

# CRIMINAL JUSTICE **ETHICS**

Cyndi Banks

## Chapter 5: Judges, **4**<sup>EDITION</sup> Lawyers and Ethics

Theory  
*and*  
Practice

## Legal Ethics: Historical Context

- During early colonization of United States lawyers were few in number, poorly trained, and not recognized as members of a profession
- An independent legal profession in Virginia was problematic
- Legitimacy of profession of being a lawyer was not accepted in Massachusetts until end of 17<sup>th</sup> century
- In mid 18<sup>th</sup>-century, legal profession gained acceptance and lawyers began to develop professional identity

## Legal Ethics: Historical Context

- Practice of law grew rapidly in between American Revolution and Civil War (Papke, 1986)
- Bar Association of New York City founded in 1870 and American Bar Association (ABA) founded in 1878
- In 1908, ABA accepted draft of Canons of Professional Ethics
  - By 1914, three-quarters of all state bar associations adopted them
- Canons replaced in 1969 by Code of Professional Responsibility that specifies ethical considerations for all lawyers