



WASHINGTON STATE BAR ASSOCIATION

**LAWYER TO LAWYER PROGRAM
GUIDE BOOKLET**

LAW OFFICE MANAGEMENT ASSISTANCE PROGRAM

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LAWYER TO LAWYER PROGRAM GUIDE BOOKLET

THE PROGRAM

The Lawyer to Lawyer Program facilitates the acquaintance of two members of the Washington State Bar Association. One member is more experienced and the other member is usually, but not exclusively, starting a career in the law or is making a shift in practice emphasis. After acquaintance, the Lawyer to Lawyer Program supports communication between the two lawyers for at least three (3) months under the auspices of the program. We call this three-month period a “match” and the lawyers are “parties” to the match. As described below in more detail, the Lawyer to Lawyer Program is not a co-counsel arrangement for specific client matters. This relationship offers newer lawyers an opportunity to heighten the degree of civility, professionalism and competence with which they represent their clients by creating an avenue for newer lawyers to learn from more experienced members of the Washington State Bar. Specific activities of the Lawyer to Lawyer match will vary with the needs and interests of the lawyers participating in the Program. After the match period, both parties may decide to continue or discontinue contact.

PURPOSE OF THE PROGRAM

- ◆ *Helping newer lawyers to learn the basics of “lawyering” from more experienced legal practitioners and to help bridge the gap between law school and practice*
- ◆ *Carefully bringing together lawyers with differing levels of experience for the mutual exchange of information to benefit the participants, the profession and the public*
- ◆ *Promoting the awareness, understanding, appreciation and application of the principles of professionalism*

This Program is not designed for the exchange of substantive legal advice between the parties.

ANSWERING THE EXPERIENCED LAWYER'S QUESTIONS

1. Is there a minimum number of years that I must have practiced before participating?

No. However, we strongly prefer at least five years of practice experience.

2. How is a newer lawyer assigned to me?

The staff in the Law Office Management Assistance Program undertakes the matching process based on information previously provided by both parties. Each party has the opportunity to provide input to WSBA staff about the proposed matched individual before completing the match.

3. Who initiates the first contact?

The experienced lawyer typically initiates the first contact, most probably by telephone. We suggest avoiding email for initiating the first contact.

4. Is there anything that I must discuss up front with the newer lawyer?

Yes, you must discuss confidentiality. The newer lawyer must not disclose to you any confidential or secret information about matters that he or she is handling (and vice versa, of course). You should not be discussing case specific facts or giving case specific legal advice. If you feel that the newer lawyer needs the assistance of another lawyer, you may suggest a referral.

5. What are some joint activities that you can suggest?

Consider touring the courthouse, sharing redacted pleading samples, introductions to members of the judiciary, court officials, staff, and other lawyers. Consider offering the opportunity to observe you in court (if applicable) and perhaps to observe other experienced lawyers, as well as to observe the newer lawyer in court. Consider attending CLE seminars and suitable law-related social events together. Use pre-scheduled telephone conversations as well!

6. Can I talk about the WSBA?

Yes, indeed! We encourage you to inform the newer lawyer about the many services and programs offered by the WSBA, particularly the Law Office Management Assistance Program (LOMAP). Information about LOMAP is included in this Guide Booklet.

7. Is there a special way that I must conduct myself?

Yes, we expect you to treat the new lawyer with customary professionalism and respect. Listen, answer questions, provide information and follow up, if necessary. Remember that the newer lawyer may be able to contribute to technology issues or a shared hobby! This is a "two-way" relationship!

ANSWERING THE NEWER LAWYER'S QUESTIONS

1. How often am I expected to meet with the experienced lawyer?

That is up to the two of you. We suggest that you be available on a reasonably regular basis. You will benefit all the more!

2. Need I prepare anything before meeting?

Your questions are the important thing. Think about the “how to” aspects of practicing law and drafting documents or dealing with certain situations and ethical issues. The more you prepare in this fashion, the more productive the meetings will be. A cardinal rule is that no question is a silly question!

