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## Appendix: Professionalism Initiatives

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## APPENDIX:

# PROFESSIONALISM INITIATIVES

The following descriptions of professionalism initiatives were prepared by Amanda Campbell, Senior Program Associate of the Open Society Institute. It is not an exhaustive list but it illustrates some of the efforts being made to improve the professionalism of lawyers.

### 1. STANDARDS OF CONDUCT

#### *Standards of Professionalism for Lawyers*

Many local and state bars have adopted statements describing how lawyers should conduct themselves. Unlike mandatory rules of ethics, standards of professionalism are aspirational. The Standards of Professionalism adopted by the South Carolina Bar are typical of standards adopted in other states.

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**Phone:** (803) 799-6653      **E-mail:** [b.wells@scbar.org](mailto:b.wells@scbar.org)

#### *Standards of Professionalism for Law Students*

Every law school has an honor code, violations of which can result in formal discipline or expulsion. Students at the University of South Carolina School of Law have begun investigating the possibility of developing standards that describe how law students should conduct themselves during their transition into the legal profession. The project is being supported by the Law School's Nelson Mullins Riley & Scarborough Center on Professionalism. The drafting and deliberation stage of the project is expected to continue through the 2001-2002 school year.

**Contact:** Professor Roy Stuckey, USC School of Law, Columbia, SC 29208

**Phone:** (803) 777-2278      **E-mail:** [Roy@law.law.sc.edu](mailto:Roy@law.law.sc.edu)

#### *Standards of Conduct for Matrimonial Lawyers*

In 1991, the American Academy of Matrimonial Lawyers issued standards of conduct assembled by its 1,500 fellows. These standards represent the first attempt by a voluntary lawyers' association to draft ethical standards for its specific area of practice that go beyond the ABA and state ethics codes. The

primary purpose of establishing the standards is to provide guidance to matrimonial lawyers confronting moral and ethical problems in order to establish bounds of advocacy.

**Contact:** Lorraine West, AAML, 150 North Michigan Avenue, Suite 2040, Chicago, IL 60601

**Phone:** (312) 263-6477

## 2. RULES OF ETHICS

### *Cornell Law School - Legal Information Institute (LII)*

The Legal Information Institute (LII) at Cornell Law School was established in 1992 to explore new ways to distribute legal documents and commentary. The LII draws on faculty, staff, and student resources to electronically distribute course supplements and legal information. With support from the W.M. Keck Foundation, LII has been able to undertake the creation of an American Legal Ethics Digital Library containing the codes or rules setting standards for the professional conduct of lawyers and commentary on the laws governing lawyers, organized on a state by state basis. This information will be available on the internet and CD-ROM. The library includes the ABA's ethics materials to permit the rules of a particular state to be compared with the ABA model provisions and with related provisions in other states.

**Contact:** Peter Martin and Thomas R. Bruce, Co-Directors of LII, Legal Information Institute, Cornell Law School, Myron Taylor Hall, Ithaca, NY 14853

**Phone:** (607) 255-6536      **E-mail:** [lii@lii.law.cornell.edu](mailto:lii@lii.law.cornell.edu)

### *Stanford University School of Law: Keck Center on Legal Ethics and the Legal Profession*

Created with funding from the W.M. Keck Foundation, the Keck Center's Clearinghouse is the nation's most comprehensive effort to promote instruction on legal ethics throughout the law school curriculum. The Clearinghouse identifies and publicizes educational resources not readily accessible through standard casebooks.

**Contact:** Deborah L. Rhode, Director of Center, Crown Quadrangle, 559 Nathan Abbott Way, Stanford, CA 94305

**Phone:** (650) 723-2465

*State Ethics Hotlines*

Several states have ethics hotline programs. Florida operates a staffed hotline of eight lawyers and five support staff, and Wisconsin plans to expand from a part-time to a full-time program. Rhode Island responds to written questions, and another five states use websites to issue advisory opinions.

### 3. ACCESS TO JUSTICE/PRO BONO

*Law Offices of Goldstein and Baron: Family Law Clinic*

Recipient of the Gambrell Award in 1995, the Family Law Clinic of Goldstein and Baron helps to alleviate the overload of cases that would otherwise be handled by the Law Foundation of Prince George's County. The firm's domestic relations lawyers direct and supervise volunteer interns handling these cases, sign all court documents, and appear in court with the interns. The Clinic also arranges with ancillary providers, such as process servers and court reporters, to offer their services free or at a discounted rate to its clients. Judges and Masters have also cooperated with the Clinic, hearing the cases early in the morning before the regular court docket.

