

## BRIDGE THE GAP PROGRAM MENTORSHIP CURRICULUM

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### Introduction to the Individual Mentorship Curriculum Plan

The Bridge the Gap (BTG) Mentorship Program curriculum includes core concepts, lawyering skills, activities, components and experiences which should be used as learning activities for the new lawyer and mentor and as topics for discussion between them. The activities and experiences are an introduction to the topics which lawyers need to be familiar with for the successful and professional practice of law. Some activities are mandatory; most are elective.

The curriculum has more activities than can be completed in a year, thus the new lawyer and the mentor should work together to incorporate the activities and experiences that are most relevant to the new lawyer's particular practice setting, personal goals, needs and interests. The new lawyer and mentor may also design alternative activities/topics they believe better meet the needs of the new lawyer; these should be submitted to the BTG program coordinator for consideration.

The resources referenced in the Individual Mentorship Curriculum Plan are activities and experiences that can be used along with the various topics in the curriculum. Using these resources is not mandatory; rather use them as a guide for discussion. The resources may be found on the State Bar's website.

### The Individual Mentorship Curriculum Plan

The Individual Mentorship Curriculum Plan:

- has instructions for use;
- has activities grouped by topic;
- indicates which topics are mandatory or elective;
- indicates the minimum number of activities that must be completed in each section;
- directs users to recommended resources; and
- features a recommended quarterly time frame for completion of activities and experiences.

1. As soon as practical after receipt of the mentorship pairing, the new lawyer and mentor should meet to develop the Individual Mentorship Curriculum Plan (*see Resource 1*). The new lawyer should print and bring the Individual Mentorship Curriculum Plan to the first meeting with the mentor.
2. Once the individual curriculum choices are made, the new lawyer and the mentor must sign the Individual Mentorship Curriculum Plan and the Mentorship Plan Agreement. The new lawyer should send both documents to the BTG program coordinator for approval on or before Dec. 31 of the new lawyer's admission year. (Keep a copy of the Individual Mentorship Curriculum Plan and the Mentorship Agreement for both the mentor and the new lawyer).
3. If the new lawyer and mentor need to make changes to their Individual Curriculum Plan after it has been filed, they should submit the desired changes to the BTG program coordinator in writing.
4. To successfully complete the BTG Mentorship Program, the new lawyer and mentor must meet for a minimum of 12 hours in at least seven, face-to-face sessions, and complete all mandatory and elected activities by the end of the mentorship term. Both individuals will be awarded 12 CLEs upon successful completion of the Mentorship Program.

#### IMPORTANT

Do not re-type the forms. Keep copies of the form for both the new lawyer and the mentor. The new lawyer should submit the Individual Mentorship Curriculum Plan and the signed Mentorship Agreement no later than August 1 for the new lawyer admitted in the spring of that year and no later than December 31 for the new lawyer admitted in the fall of that year.

All forms, resources and other program materials are available at  
[www.nmbar.org/Attorneys/mentorship/mentorship.html](http://www.nmbar.org/Attorneys/mentorship/mentorship.html).



**STATE BAR**  
of **NEW MEXICO**  
BRIDGE THE GAP  
MENTORSHIP PROGRAM

**MENTORSHIP AGREEMENT**

I agree to participate in the Bridge the Gap Program (the “BTG Program”) in accordance with its rules and regulations as may be amended from time to time. I understand that the BTG Program is comprised of a one-on-one mentorship relationship which primarily entails coaching, recounting experiences, lesson-sharing, providing support and asking questions.

I acknowledge the specific goals of the Program:

- To train new lawyers in professionalism, ethics, and civility during their first years of practice.
- To create a sense of pride and integrity in the legal profession and involvement in the organized bar.
- To assist new lawyers in beginning the process of acquiring the practical skills and judgment necessary to practice in a highly competent manner.
- To provide a means for all New Mexico attorneys to learn the importance of collegial relationships, organizational mentorship, including the building of developmental networks and long-term, multiple professional relationships.
- To encourage the use of best practices and highest ideals in the practice of law.

I acknowledge and will abide by the following BTG Program rules.

