

## **Santa Clara County Bar Association Code of Professionalism:**

This Code of Professionalism is adopted to apply to all lawyers who practice in Santa Clara County. As lawyers, we owe duties of professionalism to our clients, opposing parties and their counsel, the courts and other tribunals, and the public as a whole. Those duties include among others: civility, professional integrity, personal dignity, candor, diligence, respect, courtesy, cooperation, and competence.

Nothing in this Code should be read to denigrate the lawyer's duty of zealous representation. However, all lawyers are encouraged to zealously represent their clients within the highest bounds of professionalism. The legal profession must strive for the highest standards of lawyer behavior to elevate and enhance our service to justice.

1. A lawyer should always be mindful that the law is a learned profession and that among its goals are devotion to public service, improvement of the administration of justice, and the contribution of uncompensated time and civic influence on behalf of persons who cannot afford adequate legal assistance.
2. A lawyer should work to achieve his or her client's lawful and meritorious objectives expeditiously and as economically as possible in a civil and professional manner.
3. A lawyer should understand and advise his or her client that civility and courtesy in scheduling meetings, hearings, and discovery are expected as professional conduct.
4. Consistent with existing law and court orders, a lawyer should agree to reasonable requests for extensions of time when the legitimate interests of his or her client will not be adversely affected.
5. The timing and manner of service of papers should not be calculated to disadvantage or embarrass the party receiving the papers.
6. A lawyer should be punctual in communications with others and in honoring scheduled appearances.
7. Written materials submitted to the court should always be factual, concise, and accurately state current law and fairly represent the parties' position without unfairly attacking the opposing party or opposing counsel.
8. A lawyer should at all times be civil, courteous, and accurate in communicating with adversaries, whether in writing or orally.
9. A lawyer should conduct discovery in a manner designed to ensure the timely, efficient, cost effective and just resolution of a dispute.
10. Motions should be filed or opposed only in good faith and when the issue cannot be otherwise resolved.
11. It is important to promote high regard for the profession and the legal system among those who are neither lawyers nor litigants.
12. A lawyer should not communicate ex parte with a judicial officer or his or her staff on a case pending before the court, unless permitted by law.
13. A lawyer should raise and explore the issue of settlement and alternative dispute resolution in every case as soon as the case can be evaluated.

14. A lawyer should conduct himself or herself in trial and hearings in a manner that promotes a positive image of the profession, assists the court in properly reviewing the case, and displays appropriate respect for the judicial system.
15. A lawyer should not seek an opposing party's default to obtain a judgment or substantive order without giving that opposing party sufficient advance written warning to allow the opposing party to cure the default.
16. A lawyer should avoid even the appearance of impropriety or bias in relationships with judicial officers, arbitrators, mediators, and independent, court appointed experts.
17. All matters should be handled with due respect for the rights of privacy of parties and non-parties.
18. Lawyers should conduct themselves with clients, opposing counsel, parties and the public in a manner consistent with the high respect and esteem which lawyers should have for the courts, the civil and criminal justice systems, the legal profession and other lawyers.
19. A lawyer should ensure that all business transactions and agreements are negotiated, documented and consummated in an atmosphere of cooperation and with informed authority of the client.
20. A lawyer should clearly identify, for other counsel or parties, all changes that a lawyer makes in documents.
21. In family law proceedings, a lawyer should seek to reduce emotional tension and trauma and encourage the parties and lawyers to interact in a cooperative atmosphere, and keep the best interest of the children in mind.