

**IMPORTANT NOTICE FROM THE
ASSIGNMENT JUDGE**

Dear Counsel,

Below is a copy of the Union County Bar Association's Code of Professionalism in the Law. It is a practical guide for the conduct that judges and lawyers in Union County expect from those who practice law. We encourage you to join us as we all strive to serve the administration of justice by resolving disputes in a professional manner.

Honorable Karen M. Cassidy, A.J.S.C.

**UNION COUNTY BAR ASSOCIATION
CODE OF PROFESSIONALISM**

1. I will provide my client with objective advice and will endeavor to represent my client's interests as expeditiously and economically as possible.
2. I will advise my client against pursuing a course of action that is without merit and against tactics that are intended solely to delay resolution of the matter, or to harass or drain the financial resources of the opposing party.
3. I will counsel my client that a willingness to initiate or engage in settlement discussions is consistent with zealous and effective representation, and that civility and courtesy to others during the course of representation are virtues upon which our system of justice is founded.
4. I will treat opposing counsel, other lawyers and their staffs, parties, witnesses, the court, and members of the court's staff with civility and courtesy. I recognize and I will communicate to my client that courtesy is a professional responsibility, and is entirely compatible with vigorous advocacy and zealous representation.
5. I will never knowingly misstate facts or law, and I shall always act so that other lawyers and judges can trust in and rely upon my oral and written word.
6. I will agree to requests for reasonable extensions of time and for waiver of procedural formalities when the interests of my client will not be adversely affected.
7. I will endeavor to consult with opposing counsel before scheduling depositions, meetings, and hearings; and I will cooperate with opposing counsel when scheduling appearances and in providing notice to all concerned parties at the earliest possible time of cancellation of appointments, depositions, or hearings.
8. In the conduct of litigation or negotiations, I will comport myself with honesty, fairness, and dignity, and refrain (a) from conduct meant to harass the opposing party; (b) from excessive or abusive discovery; (c) from advancing groundless objections; and (d) from engaging in other practices designed merely to harass or delay, or that are rude or disrespectful.

9. I will be considerate in my communications with others, returning telephone calls and responding to correspondence from clients and other attorneys at the earliest reasonable time.

10. While I will be a vigorous advocate, I will always be mindful that I am also an officer of the court, and that I have an obligation to conduct myself with respect for both the court and my adversary.

11. In civil proceedings, I will voluntarily withdraw claims or defenses if it becomes apparent that they lack merit, and I will stipulate to non-essential facts over which there is no genuine dispute. I will cooperate with other attorneys in working to resolve all matters promptly and fairly.

12. I will not quarrel needlessly over matters of form or style, but will concentrate on matters of substance and content.

13. I will strive to keep current in the areas of law in which I practice. I will familiarize myself with the Rules of Professional Conduct and adhere to these rules in my practice.

14. I will not encourage or knowingly authorize any person under my control to engage in conduct that would be improper were I to engage in such conduct.

15. I will adhere to all express promises and to agreements with other counsel, whether oral or in writing, and will adhere in good faith to all agreements implied by the circumstances and local customs.

16. I will not ascribe a position to another counsel that counsel has not taken or otherwise seek to create an unjustified inference based on counsel's statements or conduct.

17. I will be mindful of my obligations to preserve and protect the public perception of the legal profession. I will be so guided in my comments about the judiciary, opposing counsel, other attorneys or the members of other professions, and in the methods and contents of any advertising that I may pursue.

18. I recognize that the law is a learned profession and that among its goals are public service, the improvement of the administration of justice, and the contribution of uncompensated time toward the administration of justice on behalf of those persons who cannot afford legal assistance.

UNION COUNTY BAR ASSOCIATION

COMMITTEE ON PROFESSIONALISM IN THE LAW

Consistent with an Order of the New Jersey Supreme Court, the Union County Bar Association has established the Committee on Professionalism in the Law. The Committee on Professionalism is comprised of experienced, well-respected members of the Union County Bar Association.

The purpose of the Committee on Professionalism is first, to educate the bar as to the need for professional behavior among lawyers, and, second, to implement a procedure whereby the Committee will respond to complaints from attorneys and judges concerning unprofessional behavior. The Committee has adopted the following guidelines and procedures for responding to complaints of unprofessional behavior:

1. A complaint of unprofessional conduct may be made by a lawyer or a judge.
2. Unprofessional conduct shall be defined by the Union County Bar Association Code of Professional Conduct.
3. An initial complaint of unprofessional conduct may be made in writing or by telephone to either the Committee Chair, Donald A. DiGioia, Esquire or the Executive Director of the Union County Bar Association, Jeff Clar. The complaint will then be assigned to a Team comprised of two to four Committee members, or other designated attorneys.
4. After evaluating the initial complaint, the Team may address the complaint with the attorney against whom the complaint is made. If the Team finds the complaint of unprofessional conduct to be without merit, no further action will be taken.
5. The Team should attempt to resolve any complaint informally. For example, after investigating a complaint and discussing the matter with both parties, the Team may request that the responding party apologize to the complaining party or encourage the responding party to refrain from such unprofessional conduct in the future.
6. In the event that the Team is not able to resolve the complaint informally, the Team will then present the complaint and any response to the Committee Chair for the Committee's consideration and recommendation. Where appropriate, the Committee may request that the complaining party and the responding party appear before a designated Team of different Committee members again for a discussion of the events comprising the complaint. Thereafter, the Committee Team shall render its recommendation to the parties involved as to how the matter should be resolved.
7. Should the responding party either fail to cooperate with the Committee's effort to resolve the dispute, or fail to follow the Committee's recommendation, the Committee Chair will review the matter with the Assignment Judge for any action deemed appropriate.

8. The names of the complaining and responding parties will not be publicly identified, nor will any discussions or recommendations be disclosed.

9. The Committee on Professionalism in the Law anticipates that this procedure, while providing an outlet for an attorney or judge who has been the recipient of unprofessional conduct, will alert the responding party to his or her unprofessional behavior in the hope that such awareness will both resolve the current complaint and avoid future conflicts. The Committee on Professionalism anticipates the cooperation of the entire bench and bar in this endeavor.

Union County Committee on Professionalism

Donald A. DiGioia

Donald A. DiGioia, Esquire, Chair

Dated: October 16, 2019