

# State Bar Professionalism in Action Orientation Program



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Immediate Past President Edward H. Pappas initiated one of the most quickly popular programs in State Bar history: the Professionalism in Action Orientation Program. During law school orientations, new students are divided into small groups and paired with experienced attorneys to explore ethical issues. The first two programs took place in May 2009 at the Thomas M. Cooley Law School Auburn Hills campus and in August 2009 at the Michigan State University College of Law. Students rated both programs as outstanding. The professionalism orientation program has now been replicated at all four Cooley campuses and at Wayne State University Law School. All Michigan law schools plan to offer some form of the professionalism orientation program.

During the first week of January, I participated in the orientation programs at the Ann Arbor, Grand Rapids, and Lansing campuses of Cooley Law School. State Bar Secretary Bruce Courtade was involved in the Grand Rapids program and State Bar Vice President Julie Fershtman participated in the program at the Auburn Hills campus. I was gratified that law students continue to be demonstratively enthusiastic about the activity and give spectacular ratings on evaluations of the program (see sidebar for comments from law students' program evaluations).

One reason to expose new law students to a professionalism program as early as possible is that professionalism is such an elusive concept. There is no universally recognized definition for professionalism; definitions are plentiful and often particular to a specific practice area or a position within the law such as a public defender, prosecutor, or judge. The American Bar Association Center for Professional Responsibility website includes a very interesting and enlightening collection of professionalism codes at

<http://www.abanet.org/cpr/professionalism/profcodes.html>.

The New York State Bar Association has crafted a comprehensive definition of professionalism: "Attorney professionalism is dedication to service to clients and commitment to promoting respect of the legal system in pursuit of justice and the public good, characterized by ethical conduct, competence, good judgment, integrity and civility."<sup>1</sup>

However one defines professionalism in Michigan, it encompasses both the Michigan Rules of Professional Conduct, which reflect what is minimally expected of lawyers—to avoid discipline—and what is more broadly expected of lawyers, both by the public and by the finest traditions of the legal profession. In short, professional ethics prescribe what a lawyer *must* do while professionalism includes both ethics and what a lawyer *should* do.

How do lawyers embody professionalism? According to the New York State Bar, they do so by:

- *Exemplary ethical conduct*: aspiring to fulfill the spirit, not just the requirements, of the Code of Professional Responsibility;
- Remaining *competent*: taking advantage of continuing legal education, keeping abreast of the latest developments in our areas of expertise, and mentoring younger attorneys;

- Showing *good judgment*: providing good client service by formulating discerning opinions and advice based on knowledge and experience;
- Acting with *integrity*: exhibiting soundness of character, fidelity, and honesty; and
- Demonstrating *civility*: behaving with courtesy and respect.

I would add a sixth behavior by which lawyers embody professionalism: being devoted to *public service*, including honoring the ethical obligation to donate free services to persons unable to afford them or to make contributions to a fund that enables other lawyers to provide such services.

As officers of the court, attorneys have responsibilities to the administration of justice and all people involved in the legal system in addition to their duties to their clients. Civility, professional integrity, personal dignity, candor, diligence, respect, courtesy, cooperation, and public service are all essential to the fair administration of justice and conflict resolution.<sup>2</sup>

The foundation of professionalism is ethical service to clients, but professionalism requires recognition that the attorney and client comprise just one aspect of the legal system, which consists of witnesses, adversaries, opposing counsel, fellow practitioners,

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judges, court clerks, partners, and government. The hallmark of our behavior toward all people involved in the legal system must be a commitment to showing respect for each other, the laws that govern us, and the processes of our system of justice.

The dignity, decorum, and courtesy that have traditionally characterized the courts and legal profession of this state are not empty formalities. They are essential to an atmosphere that promotes justice and to an attorney's responsibility for the fair and impartial administration of justice. That is why more than 200 distinguished attorneys and judges from throughout Michigan have participated in the State Bar's Professionalism in Action programs to date, many of them more than once. They recognize the responsibility and importance of upholding the longstanding traditions of professionalism within the legal system and the importance of training our future members in professionalism while they are students—our newest, albeit untrained, members of the legal profession. ■

#### FOOTNOTES

1. New York State Bar Association, Committee on Attorney Professionalism <[http://www.nysba.org/Content/NavigationMenu26/CommitteeonAttorney-ProfessionalismHome/Atty\\_Professionalism.htm](http://www.nysba.org/Content/NavigationMenu26/CommitteeonAttorney-ProfessionalismHome/Atty_Professionalism.htm)>. All websites cited in this article were accessed January 25, 2010.

2. Attribution of ideas: State Bar of California, California Attorney Guidelines of Civility and Professionalism, adopted July 20, 2007, available at <<http://www.calbar.ca.gov/calbar/pdfs/reports/Atty-Civility-Guide.pdf>>.

"Program was great. Ethics really isn't what first comes to mind when thinking about law and practicing law. It's good to have that put into our path. I think the program should definitely be continued."

"Our small group discussion group leaders/attorneys were excellent. I really enjoyed the one-on-one experience with them. Very informative and interesting."

"This program will prove to be invaluable as I continue my education and also my career."

"I really enjoyed this experience to get an insight into the profession from those who have experienced it."

— 2009 State Bar Professionalism in Action  
Orientation Program participants