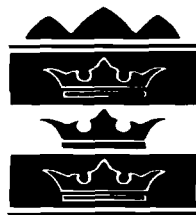


Professionalism and the Legal Profession



**A Report of the
Boston Bar Association
Committee on Professionalism**

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INTRODUCTION

Law traditionally has been one of a small number of callings that are seen as special, requiring a commitment to certain ideals, training in particular skills, and a spirit of cooperation among its practitioners. Those attributes distinguished the "learned professions" from other occupations. Young men and women joined these professions with a sense that responsibilities, as well as rights, accompanied their admission to practice.

Over the past several years, however, there have been numerous complaints from inside the profession as well as from outside. Some complaints are registered in direct and articulate form. Others are conveyed implicitly, in the proliferation of jokes about lawyers and broadsides against the profession. The complaints reflect considerable, widespread dissatisfaction, although as elaborated below it is unlikely that complainants are agreed on the nature of the problem, the reasons for dissatisfaction, or the steps that would constitute solutions.

The Committee on Professionalism of the Boston Bar Association was appointed to examine concerns about lawyers' professionalism, its components, its causes, and its cures. The Committee has spent the past year in this endeavor, informally canvassing lawyers and clients as well as drawing upon the experience of the Committee's members.

Our findings, presented in this Report, begin with recognition that the term "professionalism" is used in several distinct senses. Assertions that professionalism is declining at times are rooted in concerns about the ethics of the profession. At other times, the complaints reveal concerns about the competence of legal representation. At yet other times, the lament focuses on consideration lawyers show one another, judges, and members of the public.

The Report addresses all three of these concerns, but concentrates on the last of these, which we have termed the concern for "civility" in the legal profession. As elaborated below, this concern goes beyond the