*ABA Standing Committee on Lawyers' Public Service Responsibility:  
Center for Pro Bono*

The Standing Committee on Pro Bono and Public Service is the ABA's principal entity focusing on the development and expansion of pro bono policies and programs throughout the country. The Standing Committee's Center for Pro Bono is a national resource and support center that provides technical assistance and planning advice to pro bono advocates. Currently, with support from the Open Society Institute, the Center has undertaken a Rural Pro Bono Delivery Initiative focusing on developing and promoting successful models for serving the legal needs of segments of the rural poor population in addition to developing, improving, and advocating pro bono delivery strategies that serve all rural, poor communities.

**Contact:** Greg McConnell, Director

**Phone:** (312) 988-5769

*AALS Equal Justice Colloquia*

The Association of American Law Schools held equal justice colloquia in nineteen locations around the country during the 2000-01 academic year. They were designed to create cutting-edge opportunities for law schools and by working in conjunction with the equal justice community, to lend their unique

talents in the critical quest for equal justice in our current legal systems and communities. The Colloquia highlighted innovative law school pedagogy, scholarship, and service designed to promote equal justice in a variety of arenas where existing legal systems have proven systemically unable to provide adequate representation.

**Contact:** Cynthia Adcock, Director, Office of Pro Bono AALS, 1201 Connecticut Avenue NW, Suite 800, Washington, DC 20036

**Phone:** (202) 296-8851      **E-mail:** [cadcock@aals.org](mailto:cadcock@aals.org)

#### 4. INTEGRITY/HONESTY

##### *The Professional Reform Initiative of the National Conference of Bar Presidents*

The National Conference of Bar Presidents launched the Professional Reform Initiative (PRI) in 2000 with assistance from the Open Society Institute. The PRI's mission statement is "to increase public trust and confidence in the justice system and maintain the relevance of the legal profession in that system by promoting and nurturing effective professional reform." As its first initiative, the PRI has undertaken to emphasize truthfulness, honesty, and candor as constituting "the core of the core values of the legal profession." The PRI plans a series of outreach efforts about the pressing need for reforms that stress these values and thus give them an even more central place in our governing norms and in our tradition and ethos.

**Contact:** W. William Hodes, Esq., Reporter for the Professional Reform Initiative, The William Hodes Corporation, 7440 North Shadeland Avenue, Suite 210, Indianapolis, IN 46250

**Phone:** (317) 577-1410      **E-mail:** [wwh@hodeslaw.com](mailto:wwh@hodeslaw.com)

#### 5. CLIENT RELATIONS

##### *State Bar of California, Office of Client Relations: Educating Membership on the Importance of Good Client Relations*

Recipient of the Gambrell Award in 1994, the State Bar of California "Good Client Relations: The Key to Success" presentation has been given over twenty times. In 1994, the state bar association worked with six local bar associations to implement a pilot program for the mediation of client-lawyer disputes and currently works with local bars to have local lawyers address community and civic groups on the nature of the client-lawyer relationship. The bar also plans

to produce two videotapes, with accompanying written materials, focusing on developing good client relations and qualifying for MCLE credit in law practice management.

**Contact:** Appointments Administrator, Office of the Secretary, State Bar of California, 180 Franklin Street, San Francisco, CA 94105-1639

**Phone:** (415) 538-2299

*Genesee County Bar Association: Joint Program for Attorney Ethics and Professionalism*

The Genesee County Bar Association and the Centennial American Inn of Court have undertaken many programs to educate local lawyers on professional standards and ethics. The programs have included inviting speakers to monthly membership meetings, publishing articles on professionalism in the *Bar Beat*, and working with judges regarding lawyers' courtroom behavior. This year the two organizations undertook a joint effort to have an Inn of Court program team present a live reenactment of a program examining how to deal with the emotionally difficult client in the context of domestic relations actions. Following the program, the two organizations realized that the Inn of Court could reach a much larger audience if it videotaped its programs and provided them to the bar for use during its "Lunch and Learn" series or by airing them on a local cable television station. The program selected for the initial videotape program is an hour-long skit involving analysis of lawyer advertising standards. The project is aimed primarily at younger lawyers to expose them to ethical problems and to encourage them to be aware of, and implement in their practices, the highest standards of legal ethics, civility, and professionalism.

