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Mentoring



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LESSONS LEARNED *from* MENTORS *of the* PAST

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The program our team put together for our September Inn meeting focused on mentoring, finding a mentor, maintaining the relationship, what a mentor looks for in a protégé, and what a protégé looks for in a mentor.

Mentors can be found through bar associations, specialty lawyer groups, law schools, and even in law firms. By learning from the experience and advice of mentors, protégés, may be able to advance further in their careers rather than by forging their own paths. And mentors, through teaching and guiding their protégés, are able to leave a legacy that influences and advances their profession long after they retire. Nevertheless, mentorships often fall short of this ideal. Communication and shared goals are integral to a successful mentor relationship. When either breaks down, both mentor and protégé can become quickly frustrated with the decisions of the other.

Mentorships in the legal profession are common these days, but mentors aren't new to the legal profession—they've been around in England for centuries and in the United States since the founding fathers. Indeed the American Inns of Court are modeled on the English system of apprenticeship and designed to allow less-experienced attorneys to become more effective attorneys and advocates by learning from more-experienced attorneys and judges. Such mentoring serves to promote the mission of the American Inns of Court, which is to foster excellence in professionalism, ethics, civility, and legal skills.

This article takes a look at some of this country's great leaders who helped to shape American thought and ideals from a new perspective—as lawyers who were either mentors or received mentoring from another great leader. The successes and failures of these relationships continue to have modern application to mentoring relationships today.

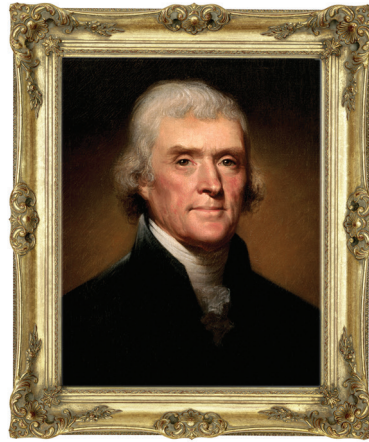
JEFFERSON & MADISON— *Forging a Different Path*

Thomas Jefferson and James Madison were both long-time residents of the Piedmont area of Virginia. Jefferson, who was eight years older than Madison, studied law with George Wythe after graduating from William and Mary College, and was admitted to the Virginia bar in 1767. From Wythe, his mentor and fellow signer of the Declaration of Independence, Jefferson began to develop and refine his own theories of political philosophy and personal liberty. Borrowing heavily from political philosophers, Jefferson's philosophy became closely linked to enlightenment thinking.

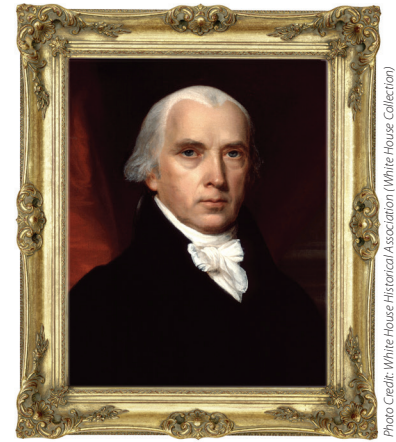
Madison also studied law for a time. However, before he was admitted to the bar, Madison turned to politics. Madison was elected to the Virginia Convention in 1776, where he gained prominence working for religious freedom. Like Jefferson, Madison was greatly influenced by the enlightenment thinkers. Jefferson met Madison in the midst of the revolutionary fervor not long before Jefferson left for Philadelphia where he penned the Declaration of Independence.

The relationship between Jefferson and Madison became much closer when Jefferson returned to Virginia as Governor in 1779 and they worked together daily. Jefferson and Madison agreed with each other on numerous issues and had meaningful conversations and communications with each other on a regular basis regarding their political positions and goals, as attested by their many letters to each other. Each used the other to refine his own political philosophy and develop laws that would match their brand of republicanism. When they seriously disagreed, Jefferson and Madison continued to be honest and open with their views, but tactfully communicated their differences. This open dialogue would be tested over the largest disagreement encountered in the mentor-protégé relationship.

In 1787 while Jefferson served the United States' interest in France, Madison was appointed by Virginia as a delegate to the Constitutional Convention. Madison served as deputy to the Convention and quickly demonstrated his political astuteness and tireless work ethic in floor debates and in committees. Additionally, Madison took comprehensive notes of the proceedings preserving the intentions and debate of the framers. For his efforts, Madison became known as the Father of the Constitution, just as his mentor is known as the Father of the Declaration of Independence.



