

**FLORIDA**

**SUPREME COURT OF FLORIDA**

**IN RE: FLORIDA SUPREME COURT COMMISSION ON PROFESSIONALISM**

ADMINISTRATIVE ORDER

The Florida Bar has suggested that the Court constitute a commission to address the subject of professionalism among all members of Florida's legal community, including members of the bar, the judiciary, as well as the teachers and students of the law at Florida's law schools. We concur in the suggestion and applaud the leadership of the Bar for this initiative. Adherence to the fundamental ideals and values of our justice system and the legal profession by all of those privileged to serve in the system is an essential requirement if the system is to carry out its obligation of service to the people of Florida.

Accordingly, under the authority vested in the undersigned as Chief Justice, a Florida Supreme Court Commission on Professionalism is hereby created. The Commission is charged with the planning and implementation of an ongoing plan and policy to ensure that the fundamental ideals and values of the justice system and the legal profession are inculcated in all of those persons serving or seeking to serve in the system. The Commission shall serve indefinitely, at the pleasure of this Court, and shall work closely with The Florida Bar to carry out its charge. In turn, The Florida Bar is charged to provide the Commission with all necessary assistance to see that the mission of the Commission is carried out.

The suggestion of the Bar that the Commission's membership be appointed in part by nominees from this Court and in part by nominees from the Florida Bar is also accepted. Justice Harry Lee Anstead is hereby appointed as the Chair of the Commission. Upon the receipt of nominations from the Bar, the Court will appoint the full membership of the Commission so that the Commission may thereafter conduct an organizational meeting and adopt bylaws and rules to guide the Commission's continuing operation.

Attached to this order and marked Exhibit A is the letter of President John W. Frost II of July 9, 1996, containing an outline of the proposal for membership of the Commission. That proposal is approved. Also attached as Exhibit B to this order is the report and proposal for the creation of a center for professionalism of the Florida Bar's Standing Committee on Professionalism, as approved by the Board of Governors of the Bar. That report will serve as a guideline for the Commission in its efforts to formulate policy for the carrying out of its mission as set out herein.

Done and Ordered at Tallahassee, Florida, this 19th day of July, A.D 1996.

Gerald Kogan  
CHIEF JUSTICE SUPREME COURT OF FLORIDA

**By: Debbie Causseaux, Chief Deputy Clerk  
SUPREME Court OF FLORIDA**

**THE FLORIDA BAR**

**July 9, 1996**

**John W. Frost, II**, President  
**John F. Harkness, Jr.** Executive Director  
**Edward IL Blumberg**, President-elect

The Honorable Gerald Kogan  
Chief Justice  
Supreme Court of Florida  
500 South Duval Street  
Tallahassee, Florida 32399-1925

RE: Creation of Supreme Court of Florida Commission on Professionalism

Dear Chief Justice Kogan:

Please consider this letter as a petition of The Florida Bar seeking an administrative order of the court creating the Supreme Court of Florida Commission on Professionalism, which shall serve at the pleasure of the court.

Creation of the commission and the bar's center for professionalism were proposed to the bar by its standing committee on professionalism, of which Justice Anstead is the chair. The commission is intended to be the entity that will establish the policies of the bar's center and the center's governing board. The full report and recommendation of the standing committee, as approved by the board, is attached.

The standing committee proposed, and the bar agreed, that the commission should consist of:

1. The Chief Justice of the Supreme Court of Florida or the chief justice's designee (the Chair of the commission);
2. a judge of one of the district courts of appeal;
3. a judge of one of the judicial circuits;
4. a judge of one of the county courts;
5. the law school dean or the dean's designee of each of the ABA accredited law schools in the state (1 of whom must be a member of the standing committee on professionalism);
6. a former public member of the bar's board of governors;
7. the president of the bar;
8. the president elect of the bar;
9. the president of the Young Lawyers Division;
10. the president elect of the Young Lawyers Division;
11. 7 practicing members of the bar, in good standing.

The court appoints or designates the judicial members (1 -4) and the bar appoints the former public member of the board (6) and the 7 practicing lawyers (11).

Terms of office should be for the respective term of office for the chief justice and the presidents and presidents-elect of the bar and young lawyers division. All others shall serve a 4 year term, with no one being reappointed thereafter.