- Any communication between the mentor and the new lawyer arising out of my participation in the BTG Program is for the sole purpose of guiding and teaching the new lawyer about the practice of law and the issues that the new lawyer is likely to face in the practice of law.
- Any communication between the mentor and new lawyer is not intended to be the rendering of legal or professional advice to the new lawyer or his/her clients, and the new lawyer will not rely upon such communications or cause any client to rely upon them. The new lawyer will rely solely upon his/her own judgment, legal opinions, or independent research.
- No confidential relationship is formed between the mentor and the new lawyer as a result of participation in the BTG Program. The new lawyer will not identify any client to the mentor or reveal to the mentor any client confidence, nor will the new lawyer seek professional or legal advice from the mentor about specific legal matters or clients. Instead, all discussion about substantive legal matters between the new lawyer and the mentor will be limited to hypothetical situations.
- The mentor is not assuming any liability or responsibility with respect to any legal matter of the new lawyer’s clients, nor will the mentor render professional services to or take any responsibility for any aspect of representation of the new lawyer’s clients.
- The mentor will not co-counsel any matter with the new lawyer, nor will the mentor make referrals to or accept referrals from the new lawyer during the term of their mentorship relationship through the BTG Program.
- The new lawyer agrees to waive all claims against, and to hold harmless, the mentor, the Commission on Professionalism, the State Bar of New Mexico and the Supreme Court of New Mexico, its employees and agents, for any actions or inactions associated with the BTG Program or with new lawyers’ participation in the same.

I hereby certify that I have read the above Bridge the Gap Mentorship Agreement and agree to its terms. I pledge that I will devote the time and effort necessary to carry out the Individual Mentorship Curriculum Plan. I also certify that the new lawyer and mentor do not have a direct supervisory relationship.

\_\_\_\_\_  
\*Print/Type Name of New Lawyer

\_\_\_\_\_  
\*Print/Type Name of Mentor

\*Completion and submission of this form will stand for your signature.

Mail, email, or fax this Mentorship Agreement and the Individual Mentorship Curriculum form to:

Bridge the Gap Mentorship Program  
Elizabeth Aikin, Program Coordinator  
5121 Masthead NE, Albuquerque, NM 87109  
via email: [bridgethegap@nmbar.org](mailto:bridgethegap@nmbar.org)  
via fax: 505-797-6074

\*Print/Type Name of New Lawyer \_\_\_\_\_

\*Print/Type Name of Mentor \_\_\_\_\_

\*Completion and submission of this form will stand for your signatures.

## Individual Mentorship Curriculum Plan

### First Quarter: The Legal Community and the Community You Live In

In addition to the six mandatory activities, choose two electives from this section for a total of eight activities. **See Resource 7.**

	<b>Activity</b>
Mandatory	<ul style="list-style-type: none"> <li>Review and have a meaningful discussion about the Rules of Professional Conduct, making suggestions of practical application of the concepts.</li> <li>Review and discuss in depth at least two of the following rules: Confidentiality, Conflict of Interest, Candor, Communication With Persons Represented by Counsel, Dealing with Unrepresented Persons.</li> <li>Reach an understanding on how matters designated as confidential by the new lawyer will be handled. <b>See Resource 2</b></li> </ul>
Mandatory	Attend a meeting of an organized bar association together. Discuss local, state and national bar association opportunities and the advantages of being involved in local and state bar association activities. <b>See Resource 3</b>
Mandatory	Review the State Bar of New Mexico licensing form, highlighting annual certification sections and what portion of the fees go to what entities. <b>See Resource 4</b>
Mandatory	Discuss the unwritten customary rules of civility and etiquette among lawyers and judges in the community. <b>See Resource 5</b>
Mandatory	Acquaint the new lawyer with legal aid agencies in the state, local pro bono agencies, other opportunities for lawyers to engage in pro bono or low bono activities, and opportunities for lawyers to engage in civic and charitable work. Discuss how and why a lawyer finds time, despite a busy practice, to engage in volunteer activities and service to the profession and the community. <b>See Resource 6</b>
Mandatory	Explain and discuss CLE requirements and ways to fulfill such requirements. <b>See Resource 11</b>
<b>Electives: Check two.</b>	
	Review and discuss State Bar sections and committees and the value of getting involved in State Bar activities and service, including the Young Lawyers Division, of which you are a member. <b>See Resource 7</b>
	Accompany the new lawyer to the local courthouses, particularly those courts where the new lawyer will primarily be appearing. To the extent appropriate, introduce the new lawyer to members of the judiciary, court personnel and clerks of the court. <b>See Resource 8</b>
	Meet at the mentor's law office to introduce the new lawyer to members of the firm. In the case of in-house mentorship, make sure such introductions have already occurred. <b>See Resource 9</b>
	Escort the new lawyer to the local jails where the new lawyer is likely to have clients and explain the procedures for jailhouse visits. <b>See Resource 10</b>

