

# The COMMISSION QUARTERLY

News from the New Jersey Commission on Professionalism in the Law

## “Celebrate The Profession” Is Conference Theme

The New Jersey Commission on Professionalism in the Law is joining with the NJSBA General Counsel to cosponsor “Celebrate the Profession,” a conference that will look at the achievements and future of the bar on Oct. 5. The annual General Council meeting of the NJSBA and the conference will be held at the Law Center in New Brunswick beginning at 12:30 p.m. Program participants include Justice Virginia Long of the Supreme Court of New Jersey, Chief Judge John Bissell of the United States District Court for the District of New Jersey and former Seton Hall Law School Dean Ronald Riccio.

The afternoon program will also feature the presentation of professionalism awards. The commission will present the Daniel J. O’Hern Award for career dedication to professional ideals, competence and contributions to the bar. The award is named after

retired Supreme Court Justice Daniel J. O’Hern, who served as an advisor to the commission, and was presented for the first time in 2000 to Donald A. Robinson of Newark. Professional Lawyer of the Year awards will be presented to designees of

county and specialty bar associations from across the state. The awards have been distributed since 1997 and are intended to honor lawyers who by virtue of their character and competence epitomize the best the profession has to offer. ☞

## Chief Justice Poritz Leads The Commission

Chief Justice Deborah T. Poritz of the New Jersey Supreme Court has become chair of the commission replacing Ronald J. Riccio, former dean of Seton Hall University Law School. The Chief Justice stated that she is “looking forward to exploring innovative ways to reach out to all segments of the bar, particularly through education aimed at bolstering the important values that have long defined the legal profession.” She also noted that judges must continue to play an important role in fostering professionalism “by their own actions and conduct and through effective supervision of their courtrooms and the litigation they handle.”

The Commission is unique among professionalism bodies across the nation in that it moves the position of chair among representatives of the judiciary, bar and law schools. There have been three prior chairs — the late Chief Justice Robert N. Wilentz, Thomas



**Chief Justice Deborah T. Poritz**

R. Curtin, former president of the State Bar Association, and Dean Riccio. ☞

### The Lawyer’s Role In Society

*The lawyer’s job in practice is to be on one hand the impassioned representative of his client to the world, and on the other, the wise representative to his client of the legal system and the society, explaining and upholding the demands and restrictions that system places on both.”*

**SCOTT TUROW, LAWYER AND WRITER**

## Commission and ICLE Plan Professional Seminar

The commission and the Institute for Continuing Legal Education are planning a professionalism seminar that will be offered in late fall at North and South Jersey sites. The seminar is expected to be of particular interest to lawyers who are admitted in New York and Pennsylvania and need to complete professionalism CLE

requirements. More details will be forthcoming from ICLE. ☞



## New Jersey Commission on Professionalism in the Law

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## Law Students Take the Lawyers' Pledge

A few years ago the commission adopted the "Lawyers' Pledge" that is intended to convey the core values of the profession and the ideals that serve as keystones to our justice system. The pledge was adapted from an oath authored by noted law professor Karl Llewellyn. Since then, the Lawyers' Pledge has been used by many judges to supplement the statutory oath administered to newly admitted members of the bar.

Following a tradition that began in 1998 New Jersey State Bar Association President Daniel Waldman spoke last month about professionalism to the incoming class at Rutgers Law School in Newark. Waldman urged the students to think as "true professionals committed to acting responsibly in addition to being adept at learning and applying the law". He asked the class to "adopt as your own, the positive values that characterize a

professional: honesty, fairness, integrity, courage and independence".

Waldman then administered the Lawyers' Pledge to the students:

*In accepting the honor and responsibility of life in the profession, I will strive as best I can:*

- *to work always with care, and with a whole heart and with good faith;*
- *to weigh my conflicting loyalties and guide my work with an eye to the good, acting less for myself than for justice and the people;*
- *to be at all times, even at personal sacrifice, a champion of fairness and due process, in court or not, for all persons, whether the powerful or envied, or my neighbors or the helpless, or the hated or the oppressed; and*
- *to serve, protect, foster, and promote the fair and impartial administration of justice.* ☞

## Morris Bar Launches In-House Seminar

Under the stewardship of Robert Hollingshead and Douglas Brierley, the Morris County Bar Association's Professionalism Committee is developing a law firm professionalism seminar. The program was launched at Florham Park's Pitney, Hardin, Kipp & Szuch in July to an audience of 75 firm associates and summer associates.

The seminar, "Professionalism in Litigation", utilizes a series of hypothetical situations designed to provoke audience discussion about a lawyer's professional

responsibilities during litigation and how they must be weighed against the duties owed to clients and the courts. Superior Court Judge David Cramp; Edward Broderick, chair of the Professionalism Committee; and Charles Hollenbeck, commission executive director, also participated in the program. The committee will further test the program at other Morris County firms. The committee and the commission believe that the program will ultimately serve as a model for law firms across the state. ☞

## NEWS and NOTES

The Commission is discussing with ICLE the revision of the mandatory Skills and Methods course for newly admitted lawyers. The aim is to include a separate **professionalism component** into the traditional ethics seminar provided during the Skills and Methods course. Earlier this year the Commission had recommended this change to the New Jersey Supreme Court. In addition, the ICLE Board has urged all lecturers to incorporate professionalism themes into substantive courses.

The **Essex County Bar Association** is launching a professionalism education initiative. Plans include courthouse seminars for newly admitted lawyers, and addressing first year law school students at Rutgers and

Seton Hall on professionalism topics. The ECBA activity is being coordinated by its Professionalism Committee.

Many bar groups, including inns of court have used successfully a video available from the Commission. The "**Case of the Silent Alarm**" depicts a civil case fraught with ethical and professional dilemmas, many of which are capable of producing different interpretations and conclusions. The video was recently utilized by US District Court Judge Garrett Brown in his professional responsibility course at Seton Hall Law School.

Commission member and US District Court **Judge Stephen Orlofsky** recently imposed some \$59,000 in fees and costs on

plaintiffs counsel in a reverse discrimination action. The judge concluded: "Once again, this Court is confronted by the spectacle of an attorney who has callously disregarded his professional obligations to this Court, his adversary, and his clients...While the Rules of Professional Conduct impose a duty upon attorneys to represent their clients' interests zealously, Mr. Van Syoc's zeal in this case had more to do with the recovery of his counsel fees than the merits of his clients' claims. While Rambo may be a success at the box office, lawyers who appear in this Court and adopt a Rambo role model do so at their peril." *Murphy v. Housing Authority and Urban Redevelopment Agency of Atlantic City, et als.* (Civil Action No. 97-1558). ☞