

THE CHESTER BEDELL AMERICAN INN OF COURT

HANDBOOK
2013-2014

Charter No. 14
Jacksonville, Florida

Civility · Ethics · Professionalism · Legal Excellence

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1. Introduction

This Handbook is to acquaint new members, and to reacquaint existing members, with the history, purpose, organization and activities of The Chester Bedell Inn of Court and the American Inns of Court.

2. Mission of the Inn

The mission of American Inns of Court is to foster excellence in professionalism, ethics, civility, and legal skills in the legal profession. Inn members seek to achieve these goals through education and mentoring activities.

3. American Inns of Court

The concept for the American Inns of Court was developed in the late 1970's by an exchange between lawyers and judges, including Chief Justice Warren Burger, Chief Judge of the Ninth Circuit J. Clifford Wallace, Rex Lee (Dean of Brigham Young University Law School), Senior District Judge Sherman Christensen, and Professor Sherman Cohn (Georgetown Law School).

The first American Inn of Court was formed in 1980 in the Salt Lake City area, and included law students from Brigham Young University.

Not long thereafter, an ad hoc committee of the Judicial Conference of the United States was

formed to consider “whether some method of developing professionalism and mentoring could be instituted in the United States.” The Hon. Susan Black, then a United States District Judge for the Middle District of Florida, was a member of that committee. The Judicial Conference of the United States endorsed the concept in 1985, and The American Inns of Court Foundation was organized. Judge Susan Black was one of the Foundation’s first seven trustees.

There are now more than 350 local Inns of Court in the United States. There are Inns in every state, with over 25,000 active members and over 100,000 active and alumni members.

4. Chester Bedell American Inn of Court

The Chester Bedell American Inn of Court received its charter in 1985. It was the thirteenth Inn of Court organized in the United States. The organizers of The Chester Bedell American Inn of Court were Hon. Susan H. Black, United States District Judge, and Dean Frank T. Read, Dean of the University of Florida College of Law. In addition to Judge Black and Dean Read, charter members included: Albert Datz, John A. DeVault, Judge Henry L. Adams, Jr., George D. Gabel, Jr., Judge Major B. Harding, Mark Hulse, Judge Howell W. Melton, Rutledge R. Liles, Judge Ralph W. Nimmons, James B. McLean, Judge Louis Safer, Mary K. Phillips, William H. Adams, III, Prof.

James R. Pierce, Prof. Gerald T. Bennett, James C. Rinaman, Edward M. Booth, Edward A. White, James E. Cobb, and William P. White.

Initially established in association with the University of Florida School of Law, The Chester Bedell Inn of Court now enjoys affiliations not only with the University of Florida Levin College of Law, but also with Florida Coastal School of Law and with Florida State University School of Law.

5. Membership

The Bedell Inn of Court has four classes of membership: Masters of the Bench (Masters), Barristers, Associates, and Pupils.

Masters are the most experienced members of the profession: attorneys in public or private practice, members of the judiciary, and professors of law. Masters normally have 15 years or more of legal experience after admission to the Bar. There is no required tenure for Masters.

Barristers typically have between 5 and 15 years of legal experience. Barristers typically serve staggered three-year terms, so that approximately one-third of the Barristers will be succeeded each year.

Associates generally have between 1 and 5 years of legal experience. The term of membership for Associates on one year.

Pupils are law school students who have been recommended by their schools for participation in the Inn. The term of membership for Pupils is one year.

Inactive Members. The Executive Committee may confer Emeritus and Honorary Membership status. Emeritus membership is based on distinguished service to the Inn, and Emeritus members may retain such membership status for as long as they so desire. Honorary memberships is based upon distinguished service to the bench or the bar, in the education of law students, in furtherance of the objectives of the Inn, or in the achievement of other noteworthy accomplishments.

Membership in the Inn is not restricted by the nature of a member's practice or legal activity, although many of the programs are focused on litigation practice. Members include judges and professors, civil and criminal litigators, business attorneys, family law specialists, corporate counsel, and court legal staff.

6. Meetings

There are monthly dinner and program meetings of the Inn's general membership from September

through April, with the exception of December. At our monthly meetings, Pupillage Groups present their programs, which are normally one hour in length. Members of each Pupillage Group meet before their scheduled program to select, prepare, and practice their programs. CLE credit is usually available for both presenters and attendees.

The agenda for the monthly meetings is typically to gather at 5:30 p.m. for socializing and cocktails. At approximately 6:00 p.m., after administrative announcements, dinner is served. Following dinner, a formal program is presented by a Pupillage Group. The meeting is then adjourned.

The current meeting schedule of the Inn can be located on the Inn's website.

