

IV. Lawyer and Judge

Lawyers and judges owe each other respect, diligence, punctuality, and protection against unjust and improper criticism and attack. Lawyers and judges are equally responsible to protect the dignity and independence of the court and the profession.

A. Lawyers' Duties to Court and Administrative Tribunal.

1. We will speak and write civilly and respectfully in all communications with the court or administrative tribunal.
2. We will be punctual and prepared for all appearances so that all hearings, conferences, and trials may commence on time to the greatest extent possible.
3. We will be considerate of the time constraints and pressures on the court and court staff inherent in their efforts to administer justice.
4. We will not engage in any conduct that brings disorder or disruption to the courtroom or administrative hearing area. We will advise our clients and witnesses appearing in these settings of the proper conduct expected and required there and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.
5. We will not knowingly misrepresent, mischaracterize, misquote, or miscite facts or authorities in any oral or written communication to the court or administrative hearing officer.
6. We will avoid argument or posturing through sending copies of correspondence between counsel to the court, unless specifically permitted or invited by the court.
7. Before dates for hearings or trials are set, or if that is not feasible, immediately after such dates have been set, we will attempt to verify the availability of necessary participants and witnesses so we can promptly notify the court of any problems.
8. We will act and speak civilly to all other court staff with an awareness that they, too, are an integral part of the judicial system.

B. The Duties of Judges, Referees, and Administrative Law Judges to Lawyers and Parties.

1. We will be courteous, respectful, and civil to lawyers, parties, and witnesses. We will maintain control of the proceedings, recognizing that we have both the obligation and the authority to insure that all proceedings are conducted in a civil manner.
2. If we observe a lawyer being uncivil to another lawyer or others, we will call it to the attention of the offending lawyer on our own initiative.
3. We will not employ hostile, demeaning, or humiliating words in opinions or in written or oral communications with lawyers, parties, or witnesses.
4. We will be punctual in convening all hearings, meetings, and conferences; if delayed, we will notify counsel, if possible.
5. In scheduling all hearings, meetings and conferences, we will be considerate of time schedules of lawyers, parties, and witnesses.
6. We will make all reasonable efforts to decide promptly all matters presented to us for decision.
7. We will give the issues in controversy deliberate, impartial, and studied analysis and consideration.

8. While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on lawyers by exigencies of litigation practice.

9. We recognize that a lawyer has a right and a duty to present a cause fully and properly, and that a party has a right to a fair and impartial hearing. Within the practical limits of time, we will allow lawyers to present proper arguments and to make a complete and accurate record.

10. We will not impugn the integrity or professionalism of any lawyer on the basis of the clients whom, or the causes which, a lawyer represents.

11. We will do our best to insure that court personnel act civilly toward lawyers, parties, and witnesses.

12. We will not adopt procedures that needlessly increase litigation expense.

C. The Duties of Judges, Referees, and Administrative Law Judges to Each Other.

1. We will be courteous, respectful, and civil in opinions, ever mindful that a position articulated by another judge is the result of that judge's earnest effort to interpret the law and the facts correctly.

2. In all written and oral communications, we will abstain from disparaging personal remarks, criticisms, or sarcastic or demeaning comments about another colleague.

3. We will endeavor to work with other judges in an effort to foster a spirit of cooperation in our mutual goal of enhancing the administration of justice.