

What Can Young Lawyers Do to Enhance Professionalism?

Melvin F. Wright Jr.

Executive Director

Chief Justice's Commission on Professionalism

Where were you when you heard that John F. Kennedy had been shot? Do you remember seeing the Challenger explosion? Where were you watching TV when the O. J. Simpson verdict was announced? When did professionalism end among NC attorneys?

Although we can do nothing to correct the first three (3) historical moments mentioned above, young lawyers can certainly correct and improve the problem of the demise of professionalism. You have been labeled as “baby sharks” that fixate on incivility, billable hours, and winning at all costs. But those labels are derived from my generation – not yours. My generation has allowed incivility to breed more incivility; has allowed billable hours, the bottom line, and unprofessional advertising to change our profession into a business; and has allowed our primary goal of justice to be replaced by Vince Lombardi's adage of “winning is not everything, it is the only thing.” But the young lawyers of North Carolina can join together in a collaborative effort to rekindle the embers of professionalism and to fan the sparks of justice into a flame.

I recently attended a luncheon in Raleigh, honoring attorneys who had been licensed for 50 years. Many of the lawyers lamented the fact that there is a lack of professionalism in the legal community today. The honorees talked about how they were eager to finish law school so they could become attorneys and to seek “justice for all.” They talked about practicing law in small towns, knowing all of the lawyers, never thinking about taking a default against another lawyer, serving in the legislature and in other public service positions, and coaching little league baseball. When they talked about the practice of law in the 1950s, I heard no mention of billable hours, or stress, or burnout. It was a different time. But I know that the things that made this profession respectful and great then, can still make it great today. Good things never go out of style, and here are ten (10) things that I believe will help you better understand the essence of professionalism and consequently make you a better lawyer.

1. **Honesty and Integrity** – You only have one chance to make a good first impression. Judges, lawyers, and clients remember the way you present the facts and the law. Your reputation for veracity and truthfulness can be your greatest quality. (See RRPC 4.1)
2. **Humility** – Your law degree and law license establish that you have the right to practice law. They do not establish that you are better than anyone else or that you are due any more respect than others. As a young lawyer, you may know more law than you will at any other time during your career, but you do not yet know how to “practice law.” Be humble with the fact that you have been able to join the legal profession, but always remember that people who work in your law office, in the clerk of court's office, and throughout the community deserve your utmost respect and courtesy. Always remember that your attitude and the way you treat others can have a great impact on your career. The people who work for and with you can “make you or break you.”
3. **Competence** – Work hard to learn your subject matter and focus on doing what is best for your client. You can be a zealous advocate, seek justice, and still be

respectful to the opposing party. (RRPC 0.1 and 1.3) “And do as adversaries do in law,” said Shakespeare in *The Taming of the Shrew*, “Strive mightily, but eat and drink as friends.”

4. **Mentor** – You need a mentor during the first few years of your practice. There will always be difficult ethical and legal questions for which an inexperienced lawyer needs guidance. Try to select a mentor who has an excellent reputation and who exhibits the qualities of professionalism that you want to emulate. If you do not have a mentor and you are faced with an ethical problem, call The North Carolina State Bar at (919) 828-4620 – the call is confidential.
5. **Client Relations** – Establish a policy that you will return every phone call within 24 hours. Let your client know that if you are in trial or out of the office, someone on your staff, who is familiar with the case, will return the call within 24 hours. You should also return the call as soon as you return. Remember that to each client, his or her case is the most important case in your office. Be firm in advising what is in the client’s best interest and do not be unduly influenced by the client’s ability and willingness to pay. (RRPC 1.2)
6. **Public Service** – Dean Willis P. Whichard, Dean of Campbell University School of Law, stresses the importance of public service to law students. He explains to them that in 1945, 24 of the 50 senators – almost half – were lawyers. Today, the percentage of lawyers in the legislature is much lower. But there is a strong tradition of lawyers in public service to our nation: John Adams, Thomas Jefferson, James Madison, John Jay, John Marshall, Abraham Lincoln and Franklin Roosevelt, to name but a few. There is no higher calling than to give of your time and talents to others.
7. **Pro Bono Service** – Author Harper Lee, in her famous novel, “*To Kill a Mockingbird*,” gave us Atticus Finch as a shining example of professionalism and **pro bono** service. Atticus accepted the appointment to represent Tom Robinson, a poor man who was wrongly accused of raping a woman in rural Alabama in the 1930s. The acceptance of this criminal case was a very unpopular decision among many of Atticus’ friends and fellow citizens. Atticus’ **pro bono** service was the right thing to do in 1935 in Maycomb County, Alabama, just as **pro bono** service is the right thing to do today. There are a large number of outstanding lawyers in North Carolina who devote many hours to **pro bono** service every year. I hope you will join that worthwhile and rewarding experience.
8. **Civility** – Although this term is defined in many ways, as it applies to lawyers, it means respect for your client, your opponent, the court, the law, and the legal system. The Golden Rule is a good example of civility and should be applied in your law practice. The next time you are faced with incivility, I challenge you to “take the high road” and maintain the most professional manner you can. When judges, jurors, and clients see civility in response to incivility, civility wins every time.
9. **Rule 12 of the General Rules of Practice for the Superior and District Court** – If you have not read this rule recently, please read it again carefully. It defines courtroom decorum and establishes a code of conduct that each lawyer needs to remember and follow.

10. **Quality of Life** – Each of you has heard the old adage, “all work and no play makes Jack a dull boy.” Such is the case with a law practice. Develop hobbies and interests outside the practice of law. Take time away from your practice to be with family and friends, it will make you a better person while you are away and a better lawyer when you return.

I am confident that the young lawyers of North Carolina will do a better job of “seeking justice” than did the lawyers of my generation, and that you will re-establish professionalism as the standard rather than the exception.