

Session Four

**11:00 a.m. – Noon**  
(Professionalism)

*"Who is a Professional?"*

**Hon. Guy P. Holdridge**  
First Circuit Court of Appeal  
Gonzales

## **Hon. Guy P. Holdridge**

**Hon. Guy P. Holdridge** serves on the First Circuit Court of Appeal.

Judge Holdridge previously served as a District Judge of the 23rd Judicial District Court. He served as a district court judge since 1991 and was the chief judge in 1991, 1995, 2000, 2005, 2006, and 2014. Judge Holdridge earned a B.A. Degree from Louisiana State University in 1974 and a J.D. in 1978 from the LSU Law Center where he was a member of the Order of the Coif and the Louisiana Law Review. He is a member of the LSU Law Center Hall of Fame. Judge Holdridge serves on the adjunct faculty of LSU Law Center where he teaches LA Civil Procedure I and II. He is a member of the council of the Louisiana Law Institute. He is also a member of the Children's Code, Child Custody, Expropriation, Prescription, Bail Bond's, Summary Judgment, and Adult Guardianship Committees of the Law Institute and is the reporter of the Expedited Jury Trial Committee, Summary Judgment, and Bail Bonds Committee. He also served as past chairman of the Louisiana Certified Shorthand Reporter's Board. He is a past president of the Louisiana District Judges' Association, a member of the Executive Committee and the Chairman of the District Judges "Best Practices Committee". He is also a member of the Board of Directors of the Louisiana Judicial College, currently serving as immediate past president. He is also a member of the Louisiana Supreme Court's Strategic Planning committee and Jury Instructions Committee.

# Professionalism

LSBA YLDC Professional Development Seminar

January 19, 2018

Judge Guy Holdridge

Louisiana Court of Appeal, First Circuit

# RESPECT YOUR OPPONENT AND THE COURT - DO'S

- District Court Rule: I will conduct myself with dignity, civility, courtesy, and a sense of fair play. I will not engage in personal attacks on other counsel or the court.
  - Be considerate of other lawyers, judges, their paralegals and secretaries, law clerks, and staff.
  - Remember that your lawsuits are not about you. Do not take things personal.
  - Remember lawyers are like dogs. Some are puppies and some are pitbulls, but you should always respect them according to the rules of professionalism.
  - Remember everyone deserves to be treated with respect, even criminal defendants and adulterous husbands. Preserve this rule at all costs.

# RESPECT YOUR OPPONENT AND THE COURT - DON'TS

- Engage in personal attacks on other lawyers or witnesses.
- Argue with or “whine” to the judge after a decision or ruling on an exception, objection, or summary judgment.
- Cast aspersions on opposing counsel in front of the court, other attorneys, or the public.
- Talk down to public defenders or pro se litigants.
- Be rude to another attorney’s employee or associate because of frustration with the attorney.

# BE PREPARED AND RESPECT THE LEGAL PROCESS - DO'S

- District Court Rule: I will not abuse or misuse the law, its procedures, or the participants in the judicial process. I will not file or oppose pleadings, conduct discovery, or utilize any course of conduct for the purpose of undue delay or harassment of any counsel or party.
  - Meet with the victim and witnesses prior to the court date.
  - Meet with the criminal defendant if he is your client prior to the court date.
  - File all pleadings in accordance with the Code of Civil Procedure, Code of Criminal Procedure, and District Court Rules.
  - Inform the Court when special issues or problems will likely happen at a trial or hearing.
  - Be prepared for all hearings and trials (including having all present and prepared).
  - Advise the Court of any contrary cases, opinions, or law.
  - “Ready for trial, Your Honor” are among the most powerful words a lawyer can utter. They should be used lightly.

# BE PREPARED AND RESPECT THE LEGAL PROCESS - DON'TS

- Default another lawyer when the lawyer has notified you that he will be representing a party in the case.
- Do not file any unnecessary pleadings just for the purpose of generating attorney's fees.
- Set up a deposition without first coordinating the times and dates with all of the other attorneys involved in the case.
- Fail to notify a witness, client, or attorney that a hearing or trial was canceled.
- Fail to advise the defense attorney that a criminal trial ahead of his case is going to trial.
- Attend a pre-trial/scheduling conference unprepared and say, "All I want is a trial date."
- Knowingly misquote a case or the law (or be unprepared to discuss a case cited in a brief or memorandum).

# BE PUNCTUAL - DO'S

- **District Court Rule: I will be punctual in my communications with clients, other counsel, the court, and in honoring scheduled appearances.**
  - Be on time for any court hearing, or contact all attorneys and the court to request permission to be late.
  - Request a continuance prior to the court date if you have court in more than one jurisdiction.
  - Contact the court as soon as you have an appearance problem.
  - Always have your cell phone and instruct your secretary to give the court your cell phone number.



# BE PUNCTUAL - DON'TS

- Leave Baton Rouge at 9:00 a.m. if you have court in Gonzales at 9:00 a.m.
- Call the Court to attend a conference by phone at 10:30 a.m. for a 10:00 a.m. pre-trial conference.
- Try to have criminal court in three different parishes on the same day at the same time.
- Agree to take up a case at the end of a docket and fail to notify the Court, witnesses, or other attorneys.
- If you are lost, late, sick, injured, having child problems, girlfriend/boyfriend problems, or any personal problems, don't just ignore the Court and opposing counsel.
- Fail to notify the Court when a trial, hearing, or conference is continued or settled.

