



The Earl E. O'Connor American Inn of Court

Mentoring is a Fact of History

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Mentoring is not just a concept; it is a fact of history. Mentoring, of junior lawyers by sitting judges and senior lawyers, more than anything else created the venerable English judicial system, upon which our American system and many other judicial systems are based. The apprenticeship model that started in England in medieval times, over seven hundred years ago, relied heavily upon mentoring, and that model is still in use today in England.

The four English Inns of Court, in London, still use that same model. Membership in one of the Inns is a prerequisite for all practicing barristers. Law graduates are “called to the Bar” of their Inn and admitted as barristers. But it is only after they have completed the required practical training, within an Inn, that they are allowed to appear in the courts of England.

Black’s Law Dictionary defines the term “American Inn of Court” as an organization whose members, through monthly meetings, emphasize practice skills, professionalism, and ethics, *“and provide mentors to train students and young lawyers in the finer points of good legal practice.”* (Emphasis added.)

When we, as lawyers in an American Inn of Court, think of the mentors in our lives, in the abstract, we usually start by thinking of our parents, or our grandparents, relatives within our own personal history. It is inevitable. The impacts they have had upon our lives is incalculable. And those impacts generally included the mentoring they provided.

John Marshall, the fourth Chief Justice of the United States Supreme Court, and the man who, more than anyone else, defined our national government, over two hundred years ago, credited his father, Thomas Marshall, for inspiring much of what he accomplished. His father happened to be a friend, and neighbor, of George Washington. They attended school together for a while. Just imagine how the influence Washington must have had on Thomas Marshall in turn influenced

Chief Justice Marshall once told Justice Joseph Story: “My father was a far abler man than any of his sons. To him, I owe the solid foundation of all my success in life.” Marshall also credited his mother with having a significant impact upon his life. About her, he wrote: “I have always believed that national character depends more on the female part of society than is generally imagined. Precepts from the lips of a beloved mother sink deep in the heart, and make an impression which is seldom entirely effaced. These impressions have an influence on character which may contribute greatly to the happiness or misery, the eminence or insignificance, of the individual.”

It was Abraham Lincoln who famously said, “All that I am or ever hope to be, I owe to my angel mother.” Some teachers become powerful mentors. In considering the impact of teachers upon their pupils, one should recall that Aristotle was a pupil of Plato, for over twenty years, and Plato, in turn, had been a pupil of Socrates. Just imagine how the two teachers, Socrates and Plato, influenced Western philosophy by their mentoring.

President Truman explained that the influence of his teachers, in high school in Independence, on his life was second only to that of his mother. The night before he appointed his schoolmate Charley Ross to be his first press secretary, Truman called their teacher; Miss Tillie (Matilda Brown), in Independence, to tell her that he was doing it. He also told her that the summer White House would be in Independence, and that he hoped she would visit him there often.

Law professors are also often mentors to their students. My favorite professor in law school, who taught Evidence, influenced me to become a litigator. We became such good friends that he came from Boston to visit me several years after I graduated. Of course, we in the legal profession all have had professional mentors. For me, the most significant mentor was John C. Noonan, the dean of the litigation lawyers in the old Stinson, Mag & Fizzell law firm. He trained dozens of lawyers, some of whom have become prominent leaders in the profession in Kansas City and beyond, and all of whom continue to credit Noonan with being the quintessential mentor. Webster's Dictionary defines a mentor as "a wise and trusted counselor or teacher." That is precisely what John Noonan was to all of us.

Judges play a role as models for their law clerks. In 1955, Alexander Bickel, a noted legal historian, wrote, regarding law clerks: "Great judges project their influence into the future in ways that are beyond the printed word . . . through their law clerks." He was talking about the mentoring that those judges inherently provide to their law clerks. He went on to note that over half of Justice Brandeis' twenty-one law clerks became law professors.

Chief Justice Warren Burger over thirty-five years ago imported the system of the English Inns of Court to America because he was so impressed with the mentoring system for barristers in the English Inns. Ben Johnson, known for being a contemporary of Shakespeare, in the 1500's described the four English Inns of Court as "the noblest nurseries of humanity and liberty in the kingdom."

The mentoring component of the English Inns was described in a slightly earlier time frame by another Londoner. In 1468, Sir John Fortescue wrote that one function of the English Inns was "to inculcate into their young students the ideals of public service, breadth of vision, and a national outlook." And in 1700, Sir Henry Chauncey, a well-known historian, who was a treasurer of the Middle Temple, one of the four English Inns, described the English Inns of Court as follows: These societies were excellent seminaries for the education of youth, some for the bar, others for the seats of judicature, others for the government, and others for the affairs of state.

Thus, the mentoring program in our particular Inn has its roots in the history of the English Inns of Court, the rich history of those Inns. If it produces even a small fraction of the great legal talent and statesmanship that has emerged from Inns of Court in England, and from the American Inns of Court around this country, it will be a tremendous success.