## 6. DIVERSITY

*Queen's Bench Bar Association: All in a Days Work*

The Queen's Bench Bar Association was awarded the Gambrell Award in 1993. This bar association distributes an instructional video that includes vignettes, as well as a study guide dealing with gender bias in the legal profession. The bar also presents training sessions to law firms and law schools. The tape is also available to other bar associations who wish to present it.

*ABA Council on Racial & Ethnic Justice*

The Council was designed to develop partnerships between community groups, civil rights organizations, businesses, religious organizations, and bar associations for the purpose of eliminating racial and ethnic bias in the justice system. The Council's activities include: (1) assisting with the development of educational programs for bar associations, community groups, and interested organizations; (2) providing public forums for dialogue between legal institutions and community organizations; and (3) providing technical assistance and advice on how to implement specific programs, strategies, and partnerships that eliminate racial and ethnic bias. Major accomplishments include developing *A Model Plan for Starting A Diversity Initiative*, organizing an affirmative action symposium for high school students, and conducting a survey of state and local bar associations regarding the implementation of the *Task Force or Committee on Racial & Ethnic Justice Report*.

**Contacts:** Kurt L. Schmoke, Chair, c/o Wilmer, Cutler & Pickering, 100 Light St., 13th Floor, Baltimore, MD 21202

**Phone:** (410) 986-2880      **E-mail:** [LSchmoke@Wilmer.com](mailto:LSchmoke@Wilmer.com)

Rachel Patrick, ABA Staff Director, 750 N. Lake Shore Drive, Chicago, IL 60615

**Phone:** (312) 988-5408      **E-mail:** [patrickr@staff.abanet.org](mailto:patrickr@staff.abanet.org)

## 7. TRANSITION EDUCATION

### *Florida Bar Young Lawyers Division: Practicing with Professionalism*

Awarded the Gambrell Award in 2000, *Practicing with Professionalism* is a two-day mandatory Supreme Court program for all newly admitted lawyers to The Florida Bar. The program is offered eleven times throughout the year around the state. Topics include: Formation and Termination of the Attorney-Client Relationship, Client Relations, Trust Accounting, Chemical Dependency/Stress Management, Advertising, Fees, and Professionalism (includes diversity, gender, and racial bias). The format of the program uses a LCD Freelance Graphics slide show, interspersed with video clips. Interaction is encouraged throughout the program, which focuses on professionalism within each topic area. All participants receive detailed course materials with updated case citations and bar contacts should problems arise. The objective of the program is to provide two full days of new lawyer training, with the second day being fully dedicated to professionalism. The information provided during the professionalism day provides specific, substantive, and interactive training in areas that have been identified as those likely to be problematic for new

lawyers. This new program specifically provides the necessary information to empower new lawyers with tools of professionalism, case studies, illustrations of applications of these principals, and access to informational sources should they have questions. This foundation helps to guide new lawyers through potential pitfalls of the profession, thereby reducing lawyer disciplinary actions, public complaints of unprofessional behavior, and ultimately enhancing the image of the legal profession as a whole.

**Contact:** Austin Newberry

**Phone:** (850) 561-5825      **E-mail:** [anewberry@flabar.org](mailto:anewberry@flabar.org)

*Maryland State Bar Association: Professionalism—Beyond the Model Rules*

Awarded the Gambrell Award in 1994, the course, “Professionalism: Beyond the Model Rules,” is mandatory for new admittees to the Maryland State Bar Association. The course combines videotaped vignettes, workshop discussions, and individual presentations to give a substantive overview of law practice, highlighting the lawyer’s relationship with the court, the client, the community, and other lawyers. Seasoned practitioners focus on professional behavior and provide practical advice on situations the new lawyer is likely to encounter.

**Contacts:** Paul V. Carlin, Maryland Bar Association, Executive Director  
Wanda A. Claiborne, CMP, Director of Meetings & Bar Liaison  
Maryland State Bar Association, Inc.

**Phone:** (410) 685-7878 or (800) 492-1964

Mary Michelle Gilligan, Esq., Chair of MSBA Legal Education  
and Admissions to the Bar

**Phone:** (410) 837-5656

### *Virginia State Bar*

Recipient of the Gambrell Award in 1991, the Virginia State Bar’s course on “Professionalism and the Virginia Rules of Professional Conduct” is required of all newly licensed members of the bar. The course aspires to impart higher than minimum goals of professionalism through a series of lectures and workshops led by a faculty of prominent lawyers and judges in the state. The course text is divided into three major areas: a lawyer’s relationship to the business aspects of practice, a lawyer’s relationship to her clients, and a lawyer’s relationship to the legal system in general. A course handbook is distributed to all attendees and contains introductory materials presenting an overview of major disciplinary problems, course lecture outlines including



lawyer/business and lawyer/client chapters, and various appendices including principles of professional courtesy, procedures for investigating complaints, and various bar information. To date over 14,500 new Virginia attorneys have attended the program.

