

Texas lawyers told to be more polite

Recently approved creed seeks to end unsavory 'Rambo tactics' in courtrooms

DALLAS (AP) — Texas' highest courts have issued a tough order for the state's 52,000 lawyers: Try to be nice.

No more obnoxiousness. No more tit-for-tat unprofessional behavior. No more stalling tactics. And no "allusions to personal peculiarities or idiosyncrasies of opposing counsel" will be allowed.

So declares a new Lawyer's Creed recently approved by the Texas Supreme Court and the Texas Court of Criminal Appeals.

Lawyers and judges say the let's-be-civil creed — the first such statewide code in the nation — is overdue.

Lawyers and judges concede that their profession probably never will set standards for the social graces, but they hope the decree will produce better manners.

"It's hard to quantify, but I think it has an effect," Texas Supreme Court Justice Eugene Cook told *The Dallas Morning News*. "It's kind of like dieting. It's a battle that we can win, but it's not going to be done overnight."

Cook said the Lawyer's Creed stemmed from efforts by Dallas and Houston legal associations to curb an increase in bad behavior and needlessly aggressive courtroom tactics.

The offending behavior — ranging from rudeness to ignoring court rules, engaging in lengthy procedural delays and even fistfights — has been clogging court schedules and hampering disposition of cases.

Cook said he has seen lawyers try to reschedule proceedings on dates that were most likely to bother an opponent.

"If they know of a time that will be inconvenient — say the day your wife is having a baby or the week you've been planning all year for a vacation — that's when they'll schedule it," he said.

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way to practice law, to be rude and abusive and try to intimidate the other side."

He said the problems have become more common during the past five years.

Many senior members of the Dallas Bar Association attribute the problem in part to the increase of lawyers in the state's largest cities, said U.S. District Judge A. Joe Fish.

"I think the Rambo tactics arise out of the feeling that 'I'm never going to see the other lawyer again,'" he said.

Dallas Bar Association President Al Ellis said financial woes have also increased courtroom problems.

"As the law firms have gotten bigger and the economy has gone down, there's been a lot of pressure on younger and middle-management lawyers to produce, and some have responded with this kind of behavior," he said.

The 34-part Lawyer's Creed was developed by a committee with representatives from 18 legal associations in the state. It relies on voluntary compliance and includes no specific penalties.

"Some judges have copies of the creed pasted to their courthouse doors," Cook said. "They tell the lawyers (to) go outside and read it and don't come back in until they learn how to act accordingly."



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