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Ensuring Our Success in an Uncertain Future

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Ensuring Our Success in an Uncertain Future

Leaps in technology. Disruptions in our business models. Competition from legal-services providers on the Internet. Young lawyers who are struggling. Huge gaps in our citizens' access to civil justice.

Changing the rules that handcuff lawyers can ease some of these problems. Taking advantage of the opportunities offered by technology will help, too.

However, though technology at times seems to be turning justice into a commodity, the rule of law is not a fast food to be dished out as quickly as possible. We can't put up a marquee saying "6 billion served" and congratulate ourselves on a job well done.

What separates lawyers from most other professions — and what will distinguish us and ensure our continuing success in an uncertain future — is professionalism.

Professionalism covers the wide range of attributes that make a lawyer a lawyer. The Florida Bar offers members six pages of "expectations" for professionalism, as well as a "Creed of Professionalism." County and state bar associations, as well as the ABA, have written codes of professionalism.

Perhaps The Florida Bar's Standing Committee on Professionalism says it best: "Professionalism is the pursuit and practice of the highest ideals and tenets of the legal profession. It embraces far more than simply complying with the minimal standards of professional conduct. The essential ingredients of professionalism are character, competence, commitment, and civility."

That's all well and good. But how do we meet that lofty goal in the 21st century? And, just as important, how will it help us survive and thrive?

Today, lawyers are drawn into an integrated workplace, pooling our talents with nonlawyers to serve the



same customers. But those in other professions may not share the values that have become part of the lawyer's DNA. We can't abandon those values, but instead must strive to educate others and make our ethical foundation part of any collaboration.

While everyone is rushing to do more in less time, professionalism calls on us to hit the brakes.

We need to find the time to be counselors, not just attorneys. Experienced lawyers must be mentors, reaching out to young lawyers struggling with debt and the overwhelming demands of our profession. (As a bonus, older lawyers can learn from them about emerging technologies.) We have to promote value and justice in our work, and emphasize public service. We must work to expand access to justice.

Of course, we also need to feed our families. With our obligations come opportunities.

We can work more closely with legal innovators who already provide convenient, cost-effective legal services for clients and make our practices more profitable, while still maintaining our core principles. These companies

understand our ethics and professionalism, and they want to work with the regulated Bar.

We can let these innovators perform the routine tasks that distract us from our true role as counselors, as critical thinkers providing high-value work. At the same time, we can reinforce the foundation of ethical and professional behavior that makes lawyers different from everybody else and will distinguish us in the new marketplace.

The doors we open through pro bono service and expanding access to justice may lead to an untapped source of potential clients.

If you're having trouble getting your head around all this, I encourage you to read "The Relevant Lawyer: Reimagining the Future of the Legal Profession," published by the ABA's Standing Committee on Professionalism and Center for Professional Responsibility. It will inspire you — as, to be honest, it inspired much of what I am writing here.

In the book, Jayne R. Reardon, executive director of the Illinois Supreme Court Committee on Professionalism, writes: "Lawyers should focus on expanding the 'pie' of services they provide to clients, rather than on trying to get the slice back that Internet service providers have already consumed."

Professionalism calls on lawyers to never stop learning. It leads us to lend a measure of civility to an online world often marked by the opposite. It makes us leaders in creating new means of collaboration, rather than causing us to cower in the face of change.

Our clients — and our professionalism — demand nothing less.

Share your thoughts and follow me on Facebook and Twitter or email me at president@flabar.org. □

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