The Virginia State Bar's Section on the Education of Lawyers and the Standing Committee on Professionalism initiated a new program on professionalism for law students, on a pilot basis, at the University of Richmond and at Washington & Lee University in February 2000. The purpose of this program is to present the bar's aspirations of professionalism to law students in Virginia as early as possible in the students' legal training, preferably during the second semester of their first year of study, in order to maximize its effect on the thinking of future practitioners. The course format is designed to combine lectures, on the topics of Professionalism, Relationships with Clients, and Relationships with the Courts, with student interaction through small group discussions of hypothetical questions. The Education Section and Professionalism Committee will expand the program to all six Virginia law schools in the near future.

**Contact:** Maureen Stengel, Course Coordinator

**Phone:** (804) 775-0517      **E-mail:** [stengel@vsb.org](mailto:stengel@vsb.org)

## 8. MENTORING

### *New Jersey Commission on Professionalism—Helping Hand Mentor Program*

The New Jersey Commission on Professionalism developed a model mentor program for use by bar associations in helping newly admitted lawyers make the transition into the practice. The Helping Hand Mentor Program was developed as a medium for the organized bar to reach out to new lawyers and match them with well respected senior lawyers for a one year period. The goal is for the program to be implemented by individual bar associations throughout the state with technical assistance and support provided by the Commission.

**Contacts:** Ellen O'Connell, Chair of Professional Responsibility, One Newark Center, Newark, NJ 07102

**Phone:** (973) 639-6800

Harold L. Rubenstein, Executive Director, New Jersey State Bar Association, NJ Law Center, One Constitution Square, New Brunswick, NJ 08901

**Phone:** (732) 249-5000

*American Inns of Court (AIC)*

The American Inns of Court (AIC) movement began in 1980 and is modeled after the system of barrister training offered by the four English Inns of Court. Currently, there are approximately 325 Inns with more than 22,000 active members in forty-eight states. Each Inn is committed to encouraging excellence, civility, and ethics in the legal profession through education, mentoring, and collegiality. In 1994 the AIC was awarded the Gambrell Award for its efforts to promote professionalism through its use of “Pupilage Teams” consisting of one or two Masters, one or two Barristers, and Pupils or Associates. Masters consist of judges, lawyers, and law professors with more than fifteen years experience; Barristers consist of lawyers and law professors with three to five years of experience; and Associates or Pupils consist of lawyers with less than three years experience or third year law students, respectively. Each year, each pupillage team is responsible for conducting one demonstration focusing on a particular segment of the litigation process.

**Contact:** David Akridge

**Phone:** (703) 684-3590 Ext. 108 **E-mail:** [dakridge@innsofcourt.org](mailto:dakridge@innsofcourt.org)

*Georgia Mentoring Program*

In addition to assisting various bar associations with implementing their own mentoring programs, the Georgia Commission oversees a law student mentoring program that provides continued contact between students and lawyers throughout the students’ time in law school. The Commission hosts an orientation program for mentors, provides materials for the program, plans events to bring together mentors and students, and also serves as a resource for questions and suggestions from both mentors and law students. Further, the Georgia Commission recently undertook a joint pilot project with the state bar association that combines continuing legal education and mentoring for new lawyers during their first two years after admission to practice. Now in year three of the program, the Committee has presented three seminars: *Dealing with Your Client: The Lawyer as Counselor*; *Acting for Your Client: The Lawyer as Advocate and Architect of Future Conduct*; and *Negotiating for Your Client: The Lawyer as Negotiator*. The pilot project is expected to conclude in January 2002.

## 9. PEER REVIEW/DIVERSION

*Arizona Bar Association: Peer Review and Diversion Program*

Recipient of the Gambrell Award in 1992, the Peer Review and Diversion Program of the Arizona Bar Association is composed of three components: a

diversion program, a peer review program, and a mandatory professionalism course. The Diversion Program seeks to free up the formal discipline system for more serious offenses and provide education and rehabilitation for individual lawyers. The Peer Review program provides a network of experienced lawyers who contact and counsel individual lawyers displaying rude, offensive, and unprofessional behavior toward clients, other lawyers, and court personnel. All new lawyers are required to take the Mandatory Professionalism Course within one year of being admitted, and it is taught by lawyers who are respected for their demonstration of professionalism in practice.

