

**DUPAGE COMMISSION ON PROFESSIONALISM
PLEDGE OF PROFESSIONALISM**

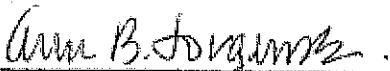
WHEREAS, the 18th Judicial Circuit is the second largest judicial circuit in the State of Illinois, and enjoys a reputation for having some of the finest judges in the State of Illinois, and

WHEREAS, the DuPage County Bar Association, founded in 1879, with over 2,000 current members, is one of the oldest and largest bar associations in the State of Illinois, and is known for the civility and integrity of its members, and

WHEREAS, the present Chief Justice of the Illinois Supreme Court, The Honorable Robert R. Thomas, is the first judge from DuPage County and member of the DuPage County Bar Association to serve as the Chief Justice of the Illinois Supreme Court, and under his leadership the Illinois Supreme Court has adopted minimum continuing legal education standards and has established a statewide Commission on Professionalism,

NOW, THEREFORE, BE IT RESOLVED,

That this Pledge of Professionalism be and is hereby adopted to serve as an aspirational statement for all the attorneys practicing, and judges serving, in DuPage County to achieve the highest degree of professionalism and civility in their interaction with clients, judges, other lawyers, and all members of the community.



**Hon. Ann B. Jorgensen, Co-Chair
Chief Judge, 18th Judicial Circuit**



**Fred A. Spitzberg, Co-Chair
President, DuPage County Bar Association**



**Hon. Robert R. Thomas, Ex Officio
Chief Justice, Illinois Supreme Court**

DUPAGE COMMISSION ON PROFESSIONALISM

Hon. Robert J. Anderson

Robert J. Anderson

Neal W. Cerne

Neal W. Cerne

Kimberly A. Davis

Kimberly A. Davis

John F. Donahue

John F. Donahue

Thomas A. Else

Thomas A. Else

Justice Michael R. Galasso

Justice Michael R. Galasso

Charles Hoffman

Charles Hoffman

Maria Tolva Mack

Maria Tolva Mack

Robert McDonough

Robert McDonough

Hon. Brian R. McKillip

Hon. Brian R. McKillip

Lynn Mirabella

Lynn Mirabella

Elizabeth A. Pope

Elizabeth A. Pope

Hon. Kenneth L. Popejoy

Hon. Kenneth L. Popejoy

Mary T. Robinson

Mary T. Robinson

David F. Rolewick

David F. Rolewick

James E. Ryan

James E. Ryan

Robert J. Schillerstrom

Robert J. Schillerstrom

Glenda Berg Sharp

Glenda Berg Sharp

Hon. Ronald D. Sutter

Hon. Ronald D. Sutter

Ross P. Toran

Ross P. Toran

Edward J. Walsh

Edward J. Walsh

Michael A. Wolfe

Michael A. Wolfe

DuPage County

Pledge of Professionalism

Preamble.

The DuPage County Pledge of Professionalism sets forth principles of behavior to which the bench and bar should aspire. They are not intended as rules to be enforced by sanction or disciplinary action, nor are they intended to supplement or modify the Illinois Code of Judicial Ethics or Code of Professional Responsibility. Instead, they are intended to encourage lawyers and judges to act with civility and decorum, and to confirm the legal profession's rightful status as an honorable and respected profession in which respect for all persons is observed as a matter of course

In striving to bring honor and respect to the legal process and the administration of justice, I will act in accordance with the following:

As a Judge:

1. I will respect my office, my profession and the public.

- I will strive to keep my position respected as a calling in the spirit of public service and will further strive to promote the understanding of and appreciation for the legal profession by the public. I will daily remind myself that I am a public servant and that my position burdens me more with obligations and duties to resolve society's problems than with personal privilege or rights.
- I will show respect for lawyers through action, word and demeanor inside and outside the courtroom, recognizing that my conduct is a basis for the public's perception of the legal profession.
- I am aware that my actions, demeanor, integrity, and work ethic, particularly in my professional capacity, reflect and therefore

should promote faith and belief in the legal profession and the American system of justice. I will conduct myself accordingly.