7. Attendance

Membership in the Inn is a privilege. The Inn furthers its goals by the active involvement and efforts of its members. Therefore, all members are expected to attend Inn meetings and participate in Inn activities. If a member misses three meetings, that member will be contacted to determine if the member wishes to remain in the Inn.

8. Pupillage Groups

Pupillage Groups are the core membership units of the Inn. The Pupillage Groups consist of

proportionate numbers of Masters, Barristers, Associates, and Pupils. Pupillage Groups are normally constituted for a single membership year. Each Pupillage Group is led by a Group Chairperson (typically one of the Master members of the Group) and a Program Chairperson (typically one of the Barrister members of the Group).

Each Pupillage Group meets to select a presentation topic, prepare and practice a presentation, and then present that program at a regular meeting of the Inn.

Pupillage Groups should also meet periodically throughout the membership year on an informal basis for discussion, for mentoring, and for outreach purposes.

9. Governance

The Inn is led by Officers and an Executive Committee. The Officers include a President, a President-elect, a Counselor, a Counselor-elect, and a Secretary/Treasurer. The officers serve a one-year term unless a two year term is recommended by the Executive Committee and approved by the Benchers, and may succeed themselves only once. The Secretary/Treasurer shall serve a one-year term and may serve additional terms as recommended by the Executive Committee and approved by the Benchers.

The Executive Committee is composed of the officers and such other active members as determined by a majority vote of the Benchers.

The Executive Committee determines the meetings the order of business. It nominates new Barristers upon recommendation of the Barrister Selection Committee for selection by Benchers at the Annual elections meeting.

The President, assisted by the Executive Committee, traditionally leads the Inn. Generally, the President will serve for a term of two years. When a vacancy occurs with respect to any of the four officers, the remaining officers will nominate an Inn member to fill the vacancy, subject to a vote of the Executive Committee.

The Inn's Executive Committee, which is selected by the Inn's Masters, is the primary group responsible for overseeing Inn membership and operations. A listing of the officers and the Executive Committee members appears on our website.

10. Committees

Much of the Inn's work is carried out through standing and ad hoc committees such as the Executive Committee. Various members of the Executive Committee and other members of the Inn – typically Masters and/or Barristers – are tasked

with heading up the Inn's efforts at Mentoring, Membership, Outreach, and other efforts of the Inn.

The Executive Committee is responsible for the operation of the Inn, including supervising and appointing members to standing and ad hoc committees, establishing and monitoring pupillage groups and mentoring programs, voting on admission of members, overseeing finances, facilitating relationships with the Law Schools and other Inns and the American Inns of Court, and such other matters as properly come before the Executive Committee. The Executive Committee meets regularly and is chaired by the President.

11. Finances

The Inn is supported entirely by the fees paid by its members at the beginning of each membership year. The membership year runs from July 1 through June 30. Fees are set by the Executive Committee to enable the Inn to meet its financial obligations, principally to pay for the cost of the monthly dinner meetings and the annual dues to the American Inns of Court Foundation. The fees are generally different amounts for the different categories of members. The current fee schedule of the Inn can be located on the Inn's website.

12. American Inns of Court Foundation

The national organization for all Inns throughout the United States is the American Inn of Court

Foundation, which is headquartered in Alexandria, Virginia (www.innsofcourt.org). There are more than 350 Inns nationally.

Members of the American Inns of Court receive "The Benchers" which is a publication of the national organization.

13. Chester Bedell

Chester Bedell (1904-1981) practiced law as a member of the firm for fifty-seven years as a trial lawyer. Built upon daily excellence in courtroom work, a deep respect for the law, and an unquestioned reputation for professionalism, he was recognized as the most outstanding trial lawyer in Florida. In 1977, he was awarded the annual American Bar Foundation Service Award. In presenting the award, Chesterfield Smith, President of the American Bar Association, said that if the members of The Florida Bar were to cast a secret ballot, Chester Bedell would be the overwhelming choice as the best trial lawyer and the most gracious and ethical gentleman who practiced law in Florida. Chester Bedell's memory and legacy is preserved through the Chester Bedell Memorial Foundation, The Chester Bedell Inn of Court, the Chester Bedell Mock Trial Competition (sponsored by The Florida Bar) and the Bedell Building.

Chester Bedell was honored by the American Bar Foundation in 1977 as: "the lawyer in the United States who for more than 50 years has epitomized the best of the American Trial lawyer."

14. Reclaiming a Noble Profession¹

A nation's laws are an expression of its people's highest ideals.² At times, regrettably, the conduct of our nation's lawyers seems to be an expression of the lowest. Many lawyers appear to have forgotten the integrity and civility that once distinguished our profession. One study reports that 82% of attorneys surveyed think the profession is growing increasingly uncivil.³ Another tells us that more than 50% of lawyers describe their colleagues with the word "obnoxious."⁴ As one Judge characterized the situation:

*The legal profession is no longer a
"profession." Lawyers are now men.
They use cut-throat tactics and are no*

¹ *The American Inns of Court: Reclaiming a Noble Profession*, Matthew Bender & Co., Inc., 1997.

