

PRACTICE MANUAL

A new guide for bar associations promotes a Day of Civility.

BY ERIC QUITUGUA

Lawyers are told to conduct themselves with civility and professionalism in and out of the courtroom, not only to facilitate the workings of the legal system but also to provide the public with a model approach. Too often pop culture portrayals or a few real-life encounters with over-zealous attorneys tarnish the perception of the legal profession. To observe the importance of these two tenets, 2016-2017 State Bar of Texas President Frank Stevenson and State Bar Executive Director Michelle Hunter asked the State Bar's Professionalism Committee to promote the idea of a Day of Civility—statewide.

The result: a Day of Civility Guide, which includes information bar associations need to hold their own event, including a timeline for planning dates, discerning topics and speakers, drafting publicity pieces, and arranging locations; sample letters for attorneys' and judges' support for a Day of Civility in the community; and additional materials. "The guide is just an outline—a roadmap—but local bars can tailor it to their own needs," said Suzanne M. Duvall, chair of the Professionalism Committee.

The idea of encouraging civility and professionalism is nothing new. The goal of the Texas Lawyer's Creed—A Mandate for Professionalism, which was promulgated by the Texas Supreme Court and the Texas Court of Criminal Appeals on November 7, 1989, was to eliminate abusive tactics within the practice of law in the state and promote respect and confidence in the legal profession. The creed was reaffirmed in 2013. Two years later, Gov. Greg Abbott signed a law adding a civility clause to the oath every lawyer takes when admitted to the State Bar. A new attorney now pledges to "conduct myself with integrity and civility in dealing and communicating with the court and all parties."

"How you behave will become how you are known and who people think you are," Stevenson said. "So, ultimately, civility is a matter of identity—how

you are known and understood by other lawyers; even how you know and understand yourself."

Justice Douglas Lang of the 5th Court of Appeals in Dallas, who assisted with the conception of the guide, said it could pave the way for a unified Day of Civility celebration with the help of local bar leadership, the Texas Supreme Court, the Court of Criminal Appeals, and the State Bar. "A Day of Civility program brings the bench and the bar together to focus on the necessity of civil conduct in order for our legal system to function for the good of our society."

The Professionalism Committee modeled its guide on the Day of Civility and Professionalism hosted last September by the Dallas Bar Association and held in conjunction with the Dallas chapter of the American Board of Trial Advocates, the State Bar, and local inns of court. The half-day seminar at the Belo Mansion featured panel discussions on civility led by federal and state judges, DBA Trial Lawyers of the Year, and others. "We have all made the commitment to abide by those tenets as a condition for the right and privilege to practice law," said Michael K. Hurst, the former chair of the DBA Morris Harrell Professionalism Committee.

A few years ago, Duvall spoke on civility and professionalism at an event in Dallas. She asked the audience of about 300 attorneys if they knew the Lawyer's Creed—only three people raised their hands. *Dismal*, she thought.

"I knew then that something had to be done," Duvall said. Now it is her hope—and that of the State Bar's Professionalism Committee—that with the Day of Civility Guide, these events will become a statewide celebration and reminder of the importance of integrity, civility, the Texas Lawyer's Creed, and the New Lawyer's Oath.

To read more from 2016-2017 State Bar President Frank Stevenson on the importance of civility, go to texasbar.com/civility. **TBJ**

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