



THE SUPREME COURT *of* OHIO



Professional Ideals *for Ohio Lawyers and Judges*



On the cover:

Detail of the north reflecting pool, Thomas J. Moyer Ohio Judicial Center
(See p. 17 for more information.)

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Professional Ideals
for Ohio Lawyers and Judges

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THE SUPREME COURT *of* OHIO

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INTRODUCTION

The following pages contain *A Lawyer's Creed*, *A Lawyer's Aspirational Ideals* and *A Judicial Creed*, which were adopted by the Supreme Court of Ohio upon recommendation by the Supreme Court Commission on Professionalism. These statements encapsulate the ideals of professionalism for lawyers and judges.

Included in the professionalism ideals for lawyers and judges are integrity, the achievement and maintenance of competence, a commitment to a life of service and the quest for justice for all. Professionalism requires lawyers and judges to remain mindful that their primary obligations are to the institutions of law and the betterment of society, rather than to the interests of their clients or themselves.

Also included in these materials is the Supreme Court *Statement Regarding the Provision of pro bono Legal Services by Ohio Lawyers*, which speaks to a lawyer's obligations to ensure equal access to justice and to serve the public good.



THE SUPREME COURT OF OHIO COMMISSION ON PROFESSIONALISM

The Supreme Court of Ohio created the Commission on Professionalism in September 1992. As stated in Gov. Bar R. XV, the commission’s purpose is to promote professionalism among attorneys admitted to the practice of law in Ohio. The commission aspires to advance the highest standards of integrity and honor among members of the profession.

The 15-member commission includes five judges and two lay members appointed by the Supreme Court, six attorneys appointed by the Ohio Metropolitan Bar Association Consortium and Ohio State Bar Association, and two law school administrators or faculty. The duties of the commission include:

- Monitoring and coordinating professionalism efforts and activities in Ohio courts, bar associations and law schools, and in jurisdictions outside Ohio
- Promoting and sponsoring state and local activities that emphasize and enhance professionalism
- Developing educational materials and other information for use by judicial organizations, bar associations, law schools and other entities
- Assisting in the development of law school orientation programs and curricula, new lawyer training and continuing education programs
- Making recommendations to the Supreme Court, judicial organizations, bar associations, law schools and other entities on methods for enhancing professionalism.

Visit www.supremecourt.ohio.gov for more information.

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 towards 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.

STATEMENT REGARDING THE PROVISION OF PRO BONO LEGAL SERVICES BY OHIO LAWYERS

Each day, Ohioans require legal assistance to secure basic needs such as housing, education, employment, health care, and personal and family safety. Many persons of limited means are unable to afford such assistance, and legal aid programs must concentrate limited resources on those matters where the needs are most critical. The result is that many Ohioans who are facing significant legal problems do not have access to affordable legal services. These persons are forced to confront landlord-tenant issues, have questions involving employment rights, or seek protection against domestic violence without the assistance of a legal advocate.

In 1997, this Court issued a *Statement on Professionalism* that recognizes each lawyer's obligation to engage in activities that promote the common good, including the provision of and support for pro bono representation to indigent clients. In 2007, in the *Preamble to the Ohio Rules of Professional Conduct*, the Court reemphasized the importance of this obligation by stating:

A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for those who because of economic or social barriers cannot afford or secure legal counsel.

Lawyers, law firms, bar associations, and legal services organizations, such as the Ohio Legal Assistance Foundation, have done and continue to do much to address unmet civil legal needs through the organization of, support for, and participation in pro bono legal services programs. Although these programs have increased both in number and scope in recent years, there remains an urgent need for more pro bono services.

This Court strongly encourages each Ohio lawyer to ensure access to justice for all Ohioans by participating in pro bono activities. There are pro bono programs available throughout Ohio that are sponsored by bar associations, legal aid programs, churches and civic associations. Many

programs offer a variety of free legal services, while others concentrate on specific legal needs. Lawyers also may choose to participate in programs that focus on the needs of specific individuals such as senior citizens, the disabled, families

of military personnel or immigrants. The Web site www.ohioprobono.org contains a complete, searchable listing of pro bono programs and opportunities in Ohio. A lawyer may fulfill this professional commitment by providing legal counsel to charitable organizations that may not be able to afford to pay for legal services or by making a financial contribution to an organization that provides legal services to persons of limited means.

This Court strongly encourages each Ohio lawyer to ensure access to justice for all Ohioans ...

The Court recognizes that many Ohio lawyers honor their professional commitment by regularly providing pro bono legal services or financial support to pro bono programs. Moreover, the Court encourages lawyers to respond to this call by seeking to engage in new or additional pro bono opportunities. To document the efforts and commitment of the legal profession to ensure equal access to justice, the Court, in conjunction with the Ohio Legal Assistance Foundation, will develop a means by which Ohio lawyers may report voluntarily and anonymously their pro bono activities and financial support for legal aid programs. The information regarding pro bono efforts will not only underscore the commitment of the legal profession to serving the public good but also will serve as a constant reminder to the bar of the importance of pro bono service.

ISSUED BY THE SUPREME COURT OF OHIO
SEPTEMBER 20, 2007

Visit www.ohioprobono.org for more information.

from the
**STATEMENT ON JUDICIAL
PROFESSIONALISM**

. . . In recognition of the unique standards of professionalism required of a judge or a lawyer acting in a judicial capacity, the Court issues A Judicial Creed upon the recommendation of the Supreme Court Commission on Professionalism. It is the Court's goal by adopting this creed to remind every judge and every lawyer acting in a judicial capacity of the high standards expected of each by the public whom they serve.

ISSUED BY THE SUPREME COURT OF OHIO
JULY 9, 2001

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.



WORDS OF JUSTICE

North Reflecting Pool

Thomas J. Moyer Ohio Judicial Center

In December 2006, a work of art depicting 10 words of justice was installed in the north reflecting pool at the Ohio Judicial Center. The artwork is featured on the cover of this publication.

The words, carved from granite, are:

**WISDOM
INTEGRITY
PEACE
TRUTH
JUSTICE
HONOR
REASON
EQUITY
COMPASSION
HONESTY.**

The words stand as reminder of the fundamental principles of justice and of the mission of the judicial branch.

Funding for the project by Columbus artist Malcolm Cochran was provided by an Ohio State Bar Foundation grant.



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