills and revocable living trusts.	
Participate in drafting and reviewing initial probate documents.	
Participate in forming business entities by drafting and reviewing incorporation documents and business agreements.	
Participate in preparing settlement documents, including a discussion of any tax implications in a settlement including a monetary award.	
Participate in an administrative hearing.	
Participate in drafting, amending, or reviewing a contract.	
Participate in drafting a pleading or motion for an administrative body or a state or federal court.	
Participate in preparing a client's tax return.	

Required Section 4.

Introduction to Law Office Management (Required For Private Practice).

Activity	Initial Each Selected Item
Tour the mentor's office to demonstrate and explain how the following items of law practice management are used and handled in the mentor's office, if applicable:	Optional.
Time Records. Discuss good time management skills and techniques.	Required.
Discuss best practices and current practices regarding records of client-related expenses.	Required.
Discuss the billing system.	Required.
Review escrow and trust account rules for handling of client funds, including importance of clearing checks before funds are drawn and authority needed to pay fees from client funds in trust.	Required.

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Required Section 4. cont	
Introduce the new lawyer to the filing system..	Required
Review and discuss malpractice insurance policy and review the insurance and disclosure forms required annually by the carrier.	Required.
Introduce the new lawyer to the document retention plan.	Optional.
Introduce the calendar and “tickler” or reminder systems.	Required.
Introduce the information technology systems	Optional.
Introduce the library and research systems	Optional.
Introduce other resources (publications, seminars, equipment, etc.) that a new lawyer might find particularly helpful in his or her work	Optional.
Discuss practices to maintain client confidentiality	Required.
Discuss the roles and responsibilities of paralegals, secretaries, and other office personnel, and how to establish good working relationships with others in the office who are support staff, colleagues, or senior partners.	Optional.

Required Section 5. Working With Clients (Required Where Applicable)

Activity	Initial Each Selected Item
Engage in a training discussion about client interaction, including tips for gathering information about a legal matter and appraising the credibility and trust of a potential client.	Required.
Train, through discussion and client interaction, how to screen for, recognize, and avoid conflicts of interest.	Required.
Train on how to decide whether to accept a proffered representation.	Optional.
Train on using retainer or engagement letters and discuss frequent issues that arise regarding the scope of representation.	Required.

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Required Section 5. cont.	
Train on how to talk about and set the fee for legal services. Review and discuss retainer agreements.	Optional.
Discuss how to deal with a “difficult” client and how to decline representation of the unrealistic or “impossible” client.	Optional.
Discuss “DOs and DON’Ts” of maintaining good ongoing client relations, such as returning telephone calls and keeping clients informed about matters.	Required.
Discuss terminating the lawyer-client relationship and necessary documentation.	Required.
Participate in or observe at least one client interview or client counseling session.	Optional.
Review and understand contingency fee agreements and issues to be included.	Optional.

Required Section 6. Public Service, Bar Programs, and Life Balance.

Discuss the importance of family and life balance, including any billable hour requirements not previously discussed.	Optional.
Discuss internal policy on performing public service, low and pro bono projects, and hours allowed for these programs.	Required.
Reach an understanding on how matters designated as confidential by the new lawyer will be handled.	Required.
Discuss and explain CLE requirements and ways to fulfill such requirements, including Bar CLE programs.	Optional.
Review and discuss Bar sections and committees and the value of getting involved in Bar activities and service, including the Young Lawyers Division.	Optional.
Review and discuss the support and counseling available for the new lawyer and family through the Bar’s contract with a professional counseling service and the Lawyers Helping Lawyers Committee.	Required.

END OF REQUIRED SECTIONS

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ELECTIVE ACTIVITIES AND EXPERIENCES

The mentor and the new lawyer should choose five of the Elective Sections identified in Sections A through Q. Within each area, select as many activities as feasible.

Under each area, you are encouraged to adjust the activities and experiences to your particular practice setting and individual needs.

The mentor, or another experienced lawyer approved by the mentor, should monitor and facilitate the progress of the new lawyer in fulfilling practice experiences by discussing the context and assessing the activity selected.

Elective Section A. Advocacy and Litigation.

Activity	Initial Each Selected Item
Attend an appellate argument in the Utah Supreme Court, the Utah Court of Appeals, or a United States Circuit Court of Appeals;	
Attend or participate in a hearing on a motion; discuss.	
Attend or participate in an oral argument; discuss.	
Attend or participate in a trial, including voir dire if a jury trial; discuss.	
Discuss frequent issues that arise in litigation concerning specific Rules of Civil Procedure, and the local rules that apply in either state or federal court.	
Participate in 26(f) conference to discuss settlement, discovery plan and initial disclosures.	
Discuss the mechanics of trial, including where to stand, proper attire, when to stand, courtroom decorum, judges' bench books, etc.	
Participate in drafting discovery requests, including interrogatories, requests for admission and requests for production of documents.	
Participate in preparing for and observing (or taking or defending) depositions.	

