

# NEW LAWYER TRAINING PROGRAM



## **BASIC FACTS OF NLTP—NEW LAWYER**

### **Q: WHAT IS THE NEW LAWYER TRAINING PROGRAM (“NLTP”)?**

The NLTP is a required mentoring program the Utah Supreme Court, in conjunction with the Utah State Bar, provides to new lawyers to facilitate their transition into the practice of law. The program requires new lawyers admitted to the Utah Bar to work with experienced lawyers over a twelve-month term.

The goal of the NLTP is to provide new lawyers with practical training in professionalism, ethics and civility.

### **Q: WHY ARE NEW LAWYERS REQUIRED TO PARTICIPATE IN THE NLTP?**

Increasingly, the profession has been concerned with: (1) difficulties new lawyers face when leaving the academic environment of law school and entering the practical demands of law practice; (2) increasing perceptions of an erosion of professionalism and civility as the bar has grown over the years and lawyers have become less familiar with one another; and (3) increasing numbers of young lawyers leaving the profession due to growing dissatisfaction with their environment and law practice and balancing the demands of life.

The Utah Supreme Court and the Utah State Bar Commission, after extensive study of formal mentoring programs concluded that formal mentoring is a beneficial and effective means of resolving the above concerns while promoting the skills of professionalism, ethics and civility which are effectively taught through practical legal experiences.

By requiring a formal mentoring program, new lawyers will be provided the tools early in their careers to help them develop into respected and ethical members of the profession.

### **Q: I GAINED PRACTICAL LEGAL EXPERIENCE DURING LAW SCHOOL. WHY DO I NEED TO PARTICIPATE IN THE NLTP?**

Although the clinical experience you received at law school is incredibly valuable, the goals of clinical programs differ from the goals of the NLTP. Moreover, studies demonstrate that early experiences in the workplace most strongly influence the development of a lawyer’s behavioral style.

Thus, the NLTP will add to your law school experiences and provide an important opportunity for you to develop appropriate professional behavior at a critical time in the development of your professional character, i.e. the first five years of practice after law school.

### **Q: CAN I GET CREDIT FOR CLINICAL WORK I PERFORMED IN LAW SCHOOL?**

Yes. In Utah, we are fortunate to have two outstanding and highly-regarded law schools that emphasize clinical and externship programs as part of the curriculum. New lawyers may

receive partial credit toward the requirements of the NLTP for their participating in clinical-type programs during law school.

For more information, consult the NLTP Manual on the Utah State Bar's website at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).

**Q: I AM (I) MOVING OUT-OF-STATE AFTER GRADUATION/AFTER THE BAR EXAM; (II) CLERKING FOR A JUDGE AFTER THE BAR EXAM; OR (III) I AM CURRENTLY UNEMPLOYED. DO I NEED TO PARTICIPATE IN THE NLTP?**

The Utah Supreme Court, in creating the NLTP, adopted Rule 14-808. The Rule establishes grounds for either a deferral or exemption under the program.

Grounds for **exemption** from the NLTP include the following:

- A. Newly admitted lawyers on active status and not residing in Utah. These attorneys must comply with the applicable CLE requirements in their resident state; or
- B. Newly admitted Utah lawyers who have been admitted on active status who have practiced law elsewhere for two years or more.

Grounds for **deferral** from the NLTP include the following:

- A. Judicial clerks' participation in the NLTP is deferred during their clerkships. Those new lawyers will be required to notify the NLTP Administrator of the date their clerkship expires and will be expected to enroll in the NLTP for the next NLTP term (either January 1 or July 1 of the year following their clerkship).
- B. 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 temporary deferral.
- C. New lawyers on inactive status may defer participation in the NLTP during the time in which they remain on inactive status.

If you meet one of the exceptions above, you are required to complete and submit the NLTP Declaration of the Exemption or Deferral form to the NLTP office.

**Q: WHEN DO I NEED TO ENROLL IN NLTP?**

New lawyers are expected to enroll in the NLTP upon admission to the Utah bar. Enrollment forms will be mailed to all new lawyers in their admission packets.

**Q: WHEN DOES THE NLTP MENTORING TERM BEGIN?**

The start of the NLTP mentoring term depends on whether a new lawyer is admitted in October (July bar exam takers) or May (February bar exam takers). For those admitted in October, the NLTP mentoring term begins in January 1. For those admitted in May, the NLTP mentoring term begins on July 1.

**Q: WHAT IS THE COST OF THE NLTP?**

The cost of the NLTP is \$300 (\$150 on enrollment and \$150 upon completion). This fee is about the same that was required of new lawyers who were previously required to participate

in the New Lawyer Continuing Legal Education (NLCLE) program. The NLTP replaced the NLCLE program beginning in 2009.

**Q: HOW DO I FIND A MENTOR?**

The Utah legal community has been extremely supportive of the NLTP. As a result, the Utah Supreme Court has approved over 500 mentors. These mentors are experienced attorneys willing to generously give of their time and talents to train new lawyers in their first year of practice.

