



CIVILITY · INTEGRITY · PROFESSIONALISM

The SDCBA Attorney Code of Conduct

PREAMBLE

The San Diego County Bar Association is committed to ensuring, endorsing, and encouraging the highest standards of civility, integrity and professionalism. Lawyers, law firms, corporate legal departments, public interest and entity lawyers, and judges are invited to use this code as a tool to remind attorneys to aspire to such standards and to exhibit good manners and common courtesy to everyone involved in the practice of law, and the judicial process. Although this code is not a separate basis for sanctions nor a basis for ancillary litigation, it is intended to reflect acceptable standards of conduct for attorneys in San Diego County.

I.

GENERAL

- A. Lawyers must observe all rules of law, including the California Rules of Professional Conduct and the State Bar Act, particularly B & P Code §6068.
- B. Lawyers should honor their commitments.
- C. Lawyers should honor and maintain the integrity of our system of justice.
- D. Lawyers should not compromise their integrity for the sake of a client, case or cause.
- E. Lawyers should conduct themselves in a professional manner.
- F. Lawyers should be guided by a fundamental sense of fair play in all professional dealings.

II.

DUTIES OWED IN PROCEEDINGS BEFORE THE COURT

- A. Lawyers should always be courteous and respectful to the court.
- B. Lawyers should always be candid with the court.
- C. Lawyers and clients appearing in court should dress neatly and appropriately.
- D. Lawyers should be on time.
- E. Lawyers should be prepared for all court appearances.
- F. Lawyers should attempt to resolve, by agreement, their differences relating to procedural and discovery matters.
- G. Lawyers should discourage and decline to participate in litigation that is without merit or is designed primarily to harass or drain the financial resources of the opposing party.
- H. Lawyers should avoid any communication, direct or indirect, about a pending case with a judge except as permitted by court rules or otherwise authorized by law.



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- I. Lawyers should refrain from impugning the integrity of the judicial system, its proceedings, or its members.

III.
DUTIES OWED TO MEMBERS OF THE BAR

- A. Lawyers must remember that conflicts with opposing counsel are professional and not personal; vigorous advocacy is not inconsistent with professional courtesy.
- B. Lawyers should treat adverse witnesses, litigants and opposing counsel with common courtesy, good manners, fairness, and due consideration.
- C. Lawyers should not be influenced by ill feelings or anger between clients in their conduct, attitude or demeanor toward opposing counsel.
- D. Lawyers should conduct themselves in discovery proceedings as they would if a judicial officer were present.
- E. Lawyers should not use discovery to harass the opposition or for any improper purpose.
- F. Lawyers should not intentionally make any misrepresentation to an opponent.
- G. Lawyers should not arbitrarily or unreasonably withhold consent to a just and reasonable request for cooperation or accommodation.
- H. Lawyers should not attribute to an opponent a position not clearly taken by the opponent.
- I. Letters intended to make a record should be scrupulously accurate.
- J. Lawyers should not propose stipulations in the presence of the trier of fact unless previously agreed to by the opponent.
- K. Lawyers should avoid interrupting an opponent's legal argument unless there is a legitimate basis for an appropriate objection.
- L. Lawyers in court should address opposing lawyers through the court.
- M. Lawyers should not seek sanctions against another lawyer to obtain a tactical advantage or for any other improper purpose.
- N. Lawyers should inspire and encourage opposing counsel to conform to the standards in this code and to amicably resolve related disputes promptly, fairly and reasonably, with resort to the court for judicial relief only if necessary.
- O. Lawyers should conduct themselves so that they may conclude each case with a handshake with the opposing lawyer.