



MY OPINION

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Lawyer Is as Lawyer Does

“Are you a lawyer or something?”
“Lawyer is as lawyer does.”

Whether you believe the answer to the above question has its roots in 1387 (Chaucer’s “Wife of Bath’s Tale”), 1994 (*Forrest Gump*), or 2007 (Justice Douglas S. Lang’s *Deeds, Not Words*), the truth of the answer is both evident and timeless. Our profession is known not by its words, but by its deeds.

Our Words

There is a place in lawyer life, however, to take a stand for what we believe in and to put those thoughts into words. The root of *profession*, after all, is *to profess*. We are called to profess our beliefs and to act consistently on those beliefs.

Twenty years ago, the Supreme Court of Texas and the Court of Criminal Appeals signed the Texas Lawyer’s Creed. Consider the judges who signed the order and how much the composition of the courts and the practice of law has changed:

The Supreme Court of Texas

- Thomas R. Phillips, *Chief Justice*
- Franklin S. Spears, *Justice*
- C.L. Ray, *Justice*
- Raul A. Gonzalez, *Justice*
- Oscar H. Mauzy, *Justice*
- Eugene A. Cook, *Justice*
- Jack Hightower, *Justice*
- Nathan L. Hecht, *Justice*
- Lloyd A. Doggett, *Justice*

The Court of Criminal Appeals

- Michael J. McCormick, *Presiding Judge*

- W.C. Davis, *Judge*
- Sam Houston Clinton, *Judge*
- Marvin O. Teague, *Judge*
- Chuck Miller, *Judge*
- Charles F. “Chuck” Campbell, *Judge*
- Bill White, *Judge*
- M.P. Duncan III, *Judge*
- David A. Berchermann, Jr., *Judge*

Through appointments and elections, the composition of the state’s two high courts will continue to evolve, as will the practice of law. As a profession, it’s important that we pause from time to time, capture our best thoughts into words, and channel our beliefs into action. Clients come and go, cases come and go, and judges come and go, but there is a thread that runs through all of us as Texas lawyers — our understanding of what it means to be professional.

Our Deeds

There could not be a better time for the legal profession to reflect on what it believes and to act:

- **Professional Liability Insurance Disclosure** — The Supreme Court has asked the Board of Directors to consider and make a recommendation to the Court on whether lawyers have a duty to disclose to clients whether they have professional liability insurance, and, if such a duty exists, how that information should be disclosed. For background information and to provide your input, go to www.texasbar.com/plidisclosure.
- **New Disciplinary Rules** — In this

issue of the *Texas Bar Journal*, the Supreme Court publishes for comment proposed changes to the Texas Disciplinary Rules of Professional Conduct (p. 844). This will lead to a likely referendum of Texas lawyers next year. As a profession, we have the responsibility of self-governance. Take time to review the proposed changes and send comments to the Court’s Rules Attorney.

- **Access to Justice** — Your June 2009 dues statement included an option to make a voluntary contribution to access to justice. I am pleased to report that more than \$618,000 was raised — a record amount. The need remains. Call your local legal services or pro bono program and volunteer to take a case today.
- **Mentoring** — There’s never been a more important time to assist young lawyers as they enter the profession. The October issue included information about *Transition to Practice*, a mentoring initiative for local bar associations and corporate and governmental legal departments. Visit www.texasbar.com/transition for more information. In this issue, you can read about another mentoring initiative, AfterTheBarExam.com.

This year is a gut check of what it means to be a professional and what it means to be a Texas lawyer. Let me know what you think by dropping a line to statebarpresident@texasbar.com. Words are necessary. They articulate rules, laws, and aspirational goals. But the coming year calls for action, action that is grounded in the truths that define what it is to be a Texas lawyer. ★