

# MARYLAND

## IN THE COURT OF APPEALS OF MARYLAND ADMINISTRATIVE ORDER CONTINUING PROFESSIONALISM COMMISSION

WHEREAS, Throughout the 1990s, members of the Maryland Bench and Bar had become increasingly aware of issues and repercussions of unprofessional behavior by lawyers, which spurred adoption of civility codes and, since 1992, a mandatory course in professionalism for all new admittees to the Maryland Bar; and

WHEREAS, The Conference of Chief Justices in 1996 adopted a resolution which called for a study of lawyer professionalism and encouraged the appellate court of highest jurisdiction in each state to take a leadership role in evaluating the contemporary needs of the legal community with respect to lawyer professionalism and coordinating the activities of the bench and Bar by establishing a Commission on Professionalism; and

WHEREAS, By Order dated April 25, 2002, a Professionalism Task Force was established to study the concept of professionalism within the Maryland bench and Bar and to identify the qualities of, and a consensus as to, professionalism; and

WHEREAS, The Task Force completed its work and, among other proposals, recommended the establishment of a Professionalism Commission; and

WHEREAS, On November 10, 2003, the Court of Appeals adopted the recommendation to establish a Professionalism Commission which occurred on February 17, 2004; and

WHEREAS, The Professionalism Commission, over a two-year period, explored the recommendations of the Professionalism Task Force and on May 10, 2006 adopted its first report.

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, §18 of the Constitution, do hereby order this day of \_\_\_\_\_, 2006, effective immediately:

1. Creation. The Court Commission on Professionalism shall continue for a period of \_\_\_\_ years.
2. Members.
  - a. Commission. The Commission shall consist of the following members:
    - i. The Chief Judge of the Court of Appeals or a designee of the Chief Judge, as the Chair;
    - ii. The Chief Judge of the Court of Special Appeals or a designee of the Chief Judge;
    - iii. The Chair of the Conference of Circuit Judges or a designee of the Chair;
    - iv. The Chief Judge of the District Court or a designee of the Chief Judge;
    - v. A judge from the United States District Court for Maryland, designated by that Court;
    - vi. The Dean of each of the accredited law schools in Maryland or a designee of the Dean;
    - vii. A lawyer representative from each Maryland County and Baltimore City, appointed by the Chief Judge of the Court of Appeals;

- viii. The president of the Maryland State Bar Association, Inc. or the president's designee;
  - ix. A representative from the Attorney Grievance Commission, appointed by the Chief Judge of the Court of Appeals;
  - x. A representative from the Standing Committee on Rules of Practice and Procedure, appointed by the Chief Judge of the Court of Appeals;
  - xi. A representative from the Judicial Disabilities Commission, appointed by the Chief Judge of the Court of Appeals; and
  - xii. A reporter, appointed by the Chief Judge of the Court of Appeals.
- b. Advisors. To the extent provided in the Judiciary's budget or other source of funds, the Commission may invite others to provide advice to, or otherwise participate in, the Commission's work, through invitations to the public for, appointment to subcommittees or assignment of specific tasks such as statistical and academic research.
- c. Compensation. The members and advisors are not entitled to compensation but, to the extent provided in the Judiciary's budget, may be reimbursed for expenses in connection with travel related to the work of the Commission.
3. Meetings.
- a. Scheduling. The Commission shall meet at the call of the Chair.
  - b. Quorum. A majority of the authorized membership of the Commission shall constitute a quorum for the transaction of business.
4. Forums.
- a. Purposes. The primary tasks of the Commission are to explore, as well as monitor, the implementation of the professionalism policies adopted by the Court of Appeals, examine ways to promote professionalism among Maryland lawyers, and provide sustained attention and assistance to the task of ensuring that the practice of law remains a high calling that is focused on serving clients and promoting the public good.
  - b. Mission. The mission of the Commission is to support and encourage members of the Judiciary to exhibit the highest levels of professionalism and to support and encourage lawyers to exercise the highest levels of professional integrity in their relationships with their clients, other lawyers, the courts, and the public to fulfill their obligations to improve the law and the legal system and to ensure access to that system.
  - c. Duties. To carry out its purposes, the Commission shall:
    - i. Plan, implement, monitor and coordinate professionalism efforts in the Bar, courts, law schools and law firms;
    - ii. Continue to develop mechanisms to advance professionalism as an important core value of the legal profession and the legal process;
    - iii. Gather and maintain information to serve as a resource on professionalism for lawyers, judges, court personnel and members of the public;
    - iv. Serve as a catalyst for positive change;
    - v. Cultivate the professional community of the Bar;
    - vi. Consider efforts by lawyers and judges to improve the administration of justice;
    - vii. Monitor professionalism efforts in jurisdictions outside Maryland;

- viii. Promote and sponsor state and local activities that emphasize and enhance professionalism to include a yearly Convocation on Professionalism and promote regional and county convocations on professionalism;
  - ix. Make recommendations to the Court of Appeals, the Maryland State Bar Association, and local and specialty Bars concerning additional means by which professionalism can be enhanced;
  - x. Receive and administer gifts and grants and to make such expenditures therefrom as the Commission shall deem prudent in the discharge of its responsibilities;
  - xi. Monitor the efforts of the Maryland State Bar Association and other associations and committees in carrying out the mandate of this Court with respect to advancement of professionalism and submit periodic reports to this Court on those efforts.
5. Staff. The Commission shall have the staff assistance assigned by the Chief Judge of the Court of Appeals.
6. Source of Funding. The Commission shall be funded by an annual assessment imposed upon every attorney admitted to practice in Maryland.
7. Authority. The Commission on Professionalism has no authority to receive complaints within the province of the Attorney General's Office, the Attorney Grievance Commission or the Commission on Judicial Disabilities and shall refer any such complaints received to the appropriate Commission.
8. Rescission of Prior Order. The Order dated February 27, 2004 is rescinded.

Robert M. Bell  
Chief Judge  
Court of Appeals of Maryland  
Filed:  
Clerk  
Court of Appeals of Maryland