- I will temper my conduct and rulings with humility and common sense.
- When appropriate, I will promote an appreciation for the legal profession and judiciary by the public by, publicly and privately, commenting upon the good done by lawyers and judges in society and government as well as in our system of justice.

2. I will promote civility in my own conduct, my courtroom and among those under my direction.

- I will maintain control of the proceedings and honor my obligation to ensure that proceedings are conducted in a civil manner. I will establish a climate of professionalism that upholds the dignity of the bench and bar. I will show respect for the bar by treating lawyers with civility and courtesy.
- I will use my best efforts to encourage court personnel under my direction (or perceived to be under my direction) to act with courtesy, patience and respect while providing prompt and helpful service to all persons having business with the courts.

3. I will be prepared, use time effectively and expect the same of attorneys.

- I will use court time productively, avoid unnecessary delay, and will impose and enforce reasonable and meaningful deadlines, being always mindful of the costs and expenses of litigation.
- I will be punctual for court appearances and hearings, and when unable to meet expectations, I will give notice to litigants at the earliest possible opportunity.
- I will read pleadings and relevant citations prior to hearing when feasible, and prior to making a decision in all cases. I will listen to the arguments of litigants with an open and unbiased mind, and consider all relevant material in rendering my decision.
- I will give lawyers and pro se litigants an adequate opportunity to present their cases.
- I will render all opinions promptly after the close of evidence and the argument of counsel.

4. I will support continuing judicial education and CLE.

- I will support and participate in continuing judicial education. I will support and participate in continuing legal education.

- I will assist local law schools in the education of our future lawyers and assist and participate in mentoring programs, whenever possible.

5. I will support pro bono representation. I will support the poor and underrepresented in the legal system by making the poor and underrepresented aware of available *pro bono* programs in the area.

6. I will endeavor to identify my prejudices and biases and to correct them.

7. I recognize that I owe, above all else, honesty, fairness and integrity to all participants in the judicial system. Accordingly, I will bring the DuPage County Pledge of Professionalism to the attention of other judges and lawyers when appropriate.

As a Lawyer:

1. I will respect my profession and the judiciary.

- In the spirit of public service, I will strive to promote an understanding and appreciation for the judiciary and the legal profession by the public.
- I will show respect for judges through action, word and demeanor, inside and outside the courtroom, because my conduct is a basis for the public's perception of the American System of Justice.
- When appropriate, I will promote an appreciation for the judiciary and the legal profession by the public by, publicly and privately, commenting upon the good done by lawyers and judges in society and government as well as in our system of justice.
- I am aware that my actions and demeanor, particularly in my professional capacity, in depositions, in court proceedings, in negotiations, and in counseling my clients, reflect upon the legal profession and our system of justice. Therefore, I will conduct myself in a dignified manner.

2. I will promote civility in myself and those under my direction.

- I will advise my client of the court's expectations regarding the client's demeanor and civility in the courtroom.
- I will respect the rulings of the court, and, in so doing, will demonstrate respect to the court, to the client, to others involved in the case and to the press.

- I will be respectful, candid, and courteous to the court. I will be respectful, candid and courteous in all professional dealings.
- I will strive to protect the dignity and independence of the judiciary and American System of Justice particularly from unjust criticism and attack.