3. What are my professional obligations regarding what I am told?

You are responsible for making a professional evaluation of all information received from the senior lawyer and you will advise your client based solely upon your professional opinion, research, and evaluation. You will ultimately exercise your own independent judgement on behalf of the client. You will also comply with RPC 1.6, Confidentiality, regarding the preservation of confidences or secrets.

4. May I ask the experienced lawyer to do legal research?

No. However, you may ask, for example, about legal research tools and techniques.

5. May I ask the experienced lawyer to accept employment as co-counsel on any case?

No. That is not the purpose of this program. But, if you need assistance on a particular matter, ask for a possible referral or call the Lawyer to Lawyer Program for a possible referral. Remember, the match concludes after three months. After that period of time, you may wish to discuss a different basis for continued contact.

6. What is the best way to ask for help with occasional legal challenges?

Your lawyering skills will benefit from hearing from an experienced lawyer who has faced similar challenges. The best way to approach this is to think about the principles involved and craft a hypothetical question using generic facts and circumstances—without disclosing specific case information such as client names, actual places or other parties and be alert to apparent and actual conflicts of interest.

7. Is there a limit on the amount of time I can ask of the experienced lawyer?

It is expected that you will exercise discretion in both the amount of the experienced lawyer's time you use as well as how that time is used. We recommend that you discuss time limitations with the experienced lawyer during the early phase of your contacts.

GENERAL GUIDELINES

1. How many meetings or other contacts are permitted?

Both parties may plan a certain number of contacts at the outset, have contact as often as is mutually beneficial, or when mutually convenient on short notice. Each match continues for a three-month period. Be flexible. The Lawyer to Lawyer Program does not want the relationship to feel as a burden on either party.

2. Does legal research play any part in the relationship?

No. Participants in the match are neither required nor expected to perform any legal research. The overriding purpose of the Lawyer to Lawyer Program is to encourage the passing along of information about practicing law that the participants, particularly the experienced lawyer, already know. Research regarding particular cases is outside of the scope of the Lawyer to Lawyer Program.

3. Need we be concerned with client confidentiality?

Yes. Both will comply with RPC 1.6, Confidentiality, and should clearly keep in mind client confidentiality by avoiding disclosures within the context of the Lawyer to Lawyer Program. Each match will try to align each participant's practice area, which may foster greater rapport. Therefore, you must be also alert to potential conflicts of interest.

4. Must situational discussions remain hypothetical?

Yes. Any detailed situation involving client matters should be discussed as a hypothetical. Each participant in the match should remember that the relationship is intended to provide general information, and is not a means to provide answers to case specific questions.

5. What is the newer lawyer's professional responsibility?

The match relationship within this Program is not a means to protect the newer lawyer from his or her own professional responsibility. Newer lawyers are expected to make a professional evaluation of all information received from the experienced lawyer and advise clients based solely upon the newer lawyer's own professional opinion, research and evaluation. Again, if the newer lawyer needs the assistance of another lawyer on a specific case or cases, the experienced lawyer may suggest a referral.

6. What liability does the experienced lawyer assume in the relationship?

The experienced lawyer should not give specific advice about a particular case. By giving such advice, the lawyers may expose themselves to the same malpractice risks and professional responsibility, as in a co-counsel relationship. The Washington State Bar Association does not indemnify participants in the Program.

The WSBA hopes that you will consider being a part of this exciting program! Experienced lawyers often say that they wish that such a program were available when they were starting out. Newer lawyers are encouraged to note well this observation.

Learn more about how the Lawyer to Lawyer Program can help you ease the transition from law school to lawyering!

Contact Peter Roberts of the Law Office Management Assistance Program (LOMAP) at peter@wsba.org or (206) 727-8237 or Julie Salmon, LOMAP Coordinator, at juliesa@wsba.org or (206) 733-5914.

We look forward to serving you!