As usual, the initial appointees should be appointed for staggered terms and the bar suggests as follows:

1. the district court of appeals judge serves until June 30, 1997;
2. the circuit court judge serves until June 30, 1998; and
3. the county court judge serves until June 30, 1999;
4. 4 law school deans or designees serve until June 30, 1998, with the remainder serving until June 30, 2000;
5. 2 practicing lawyers serve until June 30, 1998, with the remaining 5 serving until June 30, 2000; and
6. the former public member of the board serves until June 30, 2000.

We do not believe that formal rules are required to create either the court's commission or the bar's center. However, the bar will file a petition to amend the continuing legal education requirement, adding a professionalism component to the ethics hours.

For your information I have attached the report and recommendations of the standing committee on professionalism, which has been amended to reflect the action of the board of governors.

Respectfully yours,  
John W. Frost, II

cc: Justices of the Supreme Court of Florida  
John F. Harkness, Jr.  
Paul A. Remillard  
John T. Berry  
all with enclosures

## **THE ROLE OF THE CENTER FOR PROFESSIONALISM**

### **Professionalism Center's Role**

The mission of the Center for Professionalism is to support and encourage law students, lawyers, and judges to exercise the highest levels of professional integrity in their relationship with clients, other lawyers, the courts and the public. This is being accomplished through the following:

1. The consciousness of lawyers about professionalism is being raised through the new CLE requirement, attendance at professionalism seminars and activities, and through publications focusing on various aspects of professionalism. Presentations by speakers,

panelists, and facilitators at CLE events, law school orientations on professionalism, as well as mentor programs, articles and columns on professionalism have all served to heighten awareness of professionalism issues.

2. "Quality control" for the required CLE professionalism courses is being assured through (a) the review of the content of proposed professionalism CLE courses by the Center's staff; and (B) the introduction of professionalism materials developed by the Center for other CLE courses.

(A) The Center reviews applications for professionalism credit submitted for approval by CLE sponsors, including local bar associations, law firms, corporate and government legal departments, legal services programs, and inns of court. The Center also assists in the planning and implementation of a number of CLE professionalism courses for these sponsors.

(B) The materials compiled by the Center include guided videotape programs with discussion materials that are appropriate for courses on professionalism in general, as well as in civil practice, criminal prosecution and defense, and the in-house setting. The tapes are also used for in-house CLE and retreat programs for law firms, corporate legal departments, and governmental agencies. The Center's ability to provide solid instructional materials assure that what the professionalism courses teach is educationally as well as professionally sound.

3. The Center serves as an archive and a clearinghouse for exchange of information regarding professionalism efforts past and present, local and national. The Center identifies opportunities for promoting professionalism within and among all of these constituencies and is a resource for lawyers and judges when preparing for presentations on professionalism or developing their own professionalism initiatives. As part of its role as a clearinghouse, the Center maintains a survey of professionalism activities within other states and within the American Bar Association. Articles on professionalism issues are catalogued, entered in a computerized database, and filed for easy distribution to judges, lawyers and law schools to assist in development of continuing legal education, law school or other professionalism presentations or for use in local and state bar news articles.

4. Emphasis has been placed on seminars, presentations, awards and meetings with interested groups and individuals. While this approach has been valuable, it has not been as productive as hoped. The Center is moving in a new direction toward a comprehensive educational and legal practice system which establishes, inculcates, and enforces professionalism and ethical values within the students of Florida law schools and young lawyers, ultimately impacting the entire legal profession of Florida. Recent studies in Florida support the notion that change is possible when professionalism principles are introduced at the earliest stages of a legal career. Clearly law school is the place to start. It is an intense period of indoctrination into what it means to be a lawyer, and is the time to teach about the true social obligations of the legal profession. Law school should be the place where the mores, history, ideals and character of the profession can be imprinted upon the youth of the profession.

The Director of the Center in conjunction with the Chair of the Commission on Professionalism and the Division Director of the Legal Division will conduct a series of visits to all Florida law schools to begin a dialogue about an educational framework which emphasizes professionalism and character development through the whole law school experience.

5. The transition of law students into the practice of law is currently unmanaged by the Bar and this 'teaching moment' in the career of many young lawyers is often wasted. The Commission is investigating the idea of a mandatory mentoring program for all new lawyers.