

PRESENTED AT

32nd Annual David W. Robertson Admiralty and Maritime Law Conference

February 2, 2024

Houston, Texas

New Wine Into Old Bottles: Mentoring Young Lawyers in Today's Remote Work Environment

Jim Brown

Houston, Texas

James T. Brown

Holman Fenwick Willan USA LLP

5151 San Felipe, Suite 400

Houston, Texas 77056

713-706-1947

Jim.brown@hfw.com

**NEW WINE INTO OLD BOTTLES:
Mentoring Young Lawyers in Today's Remote Work Environment**

1. THE CONUNDRUM

I admit it, I'm a dinosaur. Since 1989, I have practiced maritime law and loved every minute of it. I now find myself in that "older generation of lawyers." Recently, a contemporary of mine had the temerity to call me a curmudgeon. Gus A. Schill Jr. was a respected admiralty practitioner in Houston who was a professor and mentor to many of the maritime lawyers in this room. When he had been in practice slightly more years than have I, he waxed eloquently and wrote a law review article which mentored young maritime lawyers on ethics, civility, quality of life, and perhaps least, the practice of law.¹ Professor Schill was right—mentoring involves more than just the technical practice of law. It involves things such as ethics, the running of a law office, client development, how to treat staff, dealing with the court and opposing counsel, quality of life tips, etc. This was all part of the valuable mentoring I consistently received from my mentors. Usually, it involved face-to-face interactions of some type. From my first day as a lawyer, I was eager to be the best lawyer I could be (at least in my mind), and the mentoring I received was a great benefit. How could I get that mentoring today?

I was raised, so to speak, as a lawyer in the old-fashioned way. I received excellent mentoring from everyone at the firm: my supervising lawyers, fellow associates, fellow partners, as well as the junior lawyers that I later came to supervise. Before I was a lawyer, I was a merchant seaman. I also had excellent mentors at sea, and learned something from every person on the ship every day. I was mentored primarily face-to-face. I loved going to the office and did so happily every day of my career.

When I became a partner and helped manage a law firm, I felt all the lawyers and staff should be at the office. Having everyone in the office helped us learn from one another and better serve the client. It fostered collaboration and spontaneity, plus it was always a heck of a lot of fun. If I was a client, I would want the lawyer working on my case to be able to walk down the hall and get the benefit of advice from any lawyer in the firm. I'll admit that this

¹ See Schill, *Old Wine Into New Bottles and Old Wine Into New Bottles Revisited*, 18 Hous. J. Int'l L. 817 (1996).

was so important to me that when laptop computers came out, I voted against providing them to the lawyers because if we did "nobody will come to work anymore."

From law clerk to senior partner (and all steps in between), I was blessed with great mentoring. Like most lawyers, I learned in various ways, such as:

- Face-to-face mentoring from other lawyers both in and outside the firm;
- Interacting with the court, experts, and the other side;
- Traditional continuing legal education classes (I always exceeded the required hours);
- In-house firm continuing legal education meetings;
- Reading journals, self-study;
- Experience gained from simply working cases; and
- Lessons learned from my worthy opponents a/k/a "learning the hard way" – (getting beat up in litigation by most of the lawyers in this room).

But as far as peer mentoring is concerned, the best training I had was face-to-face. It was organic and spontaneous. Be it walking down the hall and knocking on doors, or discussions at firm meetings. Other times it was war stories at the courthouse, lunch, or often the local pub. Today, some firms do not have a "brick-and-mortar" office, and everyone is expected to work remotely from home. Other firms have a hybrid arrangement where the lawyers need only be in the office several days a week with the remainder being remote. Still others don't have their own office, but "rent" space in a shared office that can be used when needed.

Many of us no longer go to an office or do so only sporadically. How do we ensure the younger lawyers have the benefit of the mentoring and training that we did? How do we ensure it is readily available and spontaneous? Do we have an ethical duty to do so?

2. **DUTY TO SUPERVISE AND MENTOR, OR EVERY LAWYER FOR THEMSELF?**

As with any decision a lawyer makes, a review of the ethical obligations that may be implicated can be a good place to start. What do the Texas Disciplinary Rules of Professional

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: New Wine into Old Bottles: Mentoring and Training Young Lawyers in Today's Remote Work Environment and Virtual Offices

First appeared as part of the conference materials for the
32nd Annual David W. Robertson Admiralty and Maritime Law Conference session
"New Wine into Old Bottles: Mentoring and Training Young Lawyers in Today's Remote
Work Environment and Virtual Offices"