

# ETHICS OF CRIMINAL APPELLATE PRACTICE

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## Standards for Appellate Conduct

- ▶ Lawyers' Duties to Clients
- ▶ Lawyers' Duties to the Court
- ▶ Lawyers' Duties to Lawyers
- ▶ Court's Relationship with Counsel
- ▶ These standards are to provide guidance to appellate practitioners, but only violations of the Disciplinary Rules are subject to sanction by the State Bar.

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## ISSUES OF RACIAL INJUSTICE

- ▶ As the nation grapples with issues of racial injustice, lawyers may wonder what are their ethical responsibilities.

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## Texas Legal Ethics Rules Address Bias

- ▶ Rule 5.08 Tx Disc. R. of Professional Conduct states attorneys shall not “manifest by words or conduct, bias, or prejudice based on race, color, national origin, religion, disability, age, sex, or sexual orientation towards any person involved in that proceeding in any capacity.”

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## Judges (and court staff) Also Have Rules to Address Bias

- ▶ Canons 3(6) and 3(7) for Judicial Conduct – judges shall not “manifest bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.”

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