In many cases, new lawyers will be paired with a mentor from within their firm or office. However, if a new lawyer's firm or office does not assign the new lawyer a mentor, it is the new lawyer's responsibility to find a mentor. To assist the new lawyer in finding an appropriate mentor, the Bar has provided the names of all Court-approved mentors on its website at the following address: [www.utahbar.org/nltp](http://www.utahbar.org/nltp) and select "Mentor Volunteer List" under the heading "New Lawyer Resources." If a new lawyer is unable to find a mentor, he/she may contact the NLTP Administrator for assistance.

A new lawyer may select a mentor who is not on the list; however, the experienced lawyer must submit a mentor application to the NLTP Administrator. The experienced lawyer may not serve as a mentor until formally approved by the Utah Supreme Court's Advisory Committee on Professionalism and complete mentor training. Mentor applications are available online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).

**Q: WHAT WILL I BE DOING DURING THE TWELVE MONTH NLTP TERM?**

During the twelve month mentoring term, the new lawyer and mentor will develop a mentoring plan following the NLTP guidelines. A Model Mentoring Plan has been developed and is available at [www.utahbar.org/nltp](http://www.utahbar.org/nltp) and select "Model Mentoring Plan" under the heading "New Lawyer Resources." Certain subjects in the plan are mandatory while others are elective.

In order to efficiently work through the mentoring plan, mentors and new lawyers are encouraged to meet monthly for two hours.

**Q: WHAT MATERIAL MUST BE SUBMITTED TO THE NLTP ADMINISTRATOR AND WHEN?**

New Lawyers are required to submit the following documents to the NLTP Administrator:

1. NLTP Enrollment Form and initial \$150 fee;
2. Mentoring Plan signed by new lawyer AND mentor;
3. First Quarterly Report signed by new lawyer AND mentor;
4. Second Quarterly Report signed by new lawyer AND mentor; and
5. NLTP Completion Certification signed and submitted by mentor; and
6. Final \$150 NLTP fee.

Refer to the NLTP Schedule/Timeline for due dates. The Schedule/Timeline is available online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp) and select “Schedule/Timeline” under the heading “New Lawyer Resources.”

**Q: THE MENTORING PLAN COVERS A VAST ARRAY OF LEGAL ACTIVITIES SOME OF WHICH MY MENTOR LACKS SUFFICIENT EXPERIENCE. HOW DO I GET EFFECTIVELY MENTORED ON THESE ACTIVITIES?**

The mentoring plan is extensive and provides an opportunity for new lawyers to tailor their plans to fit their legal practice. Occasionally, in an outside mentoring relationship, the mentor lacks experience in a particular legal area included in the mentoring plan. In those situations, the mentor should assist the new lawyer in finding another Court-approved mentor who possesses the experience to assist the new lawyer. Additionally, the new lawyer and mentor can seek assistance from the NLTP Administrator.

**Q: WHAT HAPPENS IF THE MENTOR BECOMES UNAVAILABLE TO SERVE?**

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

However, if the mentor and new lawyer are in an inside mentoring relationship, the NLTP Administrator shall only be notified of the change in mentor assignment by submitting a Mentor Migration Form which is available online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp) and select “Mentor Migration Form” under the heading, “New Lawyer Forms.”

**Q: WHAT OTHER REQUIREMENTS WILL I HAVE TO MEET DURING MY FIRST YEAR OF PRACTICE?**

New lawyers are required to attend the New Lawyer Ethics Program during the NLTP mentoring term. Although the Program is offered twice per year, new lawyers are required to attend only one time in either October or April.

For exact dates, check the CLE calendar online at [www.utahbar.org/cle](http://www.utahbar.org/cle) and select “Calendar.”

**Q: WHAT HAPPENS IF I DO NOT FULFILL THE REQUIREMENTS OF THE NLTP?**

Failure to complete the mentoring program shall be reported to the NLTP Administrator. The NLTP Administrator 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.

**Q: WHAT HAPPENS IF THE NEW LAWYER COMPLETES THE MENTORING PLAN PRIOR TO THE END OF THE NLTP MENTORING TERM?**

The NLTP is mandated by the Utah Supreme Court. Participants are required to complete the program in no-less than 12 months. The NLTP has discretion to recommend to the Utah Board of Continuing Legal Education the license suspension of any new lawyer who participates in the program for less than 12 months. Moreover, the NLTP has discretion to withhold CLE credits to those mentors who fail to mentor a new lawyer for 12 months.

The duration of the program was deliberate in light of the activities and subjects the Supreme Court felt necessary to provide adequate training to new lawyers. Although some activities can be performed quickly, many subjects and activities are complex and consistently arise in legal practice in a variety of unanticipated ways. It is the complex matters that require careful attention and discussion throughout the NLTP mentoring term.

However, if the requirements of the mentoring plan have been met, the mentor and new lawyer are strongly encouraged to complete the “optional” components included in the mentoring plan. Additionally, new lawyers and mentors shall continue to meet monthly throughout the twelve month mentoring term. New lawyers are required to keep track of subjects discussed with their mentor and include a list of those subjects in all subsequent Quarterly Reports submitted to the NLTP Administrator.

**Q: HOW DO I GET ADDITIONAL INFORMATION ON THE NLTP?**

For additional information, contact the NLTP Administrator at (801)297-7026 or [mentoring@utahbar.org](mailto:mentoring@utahbar.org). Additionally, all NLTP materials are available online at [www.utahbar.org/nltp](http://www.utahbar.org/nltp).