² George William Friedrich Hegel, *Philosophy of Right* (Oxford: Clarendon Press 1967) 259-276.

³ Rocco Commarere, "Lawyers in Survey Agree: Colleagues Are More Discourteous," *New Jersey Lawyer* (10 June 1996): 22.

⁴ Katherine Schwett, "Law Too Tension-Filled, Survey of Lawyers Shows," *Chicago Daily Law Bulletin* 24 (21 May 1990): 1.

*longer professional. The almighty dollar seems to be the only thing that counts.*⁵

The public apparently shares this view of our profession. The number of people who have little or no respect for lawyers nearly doubled in the 1990's.

This failing public image of the legal profession is attributable, in part, to a decline in professionalism. Dean Roscoe Pound once said that a profession is a "group ... pursuing a learned art as a common calling in the spirit of public service—no less a public service because it may incidentally be a means of livelihood." His statement recognizes that professionalism entails obligations: obligations toward clients, obligations toward other attorneys, obligations toward legal institutions, and obligations to the members of the public. All too often, lawyers today seem to believe that there is no room for those who believe that practicing law carries with it such responsibilities.⁶

The all-too widespread belief is that all lawyers are expensive, evasive, manipulative, and arrogant.

⁵ Gordon Hunter, "In their Own Words," *Texas Lawyer* 3 (April 1995): 29.

⁶ *Id.*

This belief is the very opposite of what lawyers must be as true professionals.⁷

15. Purposes of the Local Inns⁸

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Don't attempt to analogize [the Inns] to anything else. That was one of the mistakes that was made in the first place. It's our custom as Common Law lawyers to analogize—we live by precedent and analogy ...

The American Inns of Court borrows in a sense from other programs, but the worst mistake that you can make, I think, is first to analogize it to a law school program. It is not . . . and you'll kill it dead in months if it becomes a law school program.

It's not a CLE program. ...

⁷ From "Law—A Profession or Just Another Job?" by LeRoy Costner, in *The Professional*, a publication of The Henry Latimer Center for Professionalism of The Florida Bar, Summer 2006, Volume VII, No. 4.

⁸ These comments regarding the development of the American Inns of Court were made by Solicitor General Rex Lee at a conference and luncheon of the Ad Hoc Committee of the American Inns of Court at the United States Supreme Court on October 26, 1983, after which the American Inns of Court became an official project of the Judicial Conference of the United States.

It is certainly not like a legal fraternity, and I guess that's the last thing that I would have it, because its purposes are not primarily social.

And finally, it really isn't like the English system. [In England] the Inns are central to the entire litigation system, ... and so we have to take as much from them as we can.

Part of the genius of the organization is that its membership involves people at several different phases of their careers—law students, young practicing lawyers, middle level practicing lawyers, the established moguls of the Bar, and then the law teachers.

Now the reason it will carry itself once you get it going is because [everyone] will get something out of it. . . . [There] has been no place where one lawyer or judge really gets some insight into what another lawyer or judge is doing in such a comprehensive context. There is no setting in which that can occur so completely. ...

It gives you a chance to pry into the consciousness and the soul and the mind of other good lawyers.

16. Professional Creed of the American Inns of Court

*Whereas, the Rule of Law is essential to preserving and protecting the rights and liberties of a free people; and
Whereas, throughout history, lawyers and judges have preserved, protected and defended the Rule of Law in order to ensure justice for all; and*

Whereas, preservation and promulgation of the highest standards of excellence in professionalism, ethics, civility, and legal skills are essential to achieving justice under the Rule of Law;

Now therefore, as a member of an American Inn of Court, I hereby adopt this professional creed with a pledge to honor its principles and practices:

I will treat the practice of law as a learned profession and will uphold the standards of the profession with dignity, civility and courtesy.

I will value my integrity above all. My word is my bond.

I will develop my practice with dignity and will be mindful in my communications with the public that what is constitutionally permissible may not be professionally appropriate.

I will serve as an officer of the court, encouraging respect for the law in all that I do and avoiding abuse or misuse

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of the law, its procedures, its participants and its processes.

I will represent the interests of my client with vigor and will seek the most expeditious and least costly solutions to problems, resolving disputes through negotiation whenever possible.

I will work continuously to attain the highest level of knowledge and skill in the areas of the law in which I practice.

I will contribute time and resources to public service, charitable activities and pro bono work.

I will work to make the legal system more accessible, responsive and effective.

I will honor the requirements, the spirit and the intent of the applicable rules or codes of professional conduct for my jurisdiction, and will encourage others to do the same.

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