

THE SUPREME COURT *of* OHIO

PROFESSIONAL IDEALS
FOR OHIO LAWYERS & JUDGES



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from the
STATEMENT ON PROFESSIONALISM

. . . As professionals we need to strive to meet lofty goals and ideals in order to achieve the highest standards of a learned profession. To this end, the Court issues A Lawyer's Creed and A Lawyer's Aspirational Ideals, which have been adopted and recommended for the Court's issuance by the Supreme Court Commission on Professionalism. In so doing, it is not the Court's intention to regulate or to provide additional bases for discipline, but rather to facilitate the promotion of professionalism among Ohio's lawyers, judges and legal educators. It is the Court's hope that these individuals, their professional associations, law firms and educational institutions will utilize the creed and the aspirational ideals as guidelines for this purpose.

ISSUED BY THE SUPREME COURT OF OHIO
FEBRUARY 3, 1997

A LAWYER'S CREED

TO MY CLIENTS, I offer loyalty, confidentiality, competence, diligence and my best judgment. I shall represent you as I should want to be represented and be worthy of your trust. I shall counsel you with respect to alternative methods to resolve disputes. I shall endeavor to achieve your lawful objectives as expeditiously and economically as possible.

TO THE OPPOSING PARTIES and THEIR COUNSEL, I offer fairness, integrity and civility. I shall not knowingly make misleading or untrue statements of fact or law. I shall endeavor to consult with and cooperate with you in scheduling meetings, depositions and hearings. I shall avoid excessive and abusive discovery. I shall attempt to resolve differences and, if we fail, I shall strive to make our dispute a dignified one.

TO THE COURTS and OTHER TRIBUNALS, and TO THOSE WHO ASSIST THEM, I offer respect, candor and courtesy. Where consistent with my client's interests, I shall communicate with opposing counsel in an effort to avoid or resolve litigation. I shall attempt to agree with other counsel on a voluntary exchange of information and on a plan for discovery. I shall do honor to the search for justice.

TO MY COLLEAGUES in the practice of law, I offer concern for your reputation and well-being. I shall extend to you the same courtesy, respect, candor and dignity that I expect to be extended to me.

TO THE PROFESSION, I offer assistance in keeping it a calling in the spirit of public service, and in promoting its understanding and an appreciation for it by the public. I recognize that my actions and demeanor reflect upon our system of justice and our profession, and I shall conduct myself accordingly.

TO THE PUBLIC and our SYSTEM OF JUSTICE, I offer service. I shall devote some of my time and skills to community, governmental and other activities that promote the common good. I shall strive to improve the law and our legal system and to make the law and our legal system available to all.

A LAWYER'S ASPIRATIONAL IDEALS

AS TO CLIENTS, I shall aspire:

- a) To expeditious and economical achievement of all client objectives.
- b) To fully informed client decision-making. I should:
 - 1) Counsel clients about all forms of dispute resolution
 - 2) Counsel clients about the value of cooperation as a means toward the productive resolution of disputes
 - 3) Maintain the sympathetic detachment that permits objective and independent advice to clients
 - 4) Communicate promptly and clearly with clients, and
 - 5) Reach clear agreements with clients concerning the nature of the representation.
- c) To fair and equitable fee agreements. I should:
 - 1) Discuss alternative methods of charging fees with all clients
 - 2) Offer fee arrangements that reflect the true value of the services rendered
 - 3) Reach agreements respecting fees with clients as early in the relationship as possible
 - 4) Determine the amount of fees by consideration of many factors and not just time spent, and
 - 5) Provide written agreements as to all fee arrangements.
- d) To comply with the obligations of confidentiality and the avoidance of conflicting loyalties in a manner designed to achieve fidelity to clients.
- e) To achieve and maintain a high level of competence in my field or fields of practice.

AS TO OPPOSING PARTIES and THEIR COUNSEL,
I shall aspire:

- a) To cooperate with opposing counsel in a manner consistent with the competent representation of my client. I should:
 - 1) Notify opposing counsel in a timely fashion of any canceled appearance

- 2) Grant reasonable requests for extensions or scheduling changes, and
 - 3) Consult with opposing counsel in the scheduling of appearances, meetings and depositions.
- b) To treat opposing counsel in a manner consistent with his or her professional obligations and consistent with the dignity of the search for justice. I should:
- 1) Not serve motions or pleadings in such a manner or at such a time as to preclude opportunity for a competent response
 - 2) Be courteous and civil in all communications
 - 3) Respond promptly to all requests by opposing counsel
 - 4) Avoid rudeness and other acts of disrespect in all meetings, including depositions and negotiations
 - 5) Prepare documents that accurately reflect the agreement of all parties, and
 - 6) Clearly identify all changes made in documents submitted by opposing counsel for review.

