



## American Bar Association Section of Family Law

These Standards address the responsibility of the family lawyer to be civil to clients, opposing counsel, and the Court. Civility is an important obligation of a lawyer.

### Civility Standards

#### I. To Client

1. Treat the client with respect.
2. Try to keep the client on an even emotional keel and avoid characterizing the actions of the other party, opposing lawyers, and judicial officials in emotional terms.
3. Be aware of counseling resources and be prepared to refer the client to counseling where appropriate.
4. Where a client has an exaggerated or unrealistic view of his or her options in any given situation, explain matters as carefully as possible in order to assist the client to realistically assess the situation.
5. Respond promptly to client requests for advice or information.
6. Consider the availability and appropriateness of forms of alternate dispute resolution.
7. Where a client wishes to pursue a claim or motion for purely hostile or vindictive purposes, explain to the client the reasons why the client should not do so.
8. Do not assist a client in pursuing a claim for primary custody or visitation where the purpose of the claim is to obtain bargaining leverage in order to achieve a purely economic objective.
9. Avoid any communication to client about the judge, the other lawyer, or the other party that will contribute to disrespect for the legal process.
10. Encourage clients to comply with all court orders.

## II. To Opposing Counsel

1. Be honest in all communications with opposing counsel. Do not intentionally misrepresent any factual or legal argument.
2. Be respectful and courteous in all oral and written communications with the opposing side.
3. Do not engage in conduct, oral or written, that promotes animosity and rancor between the parties or their counsel.
4. Use a demeanor and conduct during a deposition or other out-of-court meeting that would be no less appropriate than it would be in the courtroom.
5. Do not engage in harassing or obstructive behavior.
6. Honor reasonable requests for routine extensions of time, unless a client's position will be adversely and materially affected.
7. Confer in good faith with opposing counsel on scheduling matters.
8. Do not utilize the manner of service of pleadings or discovery requests to disadvantage the opposing counsel.

## III. To the Court

1. Act with complete honesty; show respect for the court by proper demeanor; and act and speak civilly to the judge, court staff and adversaries.
2. Avoid frivolous litigation and non-essential pleading in litigation.
3. Explore settlement possibilities at the earliest reasonable date, and seek agreement on procedural and discovery matters.
4. Avoid delays not dictated by a competent and justified presentation of a client's claims or defenses.
5. Strive to protect the dignity and independence of the judiciary, particularly from unjust criticism and attack.

**American Bar Association  
Section of Family Law**

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