### Second Quarter: Personal and Professional Development and Ethics

In addition to the three mandatory activities, choose two electives from this section for a total of five activities.

	<b>Activity</b>
Mandatory	Discuss substance abuse and mental health issues, including possible warning signs and what to do if the new lawyer, a colleague or a superior is faced with a substance abuse or mental health problem. Review and discuss the support and counseling available for the new lawyer and family through the New Mexico Lawyers and Judges Assistance Program. <b>See Resource 12</b>
Mandatory	Discuss potential resources for dealing with complicated ethical issues, including conflicts of interest. Discuss ethical issues that arise with some regularity in the practice setting. Discuss ways to resolve the issues, referring to mentor's experience, as well as guidance of the Rules of Professional Conduct. If the mentorship relationship is in-house, discuss the firm's procedures for assisting with complicated ethical issues. Discuss the grievance process and a lawyer's duty to cooperate with a disciplinary investigation. <b>See Resource 13</b>
Mandatory	Discuss the appropriate way to handle situations where the new lawyer believes another lawyer (both in and outside of the new lawyer's firm) has committed an ethical violation, the obligation to report misconduct, and the appropriate way to handle a situation where the new lawyer has been asked by a senior member of the firm to do something that is unethical or unprofessional. <b>See Resource 19</b>
<b>Electives: Check two.</b>	
	Discuss the new lawyer's long-term career goals and identify ways to meet those goals. <b>See Resource 14</b>
	Discuss techniques for finding a balance between career and personal life, putting daily pressures in perspective and reconciling job expectations with actual experience. Discuss billable hour requirements. <b>See Resource 15</b>
	Discuss different career paths and identify resources for exploring options. Discuss differences between large firms, small firms, government and non-profit practices and non-traditional legal positions. <b>See Resource 16</b>
	Discuss practical ways to manage law school debt. <b>See Resource 17</b>
	Discuss common malpractice and grievance traps (particularly in the new lawyer's practice area) and how to recognize and avoid common pitfalls. Discuss the benefits of carrying malpractice insurance and review the insurance and disclosure forms required annually. Discuss the lawyer's obligations in the event of the failure to carry malpractice insurance. <b>See Resource 18</b>

**Third Quarter: Law Office Management and the Practice of Law**  
 In addition to the two mandatory activities, choose six electives from this section OR from the Substantive Law Electives (page 3) OR a combination from the two sections for a total of eight activities.

	Activities
Mandatory	Discuss practices to maintain client confidentiality. <b>See Resource 20</b>
Mandatory	Review escrow and trust account rules for handling client funds, including the importance of clearing checks before funds are drawn and authority needed to pay fees from client funds in trust. Refer to IOLTA RULES 17-204, 24-109, 16-115 NMRA
<b>Electives: Check six from this section OR from the Substantive Law section OR a combination from both sections.</b>	
	Tour the mentor's law office, covering demonstrations and explanations about how the office is managed. Discuss resources where the new lawyer can learn more information about law office management issues. <b>See Resource 21</b>
	Discuss good time records, time management skills and techniques. Discuss best practices and current practices regarding records of client-related expenses. <b>See Resource 22</b>
	Discuss the billing and filing systems.
	Discuss how to screen for, recognize and avoid conflicts. Discuss the differences between issue conflicts and client conflicts. <b>See Resource 23</b>
	Discuss the roles and responsibilities of paralegals, secretaries and other office personnel and how to establish good working relationships with support staff, colleagues and senior colleagues. <b>See Resource 24</b>
	Discuss how to prevent issues of the unauthorized practice of law involving staff. <b>See Resource 25</b>
	Introduce the new lawyer to the calendar and other reminder systems.
	Introduce the new lawyer to the information technology, library and research systems.
	Discuss office politics, including appropriate networking, socializing and personal behaviors. <b>See Resource 26</b>
	Discuss the importance of planning ahead for handling a lawyer's practice in the event of the lawyer's retirement, death or disability. <b>See Resource 27</b>
	Discuss the issues surrounding leaving a firm, such as how to protect oneself, advising clients and withdrawing from cases. <b>See Resource 28</b>
	Draft a fee agreement.

