Pillars of Professionalism

A admission to practice law in Kansas carries with it not only the ethical requirements found in the Kansas Rules of Professional Conduct, but also a duty of professionalism. Law students who aspire to be members of the Kansas bar should also heed these guidelines. Kansas lawyers have a duty to perform their work professionally by behaving in a manner that reflects the best legal traditions, with civility, courtesy, and consideration. Acting in such a manner helps lawyers preserve the public trust that lawyers guard and protect the role of justice in our society. Lawyers frequently interact with clients, courts, opposing counsel and parties, and the public at large. A lawyer’s actions also reflect on the entire legal profession. With those interactions in mind, the following Pillars of Professionalism have been prepared. These Pillars should guide lawyers in striving for professionalism.

With respect to clients:

1. Respect your clients’ goals and counsel them about their duties and responsibilities as participants in the legal process. Treat clients with courtesy, respect, and consideration.
2. Be candid with clients about the reasonable expectations of their matter’s results and costs.
3. Encourage clients to act with civility by, for example, granting reasonable accommodations to opponents. Maintaining a courteous relationship with opponents often helps achieve a more favorable outcome. Counsel clients against frivolous positions or delaying tactics, which are unprofessional even if they may not result in sanctions.
4. Counsel clients about the risks and benefits of alternatives before making significant decisions. Act promptly to resolve the matter once the relevant facts have been obtained and a course of action determined.
5. Communicate regularly with clients about developments. Keep them informed about developments, both positive and negative.

With respect to courts:

1. Treat judges and court personnel with courtesy, respect, and consideration.
2. Act with candor, honesty, and fairness toward the court.
3. Counsel clients to behave courteously, respectfully, and with consideration toward judges and court personnel.
4. Accept all rulings, favorable or unfavorable, in a manner that demonstrates respect for the court, even if expressing respectful disagreement with a ruling is necessary to preserve a client’s rights.

With respect to opposing parties and counsel:

1. Be courteous, respectful, and considerate. If the opposing counsel or party behaves unprofessionally, do not reciprocate.
2. Respond to communications and inquiries as promptly as possible, both as a matter of courtesy and to resolve disputes expeditiously.
3. Grant scheduling and other procedural courtesies that are reasonably requested whenever possible without prejudicing your client’s interests.
4. Strive to prevent animosity between opposing parties from infecting the relationship between counsel.
5. Be willing and available to cooperate with opposing parties and counsel in order to attempt to settle disputes without the necessity of judicial involvement whenever possible.

With respect to the legal process:

1. Focus on the disputed issues to avoid the assertion of extraneous claims and defenses.
2. Frame discovery requests carefully to elicit only the information pertinent to the issues, and frame discovery responses carefully to provide that which is properly requested.
3. Work with your client, opposing counsel, nonparties, and the court to determine whether the need for requested information is proportional to the cost and difficulty of providing it.

4. Maintain proficiency, not only in the subject matter of the representation, but also in the professional responsibility rules that govern lawyers.
5. Be prepared on substantive, procedural, and ethical issues involved in the representation.

With respect to the profession and the public:

1. Be mindful that, as members of a self-governing profession, lawyers have an obligation to act in a way that does not adversely affect the profession or the system of justice.
2. Be mindful that, as members of the legal profession, lawyers have an obligation to the rule of law and to ensure that the benefits and the burdens of the law are applied equally to all persons.
3. Participate in continuing legal education and legal publications to share best practices for dealing ethically and professionally with all participants in the judicial system.
4. Take opportunities to improve the legal system and profession.
5. Give back to the community through pro bono, civic or charitable involvement, mentoring, or other public service.
6. Defend the profession and the judiciary against unfounded and unreasonable attacks and educate others so that such attacks are minimized or eliminated.
7. Be mindful of how technology could result in unanticipated consequences. A lawyer’s comments and actions can be broadcast to a large and potentially unanticipated audience.
8. In all your activities, act in a manner which, if publicized, would reflect well on the legal profession.
The late Chief Justice of Kansas Robert E. Davis (1937 – 2010) inspired these pillars of professionalism. Justice Davis always maintained his “sense of grace and civility” in every circumstance and throughout his career. He was a model of professionalism. The Chief Justice cited the pillars in the Ralph Waldo Emerson poem “A Nation's Strength” to inspire and recognize the staff of the Kansas Legal Services, and thus we believe this symbol of honorable conduct is fittingly used here.

We dedicate these Pillars of Professionalism to the memory of Chief Justice Davis.

Ways you can enhance the quality of justice in Kansas:

By helping your fellow Kansans
Kansas Legal Services (KLS)
• Help is needed to provide pro bono legal services to low-income Kansans; ALL areas of practice are needed.
• No potential clients will be given your name without approval and all will be screened for financial eligibility through KLS.
• KLS may be able to help with extraordinary litigation expenses when the interests of justice require it.
For more information or to volunteer, contact the KBA at (785) 234-5696 or email at info@ksbar.org.

By helping yourself or your fellow attorneys
Kansas Lawyers Assistance Program (KALAP)
Established in 2001 by the Supreme Court of Kansas, KALAP provides confidential assistance to Kansas attorneys and law students who are having personal difficulties which adversely affect their practice of law. KALAP uses a statewide network of over 130 peer volunteers, many of whom have direct personal experience overcoming physical or mental illness, substance abuse or emotional distress.

By helping the profession
Kansas Bar Foundation (KBF)
The Kansas Bar Foundation serves the citizens of Kansas and the legal profession by funding charitable and educational projects that foster the welfare, honor and integrity of the legal system by improving its accessibility, equality and uniformity, and by enhancing public opinion of the role of lawyers in our society.

For more information or how to become a Fellow, contact the KBF at (785) 234-5696 or email at info@ksbar.org.