THOMAS JEFFERSON



JAMES MADISON

While Madison crafted and championed the new basis for American law, his mentor, Jefferson, became one of its leading critics. Jefferson objected to the Constitution because it contained no Bill of Rights and provided for the possibility of perpetual reelection of the chief executive. On the other hand, Madison, along with Alexander Hamilton and John Jay, wrote *The Federalist Papers*, a series of essays supporting the ratification of the Constitution by the various states, which considered and rejected the need for a Bill of Rights. Jefferson wrote a series of letters voicing strong opposition to the Constitution as drafted, which were used by Anti-Federalists to oppose ratification.

Despite their significant differences on perhaps the most critical issue of the early republic, Jefferson's and Madison's mentorship relationship survived and flourished over the following decades. Indeed, Jefferson, while noting his difference of opinion, complimented Madison on the power of the arguments made in *The Federalist Papers*. Later, the pair worked in compromise as Madison helped to work passage of the Bill of Rights. Both mentor and protégé forged a new political party, and both went on to serve two terms as president of the United States. Prior to their deaths, both recognized the importance of their relationship to the other.

This mentoring relationship between two of our founding fathers has many characteristics to be emulated in mentoring relationships today. First, and most important, mentor and protege **communicated** frequently, openly and meaningfully. Second, they remained open and honest with each other and established an **ability to disagree** with and challenge the other without destroying the relationship. Third, they **helped each other achieve excellence**—as they respected their differences of opinion, compromised, and worked together to help pass the Bill of Rights.

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THEODORE ROOSEVELT



WILLIAM H. TAFT

Photo Credit: c1902, M.P. Price, Washington, DC

Photo Credit: Harris & Ewing Collection, Library of Congress

ROOSEVELT & TAFT— *Unmet Expectations*

Unlike the vast majority of mentorships, Theodore Roosevelt was actually a year younger than his protégé William Howard Taft. Taft distinguished himself as a lawyer and judge before becoming the Solicitor General of the United States. Upon moving to Washington, D.C., Taft met Roosevelt and the two became close acquaintances.

Roosevelt also attempted law school, but becoming bored with his studies turned quickly to civil service. As a progressive, Roosevelt worked earnestly to reshape regulatory law concerning anti-trust, labor relations, and food safety when President. Taft worked with widespread acclaim in Roosevelt's administration. As President, Roosevelt heavily leaned on Taft in foreign matters and closely consulted with him on many decisions. Roosevelt appointed Taft to certain positions in the government to specifically groom him for the presidency. In 1908, Roosevelt believed so much in Taft's abilities that he was determined to step aside and work hard to gain Taft's election despite widespread popular support for a third term. While Taft had reservations concerning the presidency, the protégé promised to complete and perfect the machinery by which Roosevelt's policies would be maintained.

After Taft's ensuing election, Roosevelt earnestly believed that Taft intended "no backward step" from the policies of his own administration. Taft claimed that he conscientiously tried to carry out Roosevelt's policies, but admitted to some bad luck in those efforts. Nevertheless, after three years, Roosevelt had seen enough. Amongst other issues, Roosevelt determined that Taft had failed to live up to his expectations on anti-trust and judiciary reform.

Roosevelt became disenchanted with Taft's policies when they did not mirror his own. Differences in

personalities also contributed to the breakdown of the mentorship—Roosevelt was quick to the fight whereas Taft had a more amiable personality. Roosevelt was determined to run against Taft in the 1912 election, which both lost to the Democratic candidate, Woodrow Wilson. The bitterness between the mentor and protégé degraded into a name calling campaign. Ironically, despite the fall out, Taft went on to fulfill his lifelong career goal when President Harding appointed him to serve as the Chief Justice of the United States.

As the mentorship between Roosevelt and Taft demonstrates, even mentorships between great mentors and great protégés do not always end well. While disagreements between mentor and protégé can serve to challenge and enlighten the parties, serious or frequent disagreement may lead to the end of the relationship. A protégé certainly does not need to follow all of his or her mentor's recommendations, but if a protégé routinely disregards the mentor, it may be time to part ways. It is essential to find a mentor whom you like, respect, and trust.

