

# You Can't Handle the Truth...

... or can you? The truth is: I need you to take 3 minutes to read this column, 3 more minutes to read the pledge that follows, 3 seconds to sign it, 3 minutes to fax or mail it back, and the next 3 years to honor your pledge.

## WHERE DOES THIS PLEDGE COME FROM?

In 1993, this bar association's membership adopted the "Lawyers' Pledge of Professionalism" on the adjacent page. Of course, members recognized that they already had obligations under the Minnesota Rules of Professional Conduct, but this bar association wanted to encourage colleagues to exceed those minimal standards of professionalism. The HCBA "raised its own bar" and called upon its members to conduct themselves in a way that promoted competent practice of law, engendered respect for the legal system, stressed the importance of courteous and professional interactions with colleagues, and emphasized public service obligations. The pledge that was adopted is very similar to and sup-

ports the professional creed professed by members of the American Inns of Court.

## WHAT DOES THIS PLEDGE REPRESENT?

Some communities live by a set of rules that define what constitutes honorable behavior within that community; those governing principles, which are based on a set of ideals, are more commonly referred to as an "honor code." The honor code concept dates as far back as 1779, when Thomas Jefferson (then Governor of Virginia) encouraged the College of William and Mary to institute a student-regulated honor code system.<sup>1</sup> In 1842, the University of Virginia followed suit by developing an honor pledge that students penned on all examinations.<sup>2</sup> A multitude of universities and law schools have since implemented honor code systems, as have several military academies.<sup>3</sup>

Although not an "honor code" per se, the Lawyers' Pledge of Professionalism is an extension of that concept in that it represents and defines what the bar deems to be not only professional conduct, but the honorable and admirable practice of law. Signing the pledge represents both a personal commitment and a public commitment to the principles set forth in that pledge.

## HOW DOES THE PLEDGE WORK?

By executing the pledge, members agree to conduct themselves in the defined manner. Those individuals agree to be stewards of our legal profession and, in some regards, the greater legal system. Individuals also impliedly agree to help develop apprentices in our legal

community by modeling exemplary professionalism.<sup>4</sup>

The pledge is self-policing. Only those who choose to make the pledge are bound by it. Unlike traditional honor code systems, those who opt into this special legal society have no duty to report conduct that is inconsistent with the pledge. Rather, individuals who sign the pledge need only be accountable and responsible for themselves. As a reminder of their ongoing commitment to the profession however, individuals who sign the pledge may be asked to re-sign the pledge at future points in time.

## WHAT HAPPENS AFTER SOMEONE SIGNS THE PLEDGE?

If the attorney is already following the pledge's principles, he/she continues doing so. If the attorney finds that he/she has from time to time acted, or been tempted to act, in a way that contradicts the pledge, the attorney will now honor the pledge and change his/her professional approach.

Individuals who agree to honor the profession and sign the pledge will, in turn, be honored by the bar. A roster of those who have signed the pledge will be kept at the HCBA offices. The bar will recognize individuals who have signed the pledge. The first 250 members to return a signed pledge will receive a framed copy of the pledge, and others will receive a copy of the pledge suitable for framing. Together, those who have made the pledge will affect how this bar association's members practice law and will instill and renew pride in our professional community.




**Sonia Miller-Van Oort**  
HCBA President

Ms. Miller-Van Oort is a partner with Flynn Gaskins Bennett, LLP, practicing in commercial litigation and product liability law.

## WHO SHOULD SIGN THE PLEDGE?

Only those who (i) believe in the principles set forth in the Pledge, and (ii) agree to practice by them should sign the pledge. If you find the pledge aspirational, but unrealistic, please do not sign it.

The truth is: The bar needs you. It needs you to renew your vows to our profession, to reinvigorate pride in being a lawyer, and to rekindle trust and confidence in our legal system by your personal example. The truth is that practicing law while honoring the principles set forth in the pledge is not easy—but it is necessary. You can, but will you, “handle the truth?” 

Sign and mail your pledge to:  
HCBA Professionalism Pledge  
Hennepin County Bar Association  
600 Nicollet Mall #390  
Minneapolis, MN 55402  
Or, fax to (612) 752-6601.

<sup>1</sup> See the College of William & Mary Web site at [www.wm.edu/deanofstudents/judicial/background.php](http://www.wm.edu/deanofstudents/judicial/background.php).

<sup>2</sup> See the University of Virginia Web site at [www.virginia.edu/uvatours/shorthistory/code.html](http://www.virginia.edu/uvatours/shorthistory/code.html).

<sup>3</sup> By way of example, the following universities have adopted honor codes: the University of North Carolina, the University of Notre Dame, Stanford University, the University of Colorado, Vanderbilt University, Duke University, Brigham Young University, and Baylor University. In addition to these universities, the University of Texas School of Law, Washburn University School of Law, Cornell Law School, Pepperdine University School of Law, and Kansas University School of Law are just a few examples of law schools utilizing honor codes. The U.S. Naval Academy, the U.S. Military Academy, and the U.S. Air Force Academy all have strict honor codes to which their cadets and midshipmen must comply.

<sup>4</sup> The Carnegie Foundation recently completed its second volume in a series of comparative studies that analyzes educational processes for different professions (e.g. medicine, law, engineering, clergy). William M. Sullivan, et. al. *Educating Lawyers 26* (John Wiley & Sons, Inc., 2007). In this book, apprenticeship is described as learning by observation and imitation, which allows expertise to be passed on by example, even when it is not always capable of succinct articulation.

I, \_\_\_\_\_, am proud to be a member of the Hennepin County Bar Association and of this honorable legal profession. I believe in the principles set forth in the pledge below, and hereby vow to honor them in my daily practice of law.

# LAWYERS' PLEDGE OF PROFESSIONALISM

I pledge to the public, to my colleagues, and to myself, that I will:

## REMEMBER

that the practice of law is first and foremost a profession, and subordinate business and personal concerns to professionalism concerns.

## ENCOURAGE

respect for the law and our legal system through my words and actions.

## REMEMBER

my responsibilities to serve as an officer of the court and protector of individual rights.

## CONTRIBUTE

time and resources to public service, charitable organizations, and activities in my community.

## WORK

to make our legal system more accessible and responsive.

## RESOLVE

matters expeditiously and without unnecessary expense.

## KEEP

my clients well informed and involved in making the decisions that affect them.

## ACHIEVE

and maintain proficiency in my practice.

## BE

courteous to everyone during the course of my work.

## HONOR

the spirit and intent, as well as the requirements, of the applicable rules of professional conduct, and encourage others to do the same.



HENNEPIN COUNTY BAR ASSOCIATION

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)