


# Civility in the Legal Profession: Why Civility Makes Good Business Sense

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Speakers:  
**Elizabeth Balfour** | Partner | Sheppard Mullin  
**Celia Eckert** | SVP | General Counsel and Corporate Secretary | Xencor  
**Libby Stockstill** | Chief Legal Officer & Corporate Secretary | Vuori





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**Celia Eckert**  
SVP  
General Counsel and  
Corporate Secretary  
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**Libby Stockstill**  
Chief Legal Officer & Corporate  
Secretary, Vuori  
Founder of Some Days  
[Some Days – The Intentional Pursuit  
of Big Dreams \(createsomedays.com\)](https://createsomedays.com)



**Elizabeth Balfour**  
Litigation Partner  
Sheppard Mullin

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Increasing Incivility in the Legal Profession and in Society

Confrontational and hostile approaches to negotiation with counter-parties

What is the impact on our mental health of constantly navigating rude behavior?

The dangers of tolerance of incivility within an organization

Professionalism and expectations for attorneys

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*“The unpredictable nature of incivility produces a threat without a distinct ending, which results in our brains remaining in an extended period of sympathetic nervous system activation. This has a direct impact on our ability to ‘shut off work’ and switch gears to more enjoyable and restorative activities.”*

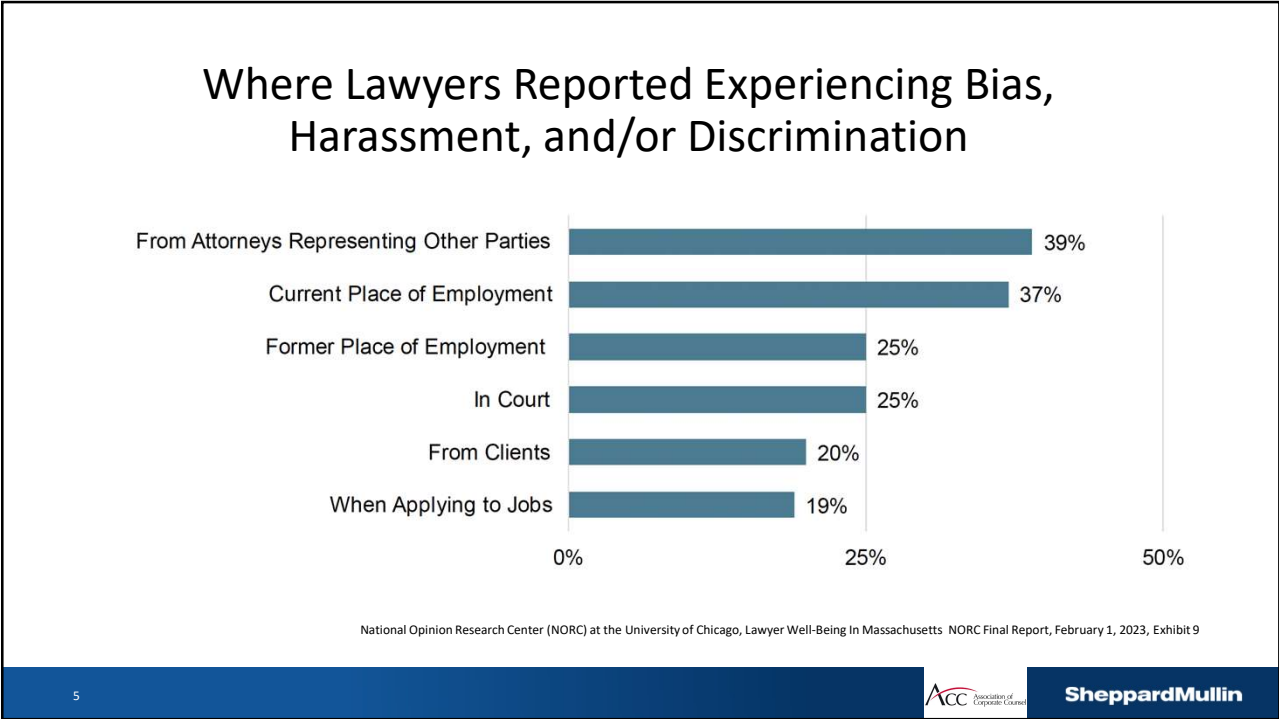
(Reviving Civility, Path to Well-Being in the Legal Profession, Massachusetts Lawyers Weekly, May 3, 2024)

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Be centered, curious, open, and most importantly, be human

Techniques for de-escalation

Embracing a leadership role to create a culture of Respect and Trust and build organizational excellence

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### What is incivility?