AS TO THE COURTS and OTHER TRIBUNALS, and TO THOSE WHO ASSIST THEM, I shall aspire:

- a) To represent my clients in a manner consistent with the proper functioning of a fair, efficient and humane system of justice. I should:
- 1) Avoid nonessential litigation and nonessential pleading in litigation
 - 2) Explore the possibilities of settlement of all litigated matters
 - 3) Seek noncoerced agreement between the parties on procedural and discovery matters
 - 4) Avoid all delays not dictated by competent representation of a client
 - 5) Prevent misuses of court time by verifying the availability of key participants for scheduled appearances before the court and by being punctual, and
 - 6) Advise clients about the obligations of civility, courtesy, fairness, cooperation and other proper behavior expected of those who use our system of justice.

b) To model for others the respect due to our courts.

I should:

- 1) Act with complete honesty
- 2) Know court rules and procedures
- 3) Give appropriate deference to court rulings
- 4) Avoid undue familiarity with members of the judiciary
- 5) Avoid unfounded, unsubstantiated, or unjustified public criticism of members of the judiciary
- 6) Show respect by attire and demeanor
- 7) Assist the judiciary in determining the applicable law, and
- 8) Give recognition to the judiciary's obligations of informed and impartial decision-making.

AS TO MY COLLEAGUES IN THE PRACTICE OF LAW, I shall aspire:

- a) To recognize and develop a professional interdependence for the benefit of our clients and the legal system
- b) To defend you against unjust criticism, and
- c) To offer you assistance with your personal and professional needs.

AS TO OUR PROFESSION, I shall aspire:

a) To improve the practice of law. I should:

- 1) Assist in continuing legal education efforts
- 2) Assist in organized bar activities
- 3) Assist law schools in the education of our future lawyers, and
- 4) Assist the judiciary in achieving objectives of *A Lawyer's Creed* and these aspirational ideals.

b) To promote the understanding of and an appreciation for our profession by the public.

I should:

- 1) Use appropriate opportunities, publicly and privately, to comment upon the roles of lawyers in society and government, as well as in our system of justice, and

- 2) Conduct myself always with an awareness that my actions and demeanor reflect upon our profession.
- c) To devote some of my time and skills to community, governmental and other activities that promote the common good.

AS TO THE PUBLIC and OUR SYSTEM OF JUSTICE,
I shall aspire:

- a) To consider the effect of my conduct on the image of our system of justice, including the effect of advertising methods.
- b) To help provide the pro bono representation that is necessary to make our system of justice available to all.
- c) To support organizations that provide pro bono representation to indigent clients.
- d) To promote equality for all persons.
- e) To improve our laws and legal system, by for example:
 - 1) Serving as a public official
 - 2) Assisting in the education of the public concerning our laws and the legal system
 - 3) Commenting publicly upon our laws
 - 4) Using other appropriate methods of effecting positive change in our laws and the legal system.

A JUDICIAL CREED

For the purpose of publicly stating my beliefs, convictions and aspirations as a member of the judiciary or as a lawyer acting in a judicial capacity in the state of Ohio:

I RE-AFFIRM my oath of office and acknowledge my obligations under the Canons of Judicial Ethics.

I RECOGNIZE my role as a guardian of our system of jurisprudence dedicated to equal justice under law for all persons.

I BELIEVE that my role requires scholarship, diligence, personal integrity and a dedication to the attainment of justice.

I KNOW that I must not only be fair but also give the appearance of being fair.

I RECOGNIZE that the dignity of my office requires the highest level of judicial demeanor.

I WILL treat all persons, including litigants, lawyers, witnesses, jurors, judicial colleagues and court staff with dignity and courtesy and insist that others do likewise.

I WILL strive to conduct my judicial responsibilities and obligations in a timely manner and will be respectful of others' time and schedules.

I WILL aspire every day to make the court I serve a model of justice and truth.