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Elective Section B. ADR.

Activity	Initial Each Selected Item
Review and discuss Utah statutes on mediation including requirement to screen for potential conflict of interest of mediator.	
Observe, participate in, or prepare for an actual or simulated mediation.	
Observe, participate in, or prepare for, an arbitration and review and discuss AAA rules.	
Discuss how to prepare a client for mediation or arbitration.	

Elective Section C. Negotiation.

Activity	Initial Each Selected Item
Discuss how to prepare for the negotiation of a legal matter (e.g., release of a personal injury claim, lease agreement, etc.).	
Discuss when and how negotiation should be initiated.	
Discuss when and how to involve the client in negotiation.	
Discuss ethical and professional obligations of negotiators.	
Discuss skills needed to be an effective negotiator and how to acquire them.	

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Elective Section D. Client Interviewing and Counseling.

Activity	Initial Each Selected Item
Discuss and review interview techniques (asking the right questions).	
Discuss and review counseling techniques (providing the hard advice).	
Simulate and discuss the counseling of a client (mentor and new lawyer should alternate being client and lawyer).	
Participate in interviewing a client.	
Participate in counseling a client.	

Elective Section E. Civil Procedure.

Activity	Initial Each Selected Item
Prepare complaint.	
Prepare summons.	
Cause summons to be served.	
Participate in preparing a Rule 12 motion to dismiss.	
Participate in preparing a Rule 9(b) and/or 8(a) motion to dismiss.	
Participate in preparing answer to complaint, counterclaim, cross-claim and third-party complaint.	
Participate in 26(f) conference to discuss settlement, discovery plan and initial disclosures.	
Participate in preparing initial disclosures as required by Rule 26.	

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Elective Section E. cont.	
Participate in preparing for and observing, taking, or defending a deposition.	
Participate in drafting discovery requests, including interrogatories, requests for admission and requests for production of documents.	
Participate in identifying expert witnesses and producing expert witness reports.	
Participate in depositions including the deposition of expert witnesses.	
Participate in preparing motions and memoranda in support of summary judgment.	
Participate in preparing pretrial order and making pretrial disclosures of witnesses and exhibits.	

Elective Section F. Criminal Procedure.

Activity	Initial Each Selected Item
Participate in client interview.	
Participate in charge negotiations with prosecutor's office.	
Participate in discovery demands on prosecutor, including request for exculpatory materials.	
Participate in engagement of private investigator to interview witnesses.	
Review information or indictment for constitutional and/or pleading defects.	
Research elements of crime charged or under investigation; discuss.	
Review and discuss pretrial diversion requirements.	

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Elective Section F. cont.	
Review and discuss plea in abeyance statute in a particular case and study applicable statute.	
Review and discuss criteria for a one- or two-level reduction of offense in a particular case and study applicable statute.	
Participate in discussions with Pretrial Services (bail).	
Participate in editing Statement by Defendant in Advance of Plea.	
Observe and/or participate in trial.	
Observe and/or participate in entry of plea in court.	
Review and discuss Presentence Report; participate in filing objections.	
Research and participate in analysis of federal sentencing guidelines in particular federal case.	

Elective Section G. Estate Planning.

Activity	Initial Each Selected Item
Participate in drafting and reviewing at least six of the following:	
• Wills.	
• Revocable living trusts: tax planning.	
• Revocable living trusts: non-tax planning.	
• Revocable living trusts: generation skipping tax planning.	
• Irrevocable trusts.	
• Durable powers of attorney.	
• Special powers of attorney for health care.	

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Elective Section G. cont.	
• Directives to physicians (living wills).	
• Life insurance trusts.	
• Transfer of ownership documents: quit-claim deeds.	
• Transfer of ownership documents: assignments.	
Assist in gathering and organizing client information.	
Prepare diagrams of specific estate plans for clients.	
Prepare estate planning binders for clients.	
Prepare Crummey notices for life insurance trusts.	

Elective Section H. Probate.

Activity	Initial Each Selected Item
Prepare notice to creditors and arrange for publication.	
Prepare inventory of estate.	

Elective Section I. Family Law.

Activity	Initial Each Selected Item
Review and discuss the Rules of Civil Procedure specific to Family Law.	
Understand the role of a Domestic Relations Commissioner. Meet as many commissioners as possible.	
Prepare proposed Case Management Order.	
Create a child support worksheet.	

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Elective Section I. cont.	
Observe hearing on motion for temporary orders.	
Observe or participate in custody evaluation settlement conference if permission is granted.	
Participate in a collaborative law meeting if permission is granted.	
Participate in a mediation if permission is granted.	
Observe or participate in a family law trial.	
Participate in preparing a premarital agreement or review and discuss statutory requirements, case law, and necessary terms of premarital agreements.	

Elective Section J. Juvenile Law.

