

## The Law as a Profession

- Taking a public vow or oath when entering a learned occupation
- Professions are associated with expertise, status and power
- Service is a strong basis of a profession
- Exercising control over their clients and area of expertise
- Homogenous and working towards a common goal

### **Elements of a Profession**

- Skills based on theoretical knowledge
- Learned profession- training and education
- Testing the competence of members
- Organisation
- An ethical code of conduct and ethical obligations
- Altruistic service
- Special class in society
- Control of entry- educational prerequisites
- Own set of standards
- Specific expertise and talents
- Self-regulated
- Control of market- with goal of monopoly
- Powerful professional association

### **Power Based Theory**

- Professions pursue (and to varying degrees achieve) market control (and preferably monopoly)
- Professions attempt to both control others and evade the control of others
- Market control or monopoly is the predominant collective motivation
- The level of success or control is reflected in economic and social benefits- the professions power and wealth
- Professions try to achieve status or social privilege

### **Ethical Obligations**

- Take an oath
- Must demonstrate fit and proper person
- Obligations to the court/client profession
- ASCR- Implemented in 2011 to regulate profession
- Codes of conduct
- Raised ethical behaviour standards
- Codes may act as a set of ideals for people to work towards

### **Altruistic Service**

- ABA recommended that lawyers complete 50 hours of Probono annually
- Legal aid and community service
- Working towards duty to the courts and to justice
- Higher purpose
- A big focus is serving your clients needs during a potentially tough time