**Fourth Quarter: Client Communications, Advocacy and Negotiation**  
 In addition to the two mandatory activities, choose two electives from this section AND five from the Substantive Law Electives (page 3) for a total of nine activities.

	Activities
Mandatory	Discuss the importance of maintaining communication, including the use of retention, engagement documents and fee agreements, confirming things in writing, being on time, etc. Discuss the dos and don'ts of maintaining good ongoing client relations and communications, such as returning telephone calls and keeping clients informed about matters. Discuss frequent issues that arise regarding the scope of representation. <b>See Resource 29</b>
Mandatory	Discuss the responsibilities of the client and the lawyer in decision making and the best ways to involve clients in their cases. <b>See Resource 31</b>
<b>Electives: Check two from this section AND five from the Substantive Law section.</b>	
	Discuss client interaction, including tips for gathering information about a legal matter and appraising the credibility and trust of a potential client.
	Discuss methods and techniques of client and business development, including any relevant ethical concerns and the most professional practices in this regard. <b>See Resource 30</b>
	Train, through discussion and client interaction, how to best screen for, recognize and avoid conflict.
	Discuss the best ways to evaluate a potential case and how to decide whether to accept a proffered representation. <b>See Resource 32</b>
	Discuss how to deal with the difficult client and how to decline representation of the unrealistic or impossible client. <b>See Resource 33</b>
	Discuss proper legal counseling techniques, duties and the responsibilities of advising clients. Discuss fee setting for legal services and how to talk with clients about fees. Discuss retainer agreements. <b>See Resource 34</b>
	Participate in or observe at least one client interview or client counseling session.
	Discuss appropriate ways for dealing with others on behalf of a client. <b>See Resource 35</b>
	Discuss tips for the preparation of and proper behavior during depositions. <b>See Resource 36</b>
	Discuss the important points about negotiation with another lawyer and potential issues associated with negotiations. <b>See Resource 37</b>
	Review and understand fee agreements and issues to be included in different types.
	Discuss effective legal writing, such as effective techniques, avoiding common mistakes causing pleadings to be rejected, effectively using sample legal pleadings and forms, efficient legal research, etc. <b>See Resource 38</b>
	Discuss the types of alternative dispute resolution (e.g., mediation, binding and non-binding arbitration, high-low arbitration, early neutral evaluation, court-annexed arbitration, summary jury trials, etc.) and the benefits and disadvantages of each. <b>See Resource 39</b>
	Observe (in person or by streaming video online) an appellate argument in the Supreme Court of New Mexico, New Mexico Court of Appeals, U.S. District or Circuit Court, and discuss techniques and tips for effective oral argument. <b>See Resource 40</b>

## Substantive Law Electives

Any of the following activities in Sections A–R may be chosen as electives within the third and fourth quarters of the program.

Up to four of the selected activities 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. Contact the BTG program coordinator for more information.

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

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.

Check Selections	Substantive Law Electives Section A: Litigation and Transaction Handling
	Participate in a deposition of a witness or adverse party in a civil action.
	Participate in a civil or criminal case trial 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 a client interview.
	Participate in counseling a client.
	Prepare a complaint and a summons.
	Participate in trial preparation and observe or participate in a trial.
	Participate in plea negotiations or reviewing a plea agreement.
	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.

Check Selections	Substantive Law Electives Section B: Advocacy and Litigation
	Attend an appellate argument in the New Mexico Supreme Court, Court of Appeals, or a U.S. 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 (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 a 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.