3. I will be prepared, avoid unnecessary litigation and use ALL TIME INCLUDING time in court effectively.

- I will promptly return all telephone calls and respond to other correspondence in a timely manner.
- I will attempt to resolve discovery matters with opposing counsel *before* filing a motion to compel discovery compliance. I will seek to resolve the litigation and the discovery process expeditiously and incur only those costs and expenses which are reasonable and necessary.
- I will avoid non-essential litigation and non-essential pleadings, being always mindful of the costs and expenses of litigation. I will cooperate with opposing counsel in an effort to avoid litigation and to resolve any litigation that has already commenced, to the extent it is in the client's best interest to do so.
- I will use court time productively and be punctual for court appearances. Further, I will avoid delay and seek continuances only when dictated by the proper representation of my client.
- I will respect the schedule and commitments of opposing counsel, consistent with protecting the client's interests. I will time the manner of service of papers to provide opposing party reasonable notice and time to respond. I will verify the attendance of witnesses for hearing dates as soon as possible before the hearing dates. In the event of a conflict, I will take steps as soon as practicable to notify the court and counsel of a conflict.
- I will adhere to all express promises and agreement with opposing or other interested counsel.
- I will not knowingly misrepresent, misquote, or erroneously cite any information, facts or authorities in any communication to the court and will perform a reasonable check before quoting such sources. I will be truthful with all other persons involved in the litigation process.

4. I will be both candid and honest with my clients.

- To the fullest extent possible, I will have a written fee agreement with my clients, or will communicate to my clients in writing our

mutual understanding of the manner in which fees will be charged.

- I will abide by my client's decision concerning the objectives of representation, including whether or not to accept offers of settlement, and will endeavor to explain all matters to the extent reasonably necessary to permit the client to make informed decisions regarding representation. I will diligently communicate with the client to the fullest extent reasonably possible. I will specifically explain to the client that I cannot engage in conduct which is illegal, unethical, or fraudulent.
- I will specifically explain to the client that I cannot engage in litigation which is undertaken in bad faith or with the intent to harass or intimidate other litigants or their attorneys or to unreasonably prolong litigation in order to gain a tactical or other advantage.
- In matters involving custody and visitation of minor children, I will refuse to engage in conduct which, in my professional judgment, would be contrary to the best interests of the client's minor child or children.
- I will specifically explain to my client, to the fullest extent possible, the parameters of lawyer-client confidentiality and the degree to which I may be required to disclose facts concerning the client to opposing counsel or the court.
- As I discuss expectations for the case with my client, I will specifically explain to the client that our system of justice is based on the presumption that everyone has told the truth and will testify truthfully under oath, and from that process, a set of facts will emerge to which the law will be applied to determine who shall prevail.
- I will make the following confidentiality commitment to my client: communications between you and me, oral or written, about your legal concerns are privileged and will not be disclosed without your consent, or order of Court. If yours is not a criminal case, the law will require that you disclose to other parties information you have about the matters in controversy, and I will be required to disclose any such information I learn from you or in the course of representing you.
- I will consider each client individually to determine whether it is appropriate to provide a copy of these aspirational goals to that

client.

5. I will support CLE.

- I will support and participate in continuing legal education.
- I will strive to assist local law schools in the education of future lawyers and assist and participate in mentoring programs, whenever possible.

6. I will support pro bono representation.

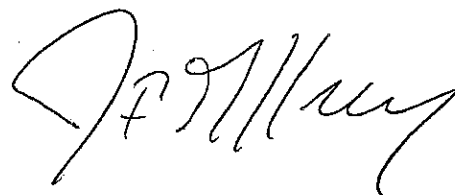
- I will assist the poor and underrepresented in the legal system through available pro bono programs and by other means.

7. I will support Alternate Dispute Resolution.

- Although I value the Constitutional right to trial by jury, I will encourage methods of alternate dispute resolution when appropriate for my clients and the subject matter.

8. I will endeavor to identify my prejudices and biases and to correct them.

9. I recognize that I owe, above all else, honesty, fairness and integrity to all participants in the judicial system. I will be mindful of the need to protect the standing of the legal profession in the eyes of the public. Accordingly, I will bring the DuPage County Pledge of Professionalism to the attention of other judges and lawyers when appropriate.



Justin R. Gaffney

6/24/08