

There really is only one answer to this problem. Respect and decorum in the courtroom and between attorneys falls to the courts to police. Anyone can have a bad day or a bad mood, of course. Cautions are effective for all of us who get caught up in the moment and say something that is not appropriate. However, sanctions, bar complaints, suspensions, and disbarment are tools that are rarely used in even the most outrageous cases of intentional, unethical, and even illegal behavior by some attorneys. Acceptance of unacceptable, intolerable misbehavior only breeds further contempt and should be stopped by the court as soon as the infraction occurs.

I ask the legal community, how low do we allow the bar to be set just so a very few rude, unprofessional, and unethical attorneys can continue to practice? The answer should be clear that the minimum standards to which we should adhere should be the Rules of Professional Conduct. That is low as the bar should ever be set. Those who can't or won't comport themselves to these minimum standards should not be allowed to practice law. Period.

The tools are available to our courts to raise the bar at least to the minimum standards that every law school graduate expects when they begin their practice of law. Allowing even one practitioner (no matter how long they have practiced) to slip by without accountability is a slap in the face to the profession.

There has been much attention recently by the Supreme Court and the local media to lawyer advertising. The argument is that some advertising demeans the practice of law and may mislead the public. It is interesting that we don't seem to have the same concern for lawyers who ignore the Rules of Professional Conduct and Bounds of Advocacy even though these traits truly demean the practice and lead the public to believe that we condone this behavior. It is past time for the courts to take the appropriate action and fulfill their responsibility to police the profession.

Respectfully Submitted,

Richard L. Crane, Esq.