

STATE BAR STATEMENT ON SOCIAL JUSTICE

The leadership of the West Virginia State Bar has been deeply troubled by the death of George Floyd in Minnesota. The unrest we are witnessing stems from a desperate yearning for equal justice among all people in this Nation, whose heritage is rooted in protest against injustice.

Now is an important time to remind ourselves of the responsibilities we have in the legal profession to promote and uphold access to justice for all citizens. As attorneys, there is no need to wonder what we *can* do to help advance these objectives, instead we should reflect on the things we *must* do, as sworn in the oath we have taken to protect the Constitution, and as required by the Rules that govern our conduct. The Preamble to the West Virginia Rules of Professional Conduct can guide us, as attorneys, towards the principles of justice we are sworn to protect:

"As a public citizen, a lawyer should seek improvement of the law, access to the legal system, [and] the administration of justice[.]

"A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel.

"While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.

These are not hollow recitations of ideals, but in fact pair with the Constitution to form the ethical foundation upon which our profession rests. We believe in the rule of law, fair and equal protection for all people, due process in criminal proceedings, presumption of innocence to those charged with a crime, and an assurance of a fair trial before an impartial jury. By our oaths we have sworn to protect these cornerstones of justice, and must fight to strengthen and enforce them when they are weakened or ignored.

We are obligated as attorneys to use our skill and knowledge for the protection and betterment of the public good. We encourage all members of the Bar, in whatever capacity each of us can, to help make West Virginia an example of fairness, justice, and equality under the law for its entire people.

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