

17th Judicial Circuit Aspirational Code

Statement of Purpose

Judges and lawyers share a common profession while having distinct roles to play within the legal system. In fulfilling those roles, both are subject to formal regulation. A lawyer's conduct and duties are closely regulated by the Rules of Professional Conduct (Art. VII, Rules of the Supreme Court of Illinois), as well as the law of procedure, the law of agents and fiduciaries and the general law of civil liability. Judges, likewise, are governed by independent statutory and Supreme Court regulatory provisions. These sources of law define the lawyer's primary responsibilities as a confidential and loyal representative of clients and the judge's primary responsibility for the integrity of the law and formal legal process.

However, as noted in the American Bar Association's Model Rules of Professional Conduct, no set of rules will "exhaust the moral and ethical considerations that should inform a lawyer, for no worthwhile human activity can be completely defined by legal rules." In that spirit, the judges and lawyers of the 17th Judicial Circuit have undertaken to restate elements of our shared professional traditions that go beyond the level of discipline and civil liability and represent the highest aspirations of an organized profession.

Nothing in this aspirational statement detracts from or adds to the responsibilities or liabilities of lawyers or judges as defined in the relevant law regulating our conduct. Rather, this statement is, by definition, *aspirational*. It represents our shared goals for the legal profession and the quality of legal practice we hope for within the 17th Circuit. Its focus, inevitably, is on our professional interactions, in the belief that our primary obligations to clients and the legal system will best be served in a professional environment of mutual trust and respect.

A community's confidence that justice is available to all its members is a priceless public good. Essential to achieving that good is a healthy, efficient and dedicated bench and bar. Creating and sustaining such a professional bench and bar is a continuing process and this aspirational statement of the bench and bar of Winnebago and Boone counties is offered as part of that process.

A STATEMENT OF PROFESSIONAL ASPIRATIONS FOR THE LEGAL PROFESSION IN THE 17th JUDICIAL CIRCUIT

We, the lawyers and judges of the 17th Judicial Circuit, as members of the legal profession, will conduct ourselves at all times with personal courtesy and professional integrity in the fullest sense of these terms. We will be mindful of our obligations to our shared profession, clients, community and to the legal system. We will act with civility and professionalism to resolve issues and disputes in a rational, peaceful and efficient manner.

1. We will be courteous.

As lawyers diligently advancing the legitimate interests of our clients, we will treat the court, other counsel, all parties and other persons in a civil and courteous manner, both within and outside of court proceedings and in all oral or written communications.

As judges, we will be courteous, patient and respectful to all persons having business before us. We will recognize that judges have the primary opportunity, obligation and authority to ensure that all proceedings are conducted in a civil and professional manner and we will manage those proceedings accordingly.

2. We will be cooperative.

While we fulfill our particular obligations within a representative system, we recognize that being an advocate does not preclude cooperation and never justifies any intentional misrepresentation nor any personal comments, arguments or accusations going beyond the facts or law of a particular dispute. A client's ill will toward an opponent need not be ours and will not define our relationship to other lawyers or the court nor dictate our choice of tactics or permissible professional conduct.

3. We will be responsive and timely.

Our communications to the court, to clients and among ourselves will be prompt and timely. As competent professionals, we will be well-prepared and ready to address issues and concerns as they arise. We will neither demand unreasonable deadlines nor fail to meet reasonable ones. We will cooperate with each other and neither seek delays without good cause and timely notice, nor unreasonably object to reasonable requests.

4. We will keep our word.

We will faithfully honor our representations, commitments and promises or explain in a timely manner why we cannot.

5. We will use fair tactics.

In professional dealings outside of court, we will conduct ourselves as we would if we were in the presence of the court. In this spirit, we will not use unfair tactics in resolving disputes. We will observe the Illinois Supreme Court's instruction that "it is the duty of all lawyers to seek resolution of disputes at the least cost in time, expense and trauma to all parties and to the courts."

6. We will represent our professional ideals.

We recognize that creating and reinforcing the spirit of professionalism among us is an ongoing process and one that can include such considerations as appropriate attire, speech and conduct in professional settings and an awareness of our professional standing in circumstances where a public perception of the legal profession is formed.

7. We will strive to improve the legal profession.

Recognizing that enhancement of the profession is both a collective and individual task, we will seek opportunities where we can be of service to the bench and Bar. When appropriate, we will request assistance from and give assistance to each other. We will be particularly mindful of the need to be supportive and helpful to new members of the profession.

8. We will strive to serve our community.

We recognize the importance of contributing to and serving the community in which we practice our profession.