

INTRODUCTION

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The professionalism of lawyers and judges should be improved, and leaders in the legal profession regularly express their commitment to do something about the problem. A common response is to establish a commission, center, or committee on professionalism. Nine states have commissions on professionalism and more are being planned.¹ There are at least eleven law schools with centers or institutes devoted to professionalism or legal ethics issues.² Professionalism committees are proliferating throughout all levels of organized bar associations.

Although commissions, centers, and committees undertake a wide range of activities, their projects are developed and launched without any coordination or collaboration with each other. No one has tried to determine if their efforts have actually had any impact on the conduct of lawyers or judges. More fundamentally, it is not clear whether it is even possible for initiatives of organized bars to accomplish positive change or which strategies are most likely to succeed.

The *National Conference on Enhancing the Professionalism of Lawyers: Can Commissions, Committees, and Centers Make a Difference?* was organized to begin addressing some of these issues and particularly to encourage coordination and collaboration. It was held in Savannah, Georgia on October 20-21, 2000. The conference was jointly sponsored by the Nelson Mullins Riley & Scarborough Center on Professionalism at the University of South Carolina School of Law and the Keck Center on Legal Ethics and the Legal Profession at Stanford Law School. Professor Deborah Rhode and I were the planning committee and co-chairs for the conference.

Through a series of abridged transcripts, this book attempts to chronicle the many important moments that occurred during the twenty-four hours in Savannah that began with Martha Barnett's address and ended in private conversations under the oaks in Chippewa Square. I expect that you will come away from this book with a heightened appreciation of the dangers that unprofessional conduct poses to the legal profession and society as a whole. You will also discover that the contributors to this publication share a collective commitment to finding resolutions and not just

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1. Florida, Georgia, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, and South Carolina all have such commissions. See A.B.A. STANDING COMMITTEE ON PROFESSIONALISM, A GUIDE TO PROFESSIONALISM COMMISSIONS ix, 4-6 (2001).

2. Some law schools with centers devoted to legal ethics issues include: Benjamin N. Cardozo School of Law; Cornell Law School; Fordham University School of Law; Harvard Law School; Hofstra University School of Law; Mercer University Law School; Stanford Law School; Stetson University College of Law; University of Miami School of Law; University of South Carolina School of Law; and College of William and Mary, Marshall-Wythe School of Law.

a hope but rather an expectation that the future of the legal profession will be better than the present, although they are the first to concede that the causes of unprofessional conduct are complex and will be difficult to fix.

After Deborah and I made a commitment to organize a one-day conference, we were overwhelmed by the number of people who wanted to contribute to it. Regretfully, we had to turn down many offers of help, yet we still presented a one day conference that by all rights should have been spread over two or three days. As you will see, the speakers had extremely tight time limits for their remarks, as did responding panelists and audience participants.

We hope that some of the ideas captured in these pages will stimulate others to develop them further or to propose even better solutions. The products of the conference in Savannah are now part of the continuum of ongoing efforts to enhance the professionalism of lawyers and judges. If you wish to respond to or expand on something presented in this symposium, or if you have additional ideas for improving the professionalism of lawyers or judges, the Law Review staff at the University of South Carolina School of Law is interested in publishing such follow-up pieces in future editions.

The conference in Savannah was the first major project of the University of South Carolina School of Law's Center on Professionalism that was created in 1999. We intend to sponsor future conferences and other projects, happily again with the Keck Center on Legal Ethics and the Legal Profession at Stanford Law School or in cooperation with other organizations. The Center is fortunate to have an endowment created by a gift of \$1 million from Nelson Mullins Riley & Scarborough, LLP, a regional law firm based in Columbia, South Carolina. We also receive support from the South Carolina Bar Foundation. With a grant from the Open Society Institute, we are building a national website on professionalism that should be operational by the end of the Summer of 2001. We also maintain a listserv on professionalism. To subscribe to the professionalism listserv, send the following message to Listserv@VM.SC.EDU: Sub-Prof-ism Firstname Lastname (do not put anything on the subject line). To learn more about the Nelson Mullins Riley & Scarborough Center on Professionalism, go to the University of South Carolina School of Law's website at <http://www.law.sc.edu> and click on Professionalism Center. Or contact me by phone at (803) 777-2278 or by e-mail at Roy@law.law.sc.edu.

Let me close by mentioning some of the people who made this possible. I could write a book about Deborah Rhode's contributions to the success of the conference. I will constrain myself and simply acknowledge that her vision, judgment, and knowledge were invaluable, but not nearly so much as her ability to cut to the heart of issues and her willingness to be blunt with me.

Caroline Heil, as Editor in Chief-elect of the *South Carolina Law Review*, agreed to devote this issue of the Law Review to the conference before the first person consented to speak or to write an article for publication. The entire staff of the Law Review were supportive throughout, especially Laura Johnson, the editor in charge of overseeing the production of this edition. Assistant Dean Sharon

Williams and Special Events Coordinator Cyndi Nicholson did a first-class job with publicity and meeting arrangements.

The people who are more responsible than any others for the success of the conference are Dean John Montgomery and the partners and associates at Nelson Mullins Riley & Scarborough, LLP, most notably William Hubbard, Steve Morrison, Ed Mullins, and Bruce Shaw. They saw the need for the Center on Professionalism, raised the money to create it, and wholeheartedly supported the production of the conference and the publication of its proceedings. The conference was the first major project of the Center. Many others will follow thanks to the vision and support of Dean Montgomery and the Nelson Mullins Riley & Scarborough law firm.