Check Selections	Substantive Law Electives Section C: Alternative Dispute Resolution (ADR)
	Review and discuss New Mexico's statutes on mediation including the requirement to screen for a mediator's potential conflict of interest.
	Observe, participate in, or prepare for an actual or simulated mediation.
	Observe, participate in, or prepare for an arbitration and review and discuss rules.
	Discuss how to prepare a client for mediation or arbitration.

Check Selections	Substantive Law Electives Section D: Negotiation
	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.

Check Selections	Substantive Law Electives Section E: Client Interviewing and Counseling
	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.

Check Selections	Substantive Law Electives Section G: Criminal Procedure
	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.
	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 a trial.
	Observe and/or participate in an entry of plea in court.
	Review and discuss pre-sentence report; participate in filing objections.
	Research and participate in analysis of federal sentencing guidelines in a particular federal case.

Check Selections	Substantive Law Electives Section F: Civil Procedure
	Prepare a complaint.
	Prepare a summons.
	Cause a summons to be served.
	Participate in preparing a Rule 12 motion to dismiss.
	Participate in preparing answers to a complaint, counterclaim, cross-claim and third-party complaint.
	Participate in a 26(f) conference to discuss settlement, discovery plan and initial disclosures.
	Participate in preparing initial disclosures as required by Rule 1-206 NMRA.
	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 a preparing pretrial order and making pretrial disclosures of witnesses and exhibits.

Check Selections	Substantive Law Electives Section H: Estate Planning
	Participate in drafting and reviewing at least six of the following <ul style="list-style-type: none"> <li>• Wills</li> <li>• Revocable living trusts: tax planning</li> <li>• Revocable living trusts: non-tax planning</li> <li>• Revocable living trusts: generation-skipping tax planning</li> <li>• Irrevocable trusts</li> <li>• Special powers of attorney for health care.</li> </ul>
	<ul style="list-style-type: none"> <li>• Durable powers of attorney</li> <li>• Advanced health care directives</li> <li>• Life insurance trusts</li> <li>• Transfer of ownership documents: quit-claim deeds.</li> <li>• Transfer of ownership documents: assignments</li> </ul>
	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.

Check Selections	Substantive Law Electives Section I: Probate
	Prepare notice to creditors and arrange for publication.
	Prepare inventory of estate.

Check Selections	Substantive Law Electives Section J: Family Law
	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 resource.
	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 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.

Check Selections	Substantive Law Electives Section K: Juvenile Law
	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 delinquency case, observe, participate in, or discuss: <ul style="list-style-type: none"> <li>• A detention hearing</li> <li>• The role of a probation officer in detention cases</li> <li>• An arraignment</li> <li>• A pre-trial</li> <li>• A trial</li> </ul>

Check Selections	Substantive Law Electives Section L: Business Law
	Participate in forming business entities by drafting and reviewing at least three of the following: <ul style="list-style-type: none"> <li>• Articles of incorporation.</li> <li>• Articles of organization.</li> <li>• Corporate minutes and resolutions</li> </ul>
	Participate in drafting and reviewing at least three of the following: <ul style="list-style-type: none"> <li>• Shareholders' agreements.</li> <li>• Buy-sell agreements.</li> <li>• Security/collateral agreements</li> </ul>
	Participate in the due diligence process for mergers and acquisitions.
	Prepare UCC filings.

Check Selections	Substantive Law Electives Section M: Tax Law
	Prepare and analyze tax calculations.
	Participate in preparing certain IRS tax forms, including the following: <ul style="list-style-type: none"> <li>• Form 2553 (Corporation Election)</li> <li>• Form 709 (Gift Tax Return)</li> <li>• Form 706 (Estate Tax Return)</li> <li>• Form 1041 (Income Tx for Trusts)</li> </ul>

Check Selections	Substantive Law Electives Section N: Real Estate Law
	(a) Search a title at Recorder's Office
	(b) Participate in drafting and reviewing at least four of the following: <ul style="list-style-type: none"> <li>• Real estate purchase agreements.</li> <li>• Deeds of trust.</li> <li>• Mortgages.</li> </ul>
	<ul style="list-style-type: none"> <li>• Commercial Leases</li> <li>• Residential leases</li> <li>• Notice of Default on the above</li> </ul>

