

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER AS TO THE MARYLAND PROFESSIONALISM CENTER

WHEREAS, By Order dated April 25, 2002, the Court of Appeals established a Professionalism Task Force to study the concept of professionalism within the Maryland Bench and Bar and to determine whether there was a consensus as to the qualities of professionalism and, if so, to describe its nature and scope; and

WHEREAS, The Task Force completed its work and, among other proposals, recommended the establishment of a Professionalism Commission, which was established by Order, dated February 17, 2004; and

WHEREAS, On March 9, 2009, the Court of Appeals established a permanent Commission on Professionalism to guide and support the principles of professionalism for all judges and lawyers throughout Maryland, and directed that its structure and operation be defined by an Administrative Order, which was issued on April 7, 2009; and

WHEREAS, The Commission has continued to operate pursuant to the April 7, 2009 Order, and is responsible for the New Bar Admittees' Professionalism Course and the New Bar Admittees' Mentoring Program; and

WHEREAS, It is appropriate to institutionalize the progress made by the Commission, and to expand its activities; and

WHEREAS, The Professionalism Commission will be replaced by a new court-related agency, the Maryland Professionalism Center; and

WHEREAS, The Professionalism Center will be the hub for legal professionalism efforts in Maryland, and will create initiatives to ensure that legal professionals treat one another with civility, collegiality and respect, and encourage judges and lawyers to support and enhance the public's trust in the legal community.

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 12th day of September 2012, effective immediately:

1. Professionalism Center.

a. Composition. The Professionalism Center will consist of a Board of Directors, with a Chair and twelve (12) members appointed by the Chief Judge of the Court of Appeals.

b. Chair. The Chief Judge of the Court of Appeals, or the Chief Judge's designee from the Court of Appeals, shall serve as Chair of the Center.

c. Board. The Board of Directors of the Center shall consist of:

- (i) One Court of Appeals Judge, who shall serve as Chair;
- (ii) One Court of Special Appeals Judge;
- (iii) One Circuit Court Judge;
- (iv) One District Court Judge;
- (v) The Dean of the University of Baltimore School of Law or a designee;
- (vi) The Dean of the University of Maryland School of Law or a designee;
- (vii) Seven (7) practicing attorneys drawn from each appellate judicial

circuit, giving due regard to ethnic, gender, and experiential diversity; and
(viii) A reporter, chosen from the ranks of those appointed, who shall serve at the will of the Chair.

d. Terms. The following provisions shall govern Board member terms:

- (i) The term of each member, with the exception of the Chair, shall be for a maximum of three (3) years;
- (ii) A member may not serve more than two (2) consecutive three-year terms, nor more than a total of six (6) consecutive years, unless the member has been appointed to complete the term of another member, in which case eight (8) years shall be the maximum;
- (iii) Member terms shall be staggered so that the terms of at least four (4) members expire each year; the initial terms of four (4) members shall be one (1) year; the initial terms of four (4) members shall be two (2) years; and the initial terms of four (4) members shall be three (3) years;
- (iv) The Chair shall serve indefinitely or until the Chief Judge designates a new chairperson;
- (v) At the end of a term, a member shall continue to serve until a successor is appointed;
- (vi) A member may be removed from the Board before the expiration of his or her term by order of the Chair, and a successor appointed.

e. Advisors. The Center may invite others to provide advice to, or otherwise participate in, the Center's work, through appointment to subcommittees or assignment of specific tasks. Where necessary and appropriate, and to the extent provided in the Center's budget or other source of funds, the Center may provide remuneration. The Chair shall appoint committees as the Chair finds necessary for work related to the Center.

f. Compensation. Members of the Board will not be entitled to compensation, but to the extent provided in the Center's budget, may be reimbursed for expenses in connection with travel related to the work of the Center.

g. Officers. The Chair shall designate a Vice Chair, and shall designate ad hoc committee chairs as needed.

h. Staff.

(i) The Center will be staffed by an Executive Director, hired by the Chair, who will be charged with implementation of the Board's policies and directives;

(ii) Until such time as the Chair hires an Executive Director, the Chair has the authority to hire an Acting Executive Director to staff the Center, and any additional staff as deemed appropriate;

(iii) Staff shall be subject to the Human Resources Guidelines established for the Center by the Chair, and shall be subject to any Human Resources policies subsequently adopted by the Board.

i. Procurement. The Center will be authorized to make necessary purchases of services and commodities on its behalf. Such purchases shall be governed by the Procurement and Financial Guidelines established for the Center by the Chair, and by any Procurement and Financial policies subsequently adopted by the Board.

2. Meetings.

a. Scheduling. The Board shall meet at the call of the Chair, but no less than twice a year.

b. Quorum. At all meetings, seven (7) members shall constitute a quorum.

3. Functions.

a. Purposes. The primary tasks of the Professionalism Center will be to explore, as well as to monitor, the implementation of the professionalism policies adopted by the Court of Appeals, examine ways to promote professionalism among Maryland judges and lawyers, and provide sustained attention and assistance to the task of ensuring that the practice of law remains a high calling, focused on serving clients and promoting the administration of justice, as well as the public good.

b. Mission. The mission of the Center will be to support and encourage members of the Judiciary to exhibit the highest level of professionalism and to support and encourage lawyers to exercise the highest level of professional integrity in their relationships with their clients, other lawyers, the courts, and the public, to fulfill their obligations to improve the law and the legal system.

c. Duties. To carry out its purposes, the Center shall:

- (i) Continue to develop mechanisms to advance professionalism as an important core value of the legal profession and the legal process;
- (ii) Gather and maintain, on a redesigned website, information which will serve as a resource on professionalism for lawyers, judges, court personnel and members of the public;
- (iii) Monitor professionalism efforts in jurisdictions outside of Maryland;
- (iv) Plan, implement and monitor, as well as coordinate, professionalism efforts in the Maryland Bar, courts, law schools and law firms, with particular emphasis on professionalism training in the law schools;

- (v) Monitor the efforts of the Maryland State Bar Association and other associations and committees in carrying out the mandate of the Court of Appeals with respect to advancement of professionalism;
- (vi) Publicly acknowledge lawyers for acts of professionalism, at least annually;
- (vii) Administer the New Bar Admittees' Professionalism Course;
- (viii) Administer the New Bar Admittees' Mentoring Program;
- (ix) Recognize the efforts of lawyers engaged in the Professionalism Course and the Mentoring Program.

4. Funding.

a. Background. The Professionalism Commission has been funded by the Judiciary. In addition, to assist in reaching its goals, the Commission has received money collected, as part of an annual assessment of Maryland attorneys, by the Client Protection Fund ("Fund"), for operation of the Fund and the Attorney Grievance Commission's Disciplinary Fund.

b. Sources. In order to provide the new Professionalism Center with sufficient funding, the monies received to date by the Commission will be augmented as follows:

- (i) By an immediate \$20.00 increase in the fee paid by new Maryland Bar admittees for the Professionalism Course;
- (ii) Beginning July 1, 2013, pursuant to the Court of Appeals' rulemaking authority, by receipt of \$5.00 of the assessment collected by the Client Protection Fund from Maryland attorneys.

5. Authority. The structure, operation and authority of the Professionalism Center, established by this Order, will be codified by rules to be promulgated by the Court of Appeals.

6. Rescission of Prior Order. The Administrative Order, dated April 7, 2009, continuing the Professionalism Commission, is rescinded.

/s/ Robert M. Bell
Robert M. Bell
Chief Judge of the Court of Appeals

Filed: September 12, 2012

/s/ Bessie M. Decker
Bessie M. Decker
Clerk
Court of Appeals of Maryland