

PROFESSIONALISM

What is it Good For?

Frances Fontana, JD

Absolutely EVERYTHING!

Regardless of your discipline, whether you are an attorney, mental health professional, mediator, or judicial officer - professionalism is essential to a successful and satisfying career. Yet, there is a tremendous decline in professionalism across those disciplines, especially with those that are dealing with families in the legal process.

What is professionalism? It is made up of integrity, honesty, respectful behavior, tolerance, and patience. This is not intended to be a formal definition but instead a list of attributes that if embraced, will make for a more professional environment, and dare say, a better process for families.

It is not about you. Each case is unique and should require your focus and attention on that family – there is no one size fits all. Take the time to understand your client and their family issues, but once you do, don't act like you know it all or have all the answers.

When speaking to other professionals, avoid statements that start with "Do you know what your client did?" or "My children didn't like that/hated that when we divorced". Try instead to start conversations by saying "It is my understanding that . . ." or "My client indicates . . ." or "I heard from my client...". You will find this lowers the temperature of the communication.

Talk to the other attorney or professional instead of communicating entirely by e-mail. There is a direct correlation between the increased use of e-mail communication and the decrease in professionalism. Have an actual conversation. Try taking a few minutes to talk about something other than the case – get to know the other professional as a person. The theory is that it is harder to be disrespectful or mean to someone you perceive as a person and not just the role they hold in that case.

Practice what you preach. If you are not talking to your client about the difference between responding and reacting, you should be. Be careful to do that when you communicate with others. Even if you immediately prepare an e-mail in response to one you received – DON'T HIT SEND. Walk away. Work on something else. Attorneys – discuss it with your client, then take another look. Is there a better way to say what you want to communicate?

Take the high road. You cannot control the behavior of the other people on the case, but you have absolute control over how you respond. Do not take the bait. It is not about you. Your skin is thick. You can take it. Is your communication limited to the information that will move the case or issue forward, or does it contain gratuitous or unnecessary statements because the e-mail you received contained similar statements? Your client is not paying you to get into finger-pointing with your counterpart. They are looking to you to assist with conflict resolution.

Demonstrate effective problem-solving communication skills. If you need a refresher on how to do that, check out the great resources and continuing education programs.

The Colorado Bar Association provides professionalism resources for attorneys:

<https://www.cobar.org/For-Members/Resources>

The Institute for the Advancement of the American Legal System (based in Denver) prepared this summary of a Family Bar Summit:

https://www.afcnet.org/Portals/0/the_family_law_bar_stewards_of_the_system_leaders_of_change.pdf

Professionalism equates to greater job satisfaction. So, while I've said it's not about you, at the end of the day, it sort of is!