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## **SUPREME COURT COMMITTEE HOLDS FORUM ON IMPROVING CIVILITY AMONG LAWYERS**

A special Supreme Court committee, with the aid of the Illinois State Bar Association (ISBA), continued its statewide series of meetings Wednesday with a gathering in Collinsville on ways to improve civility among lawyers and enhance the public image of the legal profession.

About 45 lawyers and judges were to participate in a forum Wednesday, October 8 at the Holiday Inn in Collinsville. On the same day, about 40 participants were scheduled to convene at a similar forum in Carbondale. The first forum was held in Peoria on September 10. Other forums are scheduled in Champaign-Urbana, Chicago, Rock Island, Springfield, DeKalb, Joliet and Oak Brook.

The forums are the most recent effort by the Special Supreme Court Committee on Professionalism to find ways to help improve civility among lawyers. An earlier initiative by the Committee involved justices of the Supreme Court addressing incoming students at all the law schools in Illinois on the importance of professional conduct, and administering to the new students an oath of professionalism.

“You hear a lot about how the practice of law is different now than it was in days past when a lawyer’s handshake meant something and a lawyer’s word was his bond,” said Justice Robert R. Thomas, who initiated the idea of the committee among his colleagues on the Court and who serves as Supreme Court liaison with the Committee. “That may be an oversimplification. But in this day and age with competition in the profession for dollars and clients, activities sometimes degenerate into a Rambo-style, win-at-all cost attitude by attorneys.”

Gordon Nash, a Chicago attorney who is vice chairperson of the Committee; Cheryl Niro, past president of the Illinois State Bar Association; Circuit Court Judge Daniel Stack, president of the Madison County Bar Association; and Eugene C. Menges, president of the St. Clair County Bar Association, welcomed the participants to the forum in Collinsville.

The participants will discuss what constitutes professionalism and civility in the practice of law, whether and where problems lie and study hypothetical scenarios keyed to lawyers’ behavior in practical situations. The input from the meeting will be gathered with that from the other meetings and molded into proposals that will be presented to the Supreme Court for possible adoption.

One of the concepts behind the committee is to set a bar of voluntary behavior that is higher than that required by the Code of Conduct for lawyers, which is enforced by disciplinary sanctions.

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“Professional conduct should not be considered the bottom threshold or floor of acceptable conduct, but instead it should be aspirational conduct that will lift our profession in the eyes of the public and to our own colleagues,” said Chief Justice Mary Ann G. McMorrow. “While professionalism is a higher standard expected of all lawyers, it imposes no official sanctions and offers no official reward.

“Yet, what is a greater sanction than loss of respect among your peers and judges? What is a greater reward than the self-satisfaction of doing the right thing for its own sake?” Chief Justice McMorrow asked.

There are members of the Committee who believe that one of the reasons why attorneys may be engaging in rogue tactics is because their clients expect them to.

David Rolewick, the Supreme Court Committee chairman who is supervising the Carbondale forum, has said that one of the issues the Committee may deal with is the public perception of the profession.

“The general public wants, because they’ve been watching TV too much, the meanest junkyard dog that they can get, and they think they’re going to win if they hire the meanest, toughest lawyer they can get,” Mr. Rolewick said.

Mr. Nash stressed the fact-finding purpose of the Committee and the forums which are designed to gather slices of the professional decorum from around the state.

“These town hall meetings are designed to find out what the problem is,” Mr. Nash said. “We may find that the problems are restricted to LaSalle Street in Chicago, and that there are no problems in certain other areas. We may also find that there are solutions in evidence in one area that can be applied to solve the problems in another locale.”

Ms. Niro said that most lawyers already meet high standards of professionalism.

“We believe that most lawyers have found the proper balance between zealously serving their clients’ interests and meeting the highest standards of the justice system,” Ms. Niro said. “Our purpose here is to remind lawyers and inform the public of those standards.”

Mr. Nash lauded the cooperation of the ISBA in helping to arrange the forums, and Ms. Niro of the ISBA lauded the commitment of the Supreme Court in trying to improve civility among lawyers.

“The Supreme Court has taken a very strong leadership role in trying to make sure that the conduct of lawyers around the state is raised to the highest levels of civility and professionalism,” Ms. Niro said. “The Illinois State Bar Association is proud and eager to lend its support.”

The Special Committee was formed by the Court in November 2001.