- Who has specific examples that pop into their mind?
- Eggshell Victim – how is it making people feel?
- Unsafe
- Disrespected
- Traumatic



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*“In addition to its effects on our overall well-being, incivility has a significant impact on our cognitive processes. When we are under a perceived threat, our brains prioritize survival and shift resources away from higher cognitive functions (e.g., executive functioning, memory, concentration, reasoning).”*

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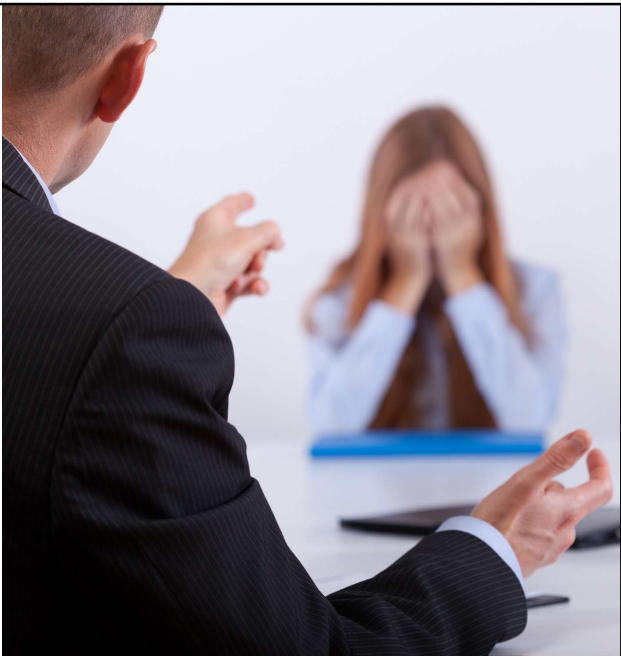


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The dangers of tolerating incivility within an organization

*“People must be allowed to voice half-finished thoughts, ask questions from left field, and brainstorm out loud; it creates a culture in which a minor flub or momentary lapse is no big deal, and where actual mistakes are owned and corrected, and where the next left-field idea could be the next big thing.” (Amy C. Edmondson, The Fearless Organization: Creating Psychological Safety in the Workplace for Learning, Innovation, and Growth, 2018)*



California Rules of Court, Rule 9.7 – Attorney Oath

*“As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy, and integrity.”*



Rule 8.3 of the California Rules of Professional Conduct, effective as of Aug.1, 2023

*A lawyer shall, without undue delay, inform the State Bar, or a tribunal with jurisdiction to investigate or act upon such misconduct, when the lawyer knows of credible evidence that another lawyer has committed a criminal act or has engaged in conduct involving dishonesty, fraud, deceit, or reckless or intentional misrepresentation or misappropriation of funds or property that raises a substantial question as to that lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects.”*



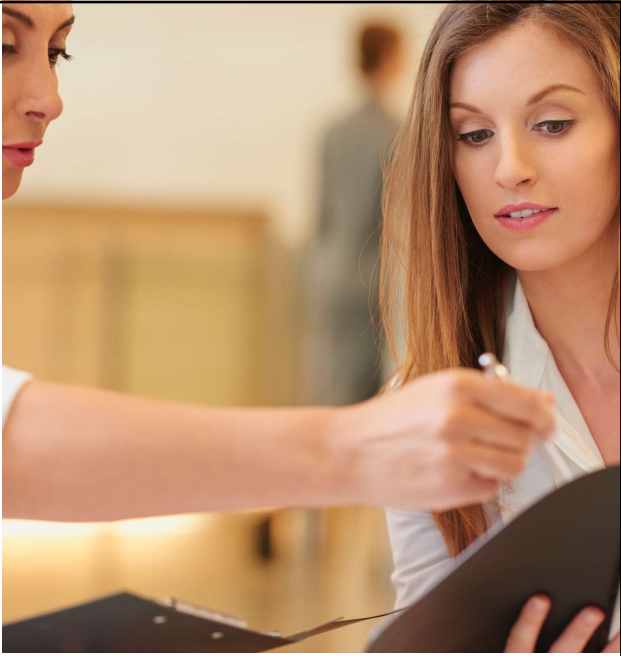
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Approaching Difficult Conversation and Situations



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Solving business problems  
requires a curious mindset



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Techniques for De-Escalation



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- Nothing is Personal
- **Make time to Connect**
- **Take the High Road**
- Cool off when feeling reactive
- **Assume someone other than the intended recipient will see**
- Zero tolerance for shouting or personal attacks – stay calm and assert this boundary
- Put a pin in when things are heated
- Reframe or break out a discrete issue when stonewalled
- Consider whether any better interpretation of intent
- Assume Positive Intent
- **Appreciate**

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Embracing a leadership role to create a culture of Respect and Trust and build organizational excellence



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Designing a Culture of Compliance and Collaboration



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Thank you for your attention, please share:  
What has your experience been in dealing with incivility?

Feedback? Questions?



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