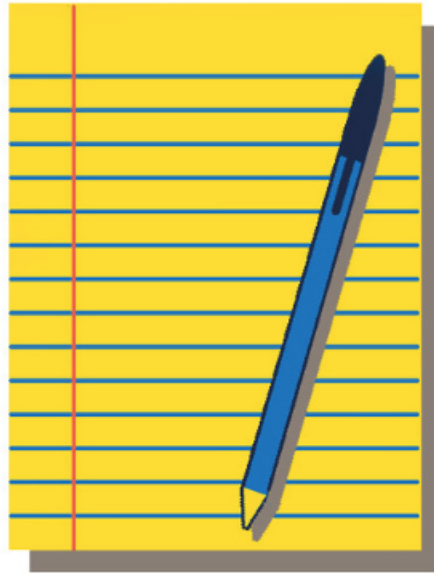


Parable #9 - Professionalism Starts Early



Advocacy Club Parable #9: Professionalism Starts Early

by John Hollander, 1,100 words

What is professionalism? It's a term that is oft-used but rarely defined. Like the Golden Rule, it's very simple. Professionals do the right thing because, well, it's the right thing. Not because they're paid to. Not in return for a Good Conduct Badge. Not because someone sits in judgment over their every decision. For lawyers, it's not taught as a course. But that doesn't mean it's not taught.

Marianne Adams, South Park Law School

At the break in the afternoon seminar, one of my students comes to me and says, "Ms. Adams, may I see you after class?"

"Yes, Ms. Myers. Of course."

I teach an interactive law school seminar for 16 upper-year students. Ms. Meyers ranks in the lower middle of the pack. She rarely volunteers for exercises, rarely asks questions, and never excels. She puts her time in. It's the halfway mark of the semester, and I have already pegged her as a likely B-. This is fine by me if that's all she wants from my class. I can make a difference with some students. But only those who want that.

She nods to me and leaves me alone in the classroom, with 20 desks in four rows surrounded by institutional pale green walls and a Simplex clock steadily inching its hands towards the closing bell.

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At the end of class, Ms. Myers makes her way to my desk. She asks tentatively, “Is now a good time?” Her voice is soft, hesitant. She doesn’t want to be here.

The other students are grabbing coats, laptops, and briefcases and streaming out of the room. A couple of coats and briefcases remain on vacated desks. Their owners will probably return from the washroom to collect these.

I point to a chair near my desk for Ms. Myers to sit. There is another class in this room to start in 15 minutes, so it will be tight. As she complies, I say, “If you need more time, we can schedule something tomorrow.”

While I encourage my students to dress professionally, like lawyers-in-waiting, Ms. Myers has dressed down with a sweatshirt over jeans. I try to draw no conclusion from that.

She’s nervous. She makes eye contact with me reluctantly. She starts with, “I want to apologize for my poor performance on the exercise, but I want to explain why that happened.”

I wait for her to continue. She partnered on the exercise with another middling student, Mr. Tulley. It’s a small class, so everyone partners with everyone else eventually. Today’s pairing was the luck of the draw. I evaluate individual, not team performance, or at least that’s what I say.

“When my partner and I met to prepare before class, he insisted that you wanted it done just the way we did it. I couldn’t deviate by even one word. As I saw what the others did in class and heard your feedback, I realized he was dead wrong.”

“So you did it his way? Is that all you have to say?” My voice is sharp. Intentionally so.

“Yes, Professor. He forced me to.”

“Forced you how, precisely?”

“He drafted the questions and answers for the examination we conducted in class, both my lines and his. He said that he wouldn’t do it any other way.”

“Ms. Myers, tell me this. When you’re in law practice next year, and a client asks for your opinion, will you call Mr. Tulley to see how he does it?”

“No, of course not. But he was my partner. We had to do this together. He insisted.”

“Well, the good news is that I only evaluate you on what you do, not what your partner does. The bad news is that this wasn’t very good, but it’s just one exercise. At least you won’t have to work with him again.”

“Will you penalize him?”

“I will assess his performance on its merits, Ms. Myers. You heard what feedback I gave him. It won’t change because of your report just now.”

Ms. Myers shakes her head. She’s not happy. But will she accept this as a life lesson? It beats me.

Students from the next class start to file in, so I close my briefcase and get up to leave. As I do, Mr. Tulley and another student enter, collect their stuff and leave. My school day is over, and it’s time for me to prepare for my day job at the law office.

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The next afternoon at my office, I get a call on my cellphone. I answer with my professional voice, “Mariane Adams.”

Call Display tells me the caller is Vice-Dean Chris Kohli, the faculty member responsible for managing part-time professors like me.

“Hi, Marianne. I just had an interesting visit from one of your students.” Surely not Ms. Myers? Why would she complain? I let Chris get to the point of his call.

“Mr. Tulley wasn’t happy about your class.” Hmm. Mr. Tulley.

“Really?”

“Yes. He was so upset with your feedback that he used his cell phone in the classroom to record your conversation with Ms. Myers. I understand they were partners in a class exercise that day.”

“He recorded my conversation with another student?” He has my full attention. I’m digesting what I’m hearing.

“Yep. I think that you acquitted yourself well with Ms. Myers, Marianne. This call is not about you.”

“Thanks for saying that, Chris. I was wondering how the law school could disbar a student for wiretapping before they even write the Bar.”

“Yes, well, my head already went there. For what it’s worth, I agreed with what you said to Ms. Myers, but that’s not why I’m calling. Mr. Tulley has agreed to take a medical leave of absence for issues that don’t concern you. Your class roster will be one short next week. That’s all I wanted to say.” We say our goodbyes.

After his call, I muse about a crisis I hadn't known existed. Mr. Tulley had blown the exercise, and I called him on that. No biggie. Ms. Myers cried foul, blaming him for her poor showing. That was resolved, at least as far as I was concerned. Then Mr. Tulley appealed to a higher authority, the vice-dean. That turned out to backfire. So much tempest, and for what?

Professionalism lessons pop up at the oddest times and in the strangest places. What did Ms. Myers learn from this exchange? For that matter, what did I? Obviously, Mr. Tulley didn't learn a damned thing, but this wasn't about him, after all, now was it?