# DON'T PROCRASTINATE - DO'S

- District Court Rule: I will be cooperative . . . in the handling of the entire course of any legal matters.
  - File all memos, witness lists, exceptions, and judgments timely (without having the judge's law clerk calling you.)
  - Answer all discovery within the time limits or receive an informal extension.
  - Contact opposing attorneys and the Court as soon as you think you might need a continuance.
  - Let the Court and opposing counsel know of any witness problems as soon as you know, and do not wait until the trial date.

# DON'T PROCRASTINATE - DON'TS

- Fax answers to interrogatories after 5:00 p.m. the night before a hearing on a “Motion to Compel.”
- Fax file memos to the court after 5:00 (6:00, 10:00 p.m., 2:00 a.m.) the night before a hearing.
- Fax file additional witness names or exhibit lists after the deadline for adding witnesses or exhibits.
- Attempt to withdraw from a case when the matter is set for hearing or trial.
- Fail to timely disclose all Brady material.

# DON'T LET YOUR CLIENT'S PERCEIVED DESIRES OR WANTS OVERRIDE YOUR PROFESSIONAL OBLIGATIONS - DO'S

- District Court Rule: I will conduct myself with . . . a sense of fair play. I will not abuse or misuse the law, its procedures, or the participants in the judicial process. . . . I will allow counsel fair opportunity to respond and will grant reasonable requests for extension of time.
  - Agree to a valid continuance, even if your client does not agree.
  - Agree without a written motion to added time to file an answer or answer discovery if the request is reasonable.
  - Advise the Court and opposing counsel of any known problems or any improper actions by your client.
  - Advise your client of the Rules of Professionalism and the fact that you are obligated to follow them.
  - Advise opposing counsel of any adverse action that you will have to take before you take it.

# DON'T LET YOUR CLIENT'S PERCEIVED DESIRES OR WANTS OVERRIDE YOUR PROFESSIONAL OBLIGATIONS - DON'TS

- Object improperly only to impress your client.
- Schedule the deposition of, or require the presence at trial of, corporate officers if their deposition or trial appearance is not needed.
- Make “talking” objections to attempt to bolster your client’s position.
- Try to get items into evidence if the court has ruled the item inadmissible.
- Argue with opposing counsel in front your client in order to show him that you are a “pitbull.”
- Make arguments only for the benefit of the victim or news media.

# BE HONEST AND ETHICAL - DO'S

- **District Court Rule: My word is my bond. I will never intentionally mislead the court or other counsel. I will not knowingly make statements of fact or law that are untrue. I will not abuse or misuse the law, its procedures, or the participants in the judicial process.**
  - If you say you are going to do something or send something, do it.
  - Do know that at least once in your career, your client will stretch the truth, but you should not.
  - Remember that your credibility is precious. Once compromised, it may never be regained. Guard it.
  - Contact your opposing counsel first before attempting to contact the court. Ex parte conversations with the Court are not allowed.

## BE HONEST AND ETHICAL - DON'TS

- Lie to an attorney or the Court (not telling the entire truth or remaining silent is the same as not telling the truth).
- Make a change to an order, judgment, or document without notifying the Court and opposing attorney.
- Fail to notify opposing attorney of a witness you have found but that they cannot find.
- Say you are in court in another state or district when that fact is not the truth.
- E-mail information to the Court that does not pass the ex parte rule test.

# DON'T VIOLATE THE RULES BY PROXY AND DON'T MAKE THE JUDGE VIOLATE THE RULES THROUGH HIS/HER STAFF - DO'S

- Treat the Judge's secretary, law clerk, and receptionist like the Judge. Ex parte communications with the judge's staff is also inappropriate.
- Ensure that your law clerks, secretaries, and legal staff know the rules of professionalism and ethical rules and follow them.



# DON'T VIOLATE THE RULES BY PROXY AND DON'T MAKE THE JUDGE VIOLATE THE RULES THROUGH HIS/HER STAFF - DON'TS

- Send an associate to a hearing or conference totally unprepared.
- Send an associate to a hearing or conference over an hour late because you are late.
- Blame your secretary, associates, or law clerk for a mistake in your brief, memo or pleading.
- Send a secretary or “legal assistant” to a hearing or conference without having the express permission of the court.

# **PROFESSIONALISM**

## **BY JUDGE GUY HOLDRIDGE**

### **I. RESPECT YOUR OPPONENT AND THE COURT**

(District Court Rules)

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I will not engage in personal attacks on other counsel or the court.

#### **DO'S**

1. Be considerate of other lawyers, judges, their paralegals and secretaries, law clerks, and staff.
2. Remember that your lawsuits are not about you. Do not take things personal.
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### **II. BE PREPARED AND RESPECT THE LEGAL PROCESS**

(District Court Rules)

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6. Advise the Court of any contrary cases, opinions, or law.
7. "Ready for trial, Your Honor" are among the most powerful words a lawyer can utter. They should not be used lightly.

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