Activity	Initial Each Selected Item
Attend or participate in a shelter hearing.	
Attend or participate in a disposition hearing.	
Discuss the standards for removal with a Department of Child and Family Services (DCFS) worker.	
Discuss the role of a juvenile Guardian ad Litem; introduce where possible.	
In a Juvenile criminal case, observe, participate in, or discuss:	
<ul style="list-style-type: none"> • A detention hearing • The role of a probation officer in detention cases • An arraignment • A pre-trial • A trial 	

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**Elective Section K.
Business Law.**

Activity	Initial Each Selected Item
Participate in forming business entities by drafting and reviewing at least three of the following:	
<ul style="list-style-type: none"> • Articles of incorporation. 	
<ul style="list-style-type: none"> • Articles of organization. 	
<ul style="list-style-type: none"> • Bylaws. 	
<ul style="list-style-type: none"> • Operating agreements. 	
<ul style="list-style-type: none"> • Partnership agreements. 	
<ul style="list-style-type: none"> • Corporate minutes and resolutions. 	
Participate in drafting and reviewing at least three of the following:	
<ul style="list-style-type: none"> • Shareholders' agreements. 	
<ul style="list-style-type: none"> • Buy-sell agreements. 	
<ul style="list-style-type: none"> • Stock purchase agreements. 	
<ul style="list-style-type: none"> • Asset purchase agreements. 	
<ul style="list-style-type: none"> • Noncompetition agreements. 	
<ul style="list-style-type: none"> • Security/collateral agreements. 	
<ul style="list-style-type: none"> • Promissory notes. 	
Participate in the due diligence process for mergers and acquisitions.	
Prepare UCC filings.	

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Elective Section L. Tax Law.

Activity	Initial Each Selected Item
Prepare and analyze tax calculations.	
Participate in preparing certain IRS tax forms, including the following:	
<ul style="list-style-type: none"> • Form 2553 (S Corporation Election). 	
<ul style="list-style-type: none"> • Form 709 (Gift Tax Return). 	
<ul style="list-style-type: none"> • Form 706 (Estate Tax Return). 	
<ul style="list-style-type: none"> • Form 1041 (Income Tax for Trusts). 	

Elective Section M. Real Estate Law.

Activity	Initial Each Selected Item
Search a title at Recorder's Office.	
Participate in drafting and reviewing at least four of the following:	
<ul style="list-style-type: none"> • Real estate purchase agreements. 	
<ul style="list-style-type: none"> • Deeds of trust. 	
<ul style="list-style-type: none"> • Mortgages. 	
<ul style="list-style-type: none"> • Commercial leases. 	
<ul style="list-style-type: none"> • Residential leases. 	
<ul style="list-style-type: none"> • Notice of Default on the above. 	

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Elective Section N. Employment Law.

Activity	Initial Each Selected Item
Review and discuss the UALD/EEOC administrative process. Review or participate in drafting a charge or the response to a charge.	
Prepare for and participate in the UALD/EEOC administrative process, including a resolutions conference or an appeal to the Labor Commission.	
Participate in drafting a separation or settlement agreement.	
Participate in consultation with management on HR issues.	
Prepare for and observe or participate in an unemployment benefits insurance appeal hearing.	
Review and discuss an ongoing employment law issue, such as a claim under Title VII, the Family Medical Leave Act, the Americans with Disabilities Act, or other substantive federal law or its state counterpart.	

Elective Section O. Patent Law.

Activity	Initial Each Selected Item
Observe or participate in a client interview.	
Participate in patent search/evaluation.	
Participate in drafting and filing a patent application.	
Participate in filing an Information Disclosure Statement (IDS).	
Participate in drafting an Office Action response.	
Participate in a telephone conversation with an Examiner.	

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Elective Section O. cont.	
Participate in preparing and drafting an appeal brief.	
Discuss and review techniques for successful patent prosecution.	
Participate in patent litigation.	

**Elective Section P.
Trademark Law.**

Activity	Initial Each Selected Item
Observe or participate in a client interview.	
Participate in trademark search/evaluation.	
Participate in drafting and filing a trademark application.	
Participate in drafting an Office Action response.	
Participate in preparing and drafting an appeal brief.	
Discuss and review techniques for successful trademark prosecution.	
Participate in trademark litigation.	
Participate in drafting and filing a copyright application.	

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Other Possible Electives

Section Q.

There are a number of other substantive areas of the law not included but for which you may prepare a plan and your own check-off sheet. Those areas include but are not limited to:

1. Administrative law
2. Securities law
3. Bankruptcy law
4. Environmental law and compliance
5. Antitrust law
6. Water law
7. Oil, gas, and mining law
8. Public utilities law
9. Contract law
10. Personal injury law, including products liability
11. Insurance defense law, including coverage analysis
12. Merger and acquisition law
13. Constitutional law
14. Immigration law
15. Health care law
16. Ethical leadership in corporate practice (audit committees, Sarbanes Oxley, corporate monitors)
17. Lobbying requirements, ethics and state legislative process.

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