Lawyer to Lawyer Program Participant Information Form

Welcome to the Lawyer to Lawyer Program! The Lawyer to Lawyer Program fosters professionalism among members of the WSBA by:

- *Helping newer lawyers to learn the basics of "lawyering" from more experienced legal practitioners and to bridge the gap between law school and law practice;*
- *Carefully bringing together lawyers with differing levels of experience for the mutual exchange of information to benefit the participants, the profession and the public;*
- *Promoting the awareness, understanding, appreciation and application of the principles of professionalism.*

Interested? Please complete and send this form to:

Washington State Bar Association
Lawyer to Lawyer Program
2101 Fourth Avenue, Suite 400, Seattle, WA 98121 • Fax 206-727-8320

I am interested in participating as a Protégé Mentor.

Name _____ Bar Number _____

Current Employer _____

Check here if in solo practice Check here if working for a government agency

Address _____

City _____ County _____ State _____ Zip _____

Phone (____) _____ - _____ Fax (____) _____ - _____ E-mail _____

This is my address at home work. Please contact me there. Ideal Location of Mentor/Protégé: _____

Practice area (1) _____ (2) _____

Law School _____ Year of Graduation _____; Undergraduate School: _____ Year of Grad _____

Special interests or hobbies _____

Special requests/preferences (e.g., gender, age, ethnicity) or additional information _____

Newer lawyers: briefly outline your goal for participating in the Program. This information will be shared as we match you with an experienced lawyer.(required): _____

**Questions? Please contact Pete Roberts (206) 727-8237 • peter@wsba.org or
Julie Salmon at (206) 733-5914 • juliesa@wsba.org
Calling outside the Seattle area? Dial (800) 945-WSBA.**

for office use only: received: ___/___/___ entered: ___/___/___ matched with: _____ match date: ___/___/___

follow-up: ___/___/___ • ___/___/___ • ___/___/___ • ___/___/___

other: ___/___/___ • ___/___/___ • ___/___/___ • ___/___/___ • ___/___/___ • ___/___/___

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BE SURE TO USE THE LAW OFFICE MANAGEMENT ASSISTANCE PROGRAM

The Law Office Management Assistance Program (LOMAP) began its existence in 1997 as a steering committee of interested lawyers drawn from private practice augmented by support from WSBA staff lawyers, the WSBA Law Practice Management & Technology Section and the Bar Liaison of the Association of Legal Administrators, Puget Sound Chapter.

PRIMARY FUNCTIONS AND PROGRAMS

The mission of the Program is to assist the solo and small firm practitioners in the delivery of the highest quality legal services.

The Program seeks to keep up with the changing administrative environment by reviewing a range of periodicals, websites and other resources for possible information for the LOMAP resource archive. Practicing lawyers have little time to do this kind of literature review.

Many of the internal activities of the Program are:

- *Conducting consultations*
- *Answering telephone and email inquiries from members*
- *Mailing requested materials to members*
- *Cultivating speaking opportunities*
- *Planning and conducting the annual LOMAP “Roadshow”*
- *Maintaining resource materials*
- *Administering the lending library*
- *Updating the LOMAP website*
- *Researching vendor resources*
- *Updating the resource database*
- *Following up on inquiries*
- *Attending appropriate conferences and exhibitions*
- *Mailing the self-audit checklist to members*
- *Researching law office management periodicals*
- *Selling WSBA and ABA materials*
- *Promoting other WSBA services*
- *Writing articles for Bar News*
- *Liaison with the ABA LPM Committee*

An Advisor and a Coordinator within the Lawyer Services Department provide staffing for LOMAP.

The Program seeks to:

- *Expand Professional Competence*
- *Improve Client Services*
- *Increase Management Skills*
- *Avoid or Reduce Errors*
- *Prevent Situations from Becoming a Grievance*
- ***Reduce Stress and Improve Quality of Life!***

How does the Program do this? The listed goals are pursued by performing “general maintenance reviews” of a practice and its systems; by performing consultations on specific identified issues, problems and procedures; by providing reference materials and teaching tools on a wide variety of subjects; and by referring practitioners to possible commercial consultants and vendors.