A good mentor has to be willing to provide the protégé with the opportunity to forge her own path and allow for some differences of opinion. Certain differences in work ethic or style, however, may be too great to overcome. If the mentor is the type of lawyer who likes to meticulously prepare, and go over everything in advance, while the protégé is type of lawyer who works largely on intuition, and prefers to work "under pressure," then both sides may be frustrated and dissatisfied with the relationship.

The fact that Taft was amiable, whereas Roosevelt was a fighter, did not initially impede the mentorship while Roosevelt remained in a position of authority. Indeed, differences can often enhance the mentoring relationship, provide new perspectives, and make it more interesting. However, the different personalities clashed when Taft obtained a position of authority. Mentor and protégé should reexamine the nature of their relationship following major changes to either's employment or status. The mentorship that worked well between a partner and associate may not work as well as a relationship between co-equals.

HOUSTON & MARSHALL— *Carrying the Standard Forward*

Charles Hamilton Houston grew up in Washington, DC, as part of a prominent African-American family. Houston attended segregated schools in Washington before distinguishing himself at Amherst College. After serving in World War I where his views on race relations were shaped greatly, Houston entered

Harvard Law School, becoming the first African-American member of the law review. Eventually, Houston took a position as a dean at Howard University Law School in Washington, DC. While there, Houston mentored dozens of prominent black lawyers who influenced the civil rights movement.

Thirteen years younger than Houston, Thurgood Marshall was born in racially divided Baltimore in 1908. After attending Lincoln College, Marshall hoped to attend the University of Maryland School of Law, but was denied admission based upon his race. Instead, Marshall sought and gained admission at Howard University Law School where he came under the influence of Charles Houston. Marshall relished the order and discipline Houston instilled in his students. Houston demanded excellence in all aspects and Marshall became an apt protégé—molding himself into one of Howard’s best students and helping Houston gain accreditation for the law school. While Marshall was still a student, Houston trusted him to help prepare his cases for trial giving Marshall valuable experience.

Following Marshall’s graduation, Houston opened the door for him to become active with the National Association for the Advancement of Colored People (NAACP). Together, Houston and Marshall began implementing Houston’s plan to attack racial segregation nationwide. In this role, Marshall approached Houston to become directly involved in the plight of an aspiring African-American law student, Donald Gains Murray, who sought admission to the University of Maryland School of Law—the same law school to which Marshall had been denied admission. Murray’s character and academic background qualified him for admission, but he was denied simply on the basis of his race. In the ensuing case, Houston, as first chair trial attorney, and his protégé and second chair, Marshall, won one of the most important victories to date in the legal challenge to segregation. The Maryland Court of Appeals upheld the trial court’s finding that the University of Maryland violated the rights guaranteed Murray under the 14th Amendment by providing no substantially equal alternative for its black citizens. The decision vaulted Houston and Marshall to a preeminent status among civil rights attorneys of their day.

Houston died at the age of 54 before racial segregation was ended. However, Marshall picked up the torch and carried it forward, orchestrating his crowning achievement, *Brown v. Board of Education*. Later, Marshall became the first African-American appointed to the Supreme Court of the United States. Marshall acknowledged the work of his mentor that allowed him his subsequent successes stating “we wouldn’t have been any place” if “Charlie [Houston] hadn’t laid the groundwork for it.”



CHARLES H. HOUSTON

Photo Credit: Scullock Studio Records, Archives Center, National Museum of American History, Behring Center, Smithsonian Institution



THURGOOD MARSHALL

Photo Credit: Robert S. Oshes, Supreme Court of the United States

Houston’s mentoring and training of Marshall allowed both parties to accomplish incredible achievements and demonstrates the many positive roles and functions of an excellent mentor:

- **Sponsor**—encouraging and advocating for Marshall to join and become active with the NAACP
- **Teacher**—teaching practical legal and trial skills
- **Role model**—serving by example, and leading by being one to aspire to
- **Coach**—encouraging professional growth, monitoring performance, and providing feedback
- **Sounding board**—listening to ideas, proposals and plans
- **Enhancer**—building confidence
- **Friend**—forming personal and social bonds
- **Catalyst**—making things happen, inspiring action and looking for new opportunities.

Mentorship relationships can be extremely valuable and rewarding for both the mentor and protégé. The mentor can encourage and support the protégé, lead by example, provide technical skills and advice, as well as impart character traits, insight and opportunities. Likewise, in a good mentor relationship, the mentor will also learn from, be challenged by, and be inspired by, the protégé. ♦

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