LAWPRO Webzine

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Incivility: Practical consequences for you and your client

Debate about lawyers' incivility – whether it's on the increase, whether it's worthy of concern, how it should be handled – caught the attention of many of us in 2012. The subject continues to be discussed, and we can expect to hear more about it in the coming months and years.

But high-profile cases aside, when does a lawyer's conduct cross the line into unprofessional conduct, and what are the costs and other implications?

These questions are answered in a paper by Daniel Naymark of Lax O'Sullivan Scott Lisus LLP and LAWPRO's litigation unit director and counsel Jennifer Ip. It was presented at the Advocates' Society's 2012 Symposium on Civility and Professionalism.

This paper is a practical guide to lawyer behaviours that Canadian courts have deemed uncivil or unprofessional, and to the kinds of judicial sanction - of lawyers and their clients both – that those behaviours have attracted.

Follow this link to Naymark and Ip's cautionary tale: "Judicial Sanction of Uncivil and Unprofessional Conduct."

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