

2003

Foreword Ethics for Colorado Lawyers

Geoffrey C. Hazard, Jr.

UC Hastings College of the Law, hazardg@uchastings.edu

Follow this and additional works at: http://repository.uchastings.edu/faculty_scholarship

Recommended Citation

Geoffrey C. Hazard, Jr., *Foreword Ethics for Colorado Lawyers*, 32 *Colorado Law* 13 (2003).

Available at: http://repository.uchastings.edu/faculty_scholarship/1077

This Article is brought to you for free and open access by UC Hastings Scholarship Repository. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

FOREWORD

The articles in this special issue of *The Colorado Lawyer* are a valuable contribution to the professional ethics of the Bar. An aspect of developing and maintaining high ethical standards is the exchange of opinions and approaches by members of the profession. It is especially appropriate that the exchanges be among practicing lawyers, as reflected in these articles. Exchanges among lawyers reflect the actual ethical issues that arise in law practice, as distinct from the theoretical issues typically addressed in academic writing on professional ethics.

As these articles demonstrate, many ethical dilemmas arise because of, or in the context of the fact that, the practice of law is a vocation in which lawyers earn their livelihood. In this mundane sense, the practice of law is a business. That fact does not obscure or diminish the proposition that the practice of law is a profession, of long and stalwart tradition. But practicing lawyers have always had to take into account the realities that clients are “customers” in the most practical sense. Clients ordinarily select a lawyer, pay the lawyer, and can at any time discharge the lawyer. Sometimes clients are not very good customers in that they have difficulty in providing necessary facts, refuse to take advice, and may be reluctant or recalcitrant in paying. But they are entitled to our diligent and conscientious service.

The relationship between clients and lawyers, therefore, involves elements of conflict, at least potential conflict. It is not “conflict of interest” in the traditional or technical sense—that, in various circumstances, a lawyer cannot properly undertake a representation. Rather, it is simply divergence of purpose in that the client’s aims and interests are not perfectly coordinate with those of the lawyer. Indeed, that unavoidable divergence is the impetus for the concepts and rules of ethics. The rules of ethics provide guidance in handling the divergences.

It would be a good thing if the members of the Bar took more frequent opportunity to engage in discussions, such as in these articles, of the rules of ethics and how they apply in everyday practice. This special issue is an excellent example of the kind of “conversation” that should be pursued equally well and more often. Congratulations.

—Professor Geoffrey C. Hazard, Jr.



Professor Geoffrey C. Hazard, Jr., is Trustee Professor of Law, University of Pennsylvania Law School, and Sterling Professor of Law Emeritus at Yale Law School. He also is Director Emeritus of the American Law Institute; has authored nine major books, including Law of Lawyering (with William Hodes); and is widely regarded as the country’s leading scholar on legal ethics and professional responsibility.

Colorado just gave us their stamp of approval.

LexisNexis™ is the new Official Publisher of the **Colorado Revised Statutes** and the **Session Laws**.

Our recent appointment as the Official Publisher of the **Colorado Revised Statutes** and the **Session Laws** is part of the broader perspective LexisNexis provides in Colorado. We not only offer a choice of online research, books or CD-ROMs, but a comprehensive list of Colorado-specific sources. You only have to look as far as the LexisNexis™ Total Research System to find extensive Colorado public records, news and business sources. Upcoming additions to our print library include **Colorado Deposition, Colorado Family Law, and Colorado Business Organizations**. To use the preferred choice of the State of Colorado, make LexisNexis™ your official resource for legal research.

Call your LexisNexis account representative today for a demonstration of the LexisNexis™ Total Research System. Mention the ad code COTRSAD and get a free gift.*

Murray Booth 800.344.3730 x4152

Rick Pauly 800.344.3730 x4103

A MEMBER BENEFIT OF



LexisNexis™

It's how you know™

*Some restrictions may apply. While supplies last.

LexisNexis, the Knowledge Burst logo, and Michie are trademarks, *lexis.com*, Martindale-Hubbell and *Shepard's* are registered trademarks, and *lawyers.com* is a service mark of Reed Elsevier Properties Inc., used under license. It's How You Know is a trademark of LexisNexis, a division of Reed Elsevier Inc. Matthew Bender is a registered trademark of Matthew Bender Properties Inc. CourtLink is a registered trademark of LexisNexis CourtLink, Inc. Billing Matters is a trademark and Time Matters is a registered trademark of DATA.TXT Corporation. Other products or services may be trademarks or registered trademarks of their respective companies.

© 2003 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

AL6378



MATTHEW BENDER® • SHEPARD'S® • LEXIS.COM® • MICHIE™ • MEALEY'S • COURTLINK®

MARTINDALE-HUBBELL® • LAWYERS.COM™ • TIME MATTERS® & BILLING MATTERS™