The Program does not endorse any commercial consultant or vendor. Vendors are told explicitly there is no WSBA “stamp of approval” or endorsement. LOMAP undertakes to identify consultants and vendors who show appropriate evidence of good service and experience working with lawyers before being used for referrals.

The Program can provide information and answer questions about the various matters that surface in the areas of

- *Business Planning*
- *Financial Management*
- *Technology*
- *Personnel Management*
- *Operations Management*
- *Facilities Management*
- *Client Relations*

An important part of the LOMAP Program is the guide for lawyers in Washington called, Up & Running, Operating Instructions for the Small Law Office. The guide was produced by LOMAP and is for sale and regularly updated. It is consulted for insights for assisting lawyers with these various matters. In addition, there exists a comprehensive archive file of materials on these and related subjects.

The work of LOMAP is confidential. The Program charges a fee for its consultation services based on an hourly rate. The rate is subject to a scale based on years of practice. Each engagement begins with an extensive questionnaire to help focus attention on the primary areas of need.

Readers may request this questionnaire free of charge as a tool for assessing their own practices. Simply call 206-733-5914 and state your request and your name and bar number. The bar number allows easy lookup and label printing of your address! There is no reporting of contact names by LOMAP to any other WSBA office.

MAJOR PROGRAM GOALS

*The LOMAP Program's outreach consists of four components. The first is **Consultations**. The Program brings on-point assistance to the practitioner. Lawyers participating in consultations are added to a confidential email list to receive occasional practice tips.*

*The second component is **Marketing & Education**. Opportunities, such as public speaking engagements, deliver useful current information and get the word out about LOMAP, other WSBA services for members, WSBA-sponsored CLE opportunities and product sales.*

LOMAP staff is often invited to speak to county bar associations and other law-related groups and the annual "LOMAP Roadshow" is well received.

*The third component is the **Law Schools**. LOMAP wants to build strong ties with our state's three law schools to help dispel the secondary ignorance among many students about the business side of a law practice. We seek to provide baseline information about how to start a practice as well as introducing students to the range of self-help resources within the literature and on the web.*

*The fourth component is **Developing Early Partnerships**. Recent admittees agree that information about law office management is an important ingredient for success. Collaborating with WSBA's Young Lawyers Division (YLD) is key to assisting new admittees. LOMAP also promotes membership in WSBA's Law Practice Management & Technology Section. This section is a useful networking resource through its web discussion group and website links and resources.*

Call Peter Roberts anytime at (206) 727-8237 or by email to peter@wsba.org or you may call Julie Salmon, LOMAP Coordinator, at (206) 733-5914 or by email to juliesa@wsba.org



WSBA

LAWYER SERVICES DEPARTMENT

Lawyer to Lawyer “310” Program

Suggested Commitment Structure for “Matches” –
Only 310 Minutes – But Help that Lasts a Lifetime!

Initiate contact with each other as soon as possible after “match” is made!

During First Month:

- Meet for lunch to get acquainted and to discuss goals of the match (90 minutes)
- Emails or phone calls with follow up information and/or questions generated through lunch meeting (30 minutes)

During Second Month:

- Tour the courthouse(s); OR,
- Have Protégé visit Mentor’s Office (30 minutes)
- Emails or phone calls (20 minutes)

During Third Month:

- Meet to discuss “client management”, intake, screening, scope of representation; OR,
- Attend a CLE together; LOMAP Roundtable Discussion (120 minutes)
- Emails or phone calls. (20 minutes)

310 minutes or five hours total!

By the end of the three months any type of “formal mentoring” is complete. We hope parties feel comfortable enough that they are able to regard each other as future resources in the practice of law.

ALWAYS OPTIONS: No match is unbreakable – if either party feels that the match will not work, they are always welcome to contact Julie Salmon, the Lawyer to Lawyer Coordinator, for a new match.