

## MCLE PRESENTATION JANUARY 18, 2024

By Maria Skinner and Laurie Harrold

1. California rule of court 9.7 revised attorney oath with additional language
2. State bar civility and professionalism civility toolbox- PDF
3. Bar association's role .....the pledge!
4. Court/judge roles
5. What crosses the line on Civility- some living examples!!
6. The bottom line on Civility; how do you want your fellow attorneys to work with you and view you.
7. Misrepresent/mischaracterize/misquote/interrupt.
8. The worse behavior rude/demeaning/insulting/hostile

9. Over the line behavior reportable to state bar; threatening, slanderous and personal attacked as to ethnicity, race, sexuality, orientation, or religion; what is over the line??

The pledge to do better.

AS AN OFFICER OF THE COURT, I WILL STRIVE TO CONDUCT MYSELF AT ALL TIMES WITH DIGNITY, COURTESY, AND INTEGRITY



# The State Bar of California

## Attorney Civility and Professionalism

### Civility toolbox

The Attorney Guidelines of Civility and Professionalism provide best practices of civility in the practice of law and are offered to promote both the effectiveness and the enjoyment of the practice of law and economical client representation.

At the request of Shelly Sloan, then president-elect of the State Bar Board of Trustees, the board appointed the Attorney Civility Task Force in August 2006 to study and recommend aspirational civility guidelines for adoption by the board. In July 2007, after the task force made further revisions to incorporate suggestions made in public comment, the Board of Trustees adopted the "California Attorney Guidelines of Civility and Professionalism" as a model set of guidelines for members, voluntary bar associations, and courts to use and implement in a way that is effective for the legal community.

- Attorney Guidelines of Civility and Professionalism (Civility Toolbox) (PDF)
- Sample resolution (Word)
- Sample court order (Word)
- Civility and Ethics PowerPoint Presentation (PowerPoint)

### California Rules of Court, Rule 9.7 - Revised Attorney Oath

Rule 9.7 of the California Rules of Court, effective May 27, 2014, (adopted as rule 9.4 and renumbered effective January 1, 2018), was adopted to supplement the attorney oath for new lawyers. Rule 9.7 states:

In addition to the language required by Business and Professions Code section 6067, the oath to be taken by every person on admission to practice law is to conclude with the following: "As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy, and integrity."

- Full text of the rule on the California Courts website
- California Courts news release
- The State Bar of California president's message
- CAL-ABOTA news release

### Guidelines on civility and professionalism

The following are links to guidelines on civility and professionalism adopted by bar associations and courts:

#### Bar Associations

- Bar Association of San Francisco Guidelines on Civility and Professionalism
- Contra Costa County Bar Association Standards of Professional Courtesy
- Los Angeles County Bar Association Code of Civility Guidelines

- Marin County Bar Association Code of Civility
- Orange County Bar Association Civility Guidelines
- Riverside County Bar Association Guidelines of Professional Courtesy and Civility
- Sacramento County Bar Association Standard of Professional Conduct
- San Bernardino County Bar Association Civility Code
- San Diego County Bar Association Attorney Code of Conduct
- Association of Business Trial Lawyers of San Diego Ethics, Professionalism and Civility Guidelines
- Santa Clara County Bar Association: Code of Professionalism
- Ventura County Bar Association Guidelines on Professional Conduct and Civility
- American Board of Trial Advocates Code of Professionalism
- American Board of Trial Advocates Principles of Civility, Integrity and Professionalism

## Courts

- Superior Court of California County of Del Norte Local Rule of Court 9.10
- Superior Court of California County of Glenn Court Ethics
- Superior Court of California County of Kern Local Rule of Court 1.16
- Superior Court of California County of Los Angeles Guidelines for Civility in Litigation
- Superior Court of California County of Marin Local Rule of Court 1.2
- Superior Court of California County of Mendocino Local Rule of Court 1.4
- Superior Court of California County of Mono Local Rule of Court 2.7
- Superior Court of California County of Placer Local Rule of Court 10.17
- Superior Court of California County of Plumas Local Rule of Court 1.5
- Superior Court of California County of Sacramento Guidelines of Civility and Professionalism
- Superior Court of California County of San Diego Local Rules of Court Preface and Sections I and II
- Superior Court of California County of San Francisco Guidelines on Civility and Professionalism
- Superior Court of California County of Santa Clara Local Court Rules Code of Professionalism
- Superior Court of California County of Sierra Local Rule of Court 1.3
- Superior Court of California County of Siskiyou Local Rule of Court Appendix 1, Section 3
- U.S. District Court Central District of California Civility and Professionalism Guidelines
- U.S. District Court Northern District of California Guidelines for Professional Conduct
- U.S. District Court Southern District of California Civil Rule 2.1 Professionalism

## Articles

The following are links to articles on attorney civility and professionalism:

- New York State Bar Association Approves Updated Standards of Civility for NY Legal Profession, New York State Bar Association, April 2019, Christian Nolan
- Maintain Civility in Depositions, The Recorder, March 2018, Shari Klevens and Alanna Clair
- Attorney Civility: When zealous advocacy crosses the line, California Bar Journal, May 2016, Scott Garner

- Litigation, Civility, and How Nice Guys Can Finish First, Los Angeles Lawyer, April 2016, Jason D. Russell
- Civility Among Lawyers: Nice Guys Don't Have to Finish Last, Orange County Bar Association, March 2016, Scott Garner
- Overview of the Guidelines of Civility and Professionalism, Los Angeles Lawyer, April 2015, David B. Jonelis
- Courtroom Conduct , ADR Services, October 2009, Judge Michael D. Marcus