



Fostering Civility and Courtesy

Hon. Howard I. Lipsey

The following remarks were made on August 6th, during the ABA Annual Meeting in Chicago.

The ABA Family Law Section is fortunate in that no one individual is the Family Law Section. We are composed of many individuals who participate in and contribute to the myriad services dedicated to our membership and the broader community.

Our publication editors, our committee chairs and members -- they all make enormous contributions of time, energy, and skills to the success of our section.

We are blessed with a superb staff that ensures the everyday activities of the section are carried out with professionalism, expertise, and dedication.

You have honored me by entrusting me with the office of chair. This means that you have given me the responsibility to work with our entire membership in fostering, as a common goal, the principles and objectives of our section.

A primary goal will be the fostering of **civility** in the practice of family law. In reading the July/August 2005 issue of **The Bench**, the magazine of the American Inns of Court, I was impressed by an article written by David J. Brown, Esquire. He discussed the issue of civility. I quote:

Uncivil, disrespectful, abrasive, abusive, hostile or obstructive conduct impedes any lawyer's attempt to resolve disputes fairly, rationally, peacefully and efficiently. Incivility leads to delay, and often denial, of justice. Or, as it states in the preamble to the Civility and Professionalism Guidelines of the U.S. District Court for the Central District of California:

Incivil behavior does not constitute effective advocacy; rather, it serves to increase litigation costs and fails to advance the client's lawful interests. Perhaps just as importantly, this type of behavior causes the public to lose faith in the legal profession and its ability to benefit society. For these reasons, we find that civility and professionalism among advocates, between lawyer and client, and between bench and bar are essential to the administration of justice.

Mr. Brown also quoted Justice Sandra Day O'Connor:

Justice Sandra Day O'Connor noted in a 1997 speech at the opening of Anheuser-Busch Hall at Washington University in Saint Louis that "Personal relationships lie at the heart of the work that lawyers do." The best way to build personal relationships is to begin with civility and courtesy.

It is my intention to appoint a special committee, the goal of which will be to prepare "Professional Guidelines on Civility," which will guide us all -- lawyers and judges alike -- in the civil practice of family law.

It is my privilege to follow a distinguished line of past-chairs, each of whom has contributed to the success of our section. I thank them for providing us with the foundation blocks, which have built our section into the national and international authority on family law issues.

Let us continue to work together during the coming year to build upon those blocks. It is our section's responsibility, not only to assist our members in attaining the professional skills required to competently represent those individuals seeking our services, but also to dignify and honor our profession by ensuring that all of our activities are done -- in the words of Justice O'Connor -- with "Civility and Courtesy."