**Contact:** Cindy Zwick, Acting Executive Director, Arizona Bar Association, 111 West Monroe, Suite 1800, Phoenix, AZ 85003

**Phone:** (602) 252-4804

*Cook County Bar Association: Attorney Registration and Disciplinary Commission (ARDC) Liaison Committee*

Recipient of the Gambrell Award in 1992, the Cook County Bar Association's Liaison Committee seeks, in part, to provide preventive and curative assistance to help lawyers change their detrimental practice habits. All Liaison Committee intervention is initiated by ARDC referral and thus focuses on lawyers who are the subject of ARDC charges of multiple neglect or minor conversion or commingling of funds. The Liaison Committee, assisted by a panel of experts, assigns an "Of Counsel Advisor" to work with the lawyer, or "Respondent." The "Of Counsel Advisor" meets with the Respondent monthly to monitor her case list, discuss the Respondent's progress with the assistance from the experts, if any, and to monitor how the Respondent is addressing or resolving pending ARDC complaints. The program handles approximately four Respondents per year. To assess the impact of the program, the number of complaints filed against the attorney after involvement of the Committee is monitored for two years.

**Contact:** Timothy M. Sulak, Chair

**Phone:** (512) 463-1463 Ext.1400

## 10. LAW PRACTICE MANAGEMENT

*New Hampshire Bar Association: Professionalism & Management: Keys to a Successful Law Practice*

Recipient of the Gambrell Award in 1995, this course was designed for solo and small firm practitioners to learn how to professionally manage a law

practice. The course provides participants with comprehensive knowledge and practical tools to effectively manage their firms and serve their clients. The design and implementation of the program is a cooperative effort of the bar association, law school, legal administrators group, and risk management insurance carrier focusing on professionalism and law practice management. Workshops include “Starting and Operating a Law Practice” and “Business Planning, Practice Systems and File Maintenance, Lawyer/Client Dynamics, Equipment and Resources.”

**Contact:** Jeanine McCoy, Executive Director, New Hampshire Bar Association, 112 Pleasant Street, Concord, NH 03301

**Phone:** (603) 224-6942

*State Law Office Management Assistance Programs (LOMAP)*

Law Office Management Assistance Programs (LOMAP) were established to assist solo practitioners and small firms with the daily operation of a law practice by providing resources or training to handle the business aspects of their practices that these firms may not have had the time to acquire on their own. LOMAP is designed to act as a clearinghouse for information on all aspects of the operation and management of the modern law office, providing assistance through different mediums such as staff, committees, or sections of the bar.

**Contact:** Laura A. Calloway, Program Director

**Phone:** (334) 269-1515 Ext. 116 **E-mail:** [llalloway@alabar.org](mailto:llalloway@alabar.org)

## References

### *State Law Office Management Assistance Programs*

Delaware:	<a href="http://www.dsba.org/index.html">www.dsba.org/index.html</a>
Florida:	<a href="http://www.flabar.org/newflabar/consumerservices/">www.flabar.org/newflabar/consumerservices/</a>
Georgia:	<a href="http://www.gabar.org">www.gabar.org</a>
Michigan:	<a href="http://www.michbar.org">www.michbar.org</a>
Montana:	<a href="http://www.montanabar.org">www.montanabar.org</a>
New Hampshire:	<a href="http://www.nhbar.org">www.nhbar.org</a>
New Mexico:	<a href="http://www.nmbar.org">www.nmbar.org</a>
South Carolina:	<a href="http://www.scbar.org/Legal_Assistance.htm">www.scbar.org/Legal_Assistance.htm</a>
Utah:	<a href="http://www.utahbar.org/public/html/consumer_assistance_program.html">www.utahbar.org/public/html/consumer_assistance_program.html</a>
Washington:	<a href="http://www.wsba.org/c/lap/home.htm">www.wsba.org/c/lap/home.htm</a>
Wisconsin:	<a href="http://www.wisbar.org/home.htm">www.wisbar.org/home.htm</a>

*Arizona Bar Association:* [www.azbar.org](http://www.azbar.org)

*State Bar of California:* [www.calbar.org](http://www.calbar.org)

*Cornell Law School - Legal Information Institute (LII):* [www.law.cornell.edu](http://www.law.cornell.edu)

*Maryland State Bar Association:* [www.msba.org](http://www.msba.org)

*New Hampshire Bar Association:* [www.nhbar.org](http://www.nhbar.org)