Professionalism and Civility Resource List

Sustaining the Rule of Law: Central District of California at 60

Civility & Professionalism Roundtable

October 16, 2026

Rules and guidelines

- **U.S. Dist. Ct. for the Cent. Dist. of Cal., *Civility and Professionalism Guidelines* (amended Jan. 10, 2022)**. Voluntary standards for lawyers (Sections A–C) and judges (Section D). The Preamble provides that the guidelines "shall not be used as a basis for litigation or for sanctions or penalties." Key commitments: tell clients that courtesy "is not a sign of weakness" (A(3)); clients have no right to demand abusive conduct or refusal of reasonable requests (A(4), A(6)); grant first requests for reasonable extensions (B(2)); no service timed to inconvenience, such as "late on Friday afternoon" (B(3)); depose as if a judge were present (B(4)); no disparagement of adversaries in filings, and notice before taking a default (B(8)); judges will not use "abusive, demeaning, or humiliating language" (D(3)).
- **C.D. Cal. R. 7-3, 37-1 to 37-2, 83-3.1.2, 83-7 (June 1, 2026)**. Rule 83-3.1.2 adopts the State Bar Act, the California Rules of Professional Conduct, and the decisions applying them as the district's standards of professional conduct; a violation "may be the basis for the imposition of discipline." Rule 7-3 (pre-filing conference of counsel) and Rules 37-1 to 37-2 (meet-and-confer and joint stipulation) do most of the district's day-to-day civility work. Rule 83-7 authorizes sanctions for local-rule violations.
- **Cal. R. Ct. 9.7 (amended eff. Oct. 1, 2025)**. The attorney's oath includes a pledge to conduct oneself "with dignity, courtesy, and integrity." Attorneys now reaffirm the full oath annually.
- **Cal. Bus. & Prof. Code § 6068(b), (d) (West 2026).** Duties to maintain the respect due to courts and judicial officers and to use only means consistent with truth.
- **Cal. Rules of Pro. Conduct r. 1.2(a), 1.16(b), 3.1, 3.2, 3.4, 3.8, 5.1, 5.3, 8.2(a), 8.4(d), 8.4.1 (2026)**. Client sets objectives and lawyer consults on means (1.2(a)); permissive withdrawal when client conduct makes effective representation unreasonably difficult (1.16(b)); no frivolous positions, delay tactics, or unfairness to opposing party and counsel (3.1, 3.2, 3.4); special responsibilities of a prosecutor (3.8); supervisory duties (5.1, 5.3); no false or reckless statements about a judge's qualifications or integrity (8.2(a)); conduct prejudicial to the administration of justice (8.4(d)); discrimination, harassment, and retaliation (8.4.1). California has no

rule that names incivility as misconduct; the State Bar has circulated proposed 2026 amendments to rules 8.2 and 8.4.

- State Bar of Cal., *California Attorney Guidelines of Civility and Professionalism* (rev. Sept. 2026). Statewide aspirational standards were first adopted in 2007 and revised in September 2026.
- 28 U.S.C. § 530B. Federal government lawyers are subject to the state ethics rules where they practice. ***See also*** U.S. Dep't of Just., *Justice Manual* § 9-27.000 (2023), (Principles of Federal Prosecution).

Cases: civility, fees, and sanctions

California

- *Karton v. Ari Design & Constr., Inc.*, 61 Cal. App. 5th 734 (2021). A trial court may reduce a fee award for counsel's incivility; civility is "an aspect of skill."
- *Snoeck v. ExakTime Innovations, Inc.*, 96 Cal. App. 5th 908 (2023). Affirms a 40% negative multiplier for pervasive incivility toward opposing counsel and the court.
- *Kim v. Westmoore Partners, Inc.*, 201 Cal. App. 4th 267 (2011). Imposing sanctions for misrepresentations and bullying tactics on appeal.
- *Findleton v. Coyote Valley Band of Pomo Indians*, 69 Cal. App. 5th 736 (2021). The court condemned personal attacks on opposing counsel and witnesses as "scurrilous" and reminded counsel that "zealous advocacy does not equate with 'attack dog' or 'scorched earth.'"
- *Martinez v. O'Hara*, 32 Cal. App. 5th 853 (2019). Counsel's gendered attack on a female judge in a notice of appeal was reported to the State Bar as both incivility and bias.

Federal

- *Standing Comm. on Discipline v. Yagman*, 55 F.3d 1430 (9th Cir. 1995). Involved C.D. Cal. discipline case. Opinion and rhetorical hyperbole about a judge are protected; assertions of fact are sanctionable only if false and made with reckless disregard, and the disciplinary body bears the burden of proving falsity.
- *United States v. Wunsch*, 84 F.3d 1110 (9th Cir. 1996). "Offensive personality" standard void for vagueness; the doctrinal backdrop to objections that a civility rule could be used against disfavored advocates.

Generative AI

- State Bar of Cal. Standing Comm. on Pro. Resp. & Conduct, *Practical Guidance for the Use of Generative Artificial Intelligence in the Practice of Law* (2023). Approved Nov. 16, 2023. Maps AI use onto existing duties: confidentiality (rule 1.6; Bus. & Prof. Code § 6068(e)), competence and diligence (rules 1.1, 1.3), supervision (rules 5.1, 5.3), candor (rule 3.3), fees (rule 1.5), and nondiscrimination (rule 8.4.1).
- ABA Comm. on Ethics & Pro. Resp., Formal Op. 512 (2024). The national counterpart: competence, confidentiality, informed consent, candor, supervision, and fees.
- *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 (S.D.N.Y. 2023). The first widely reported sanctions order for AI-fabricated citations; counsel's failure to come clean once alerted drove the result.
- *Lacey v. State Farm Gen. Ins. Co.*, No. 2:24-cv-05205-FMO-MAA (C.D. Cal. May 6, 2025) (order of special master). Special Master Michael R. Wilner (Ret.) ordered two firms to pay $31,100 after a brief contained roughly nine flawed citations, some to authorities that do not exist. "No reasonably competent attorney should outsource research and writing to this technology—particularly without any attempt to verify the accuracy of that material." Resubmitting a corrected brief without disclosing the use of AI was the more serious problem.
- *Noland v. Land of the Free, L.P.*, 114 Cal. App. 5th 426 (2025). California's first published appellate opinion imposing sanctions ($10,000, payable to the court) for AI-fabricated quotations and nonexistent cases in briefs; opinion forwarded to the State Bar.
- U.S. Dist. Ct. for the Cent. Dist. of Cal., *Judges' Requirements*, (last visited Oct. 8, 2026). Several Central District judges address generative AI in their procedures, from disclosure to verification certification. Check the assigned judge's procedures. Examples include Judges Blumenfeld, Kato, and Olguin.
- Cal. R. Ct. 10.430 (eff. Sept. 1, 2025); Cal. Stds. Jud. Admin. 10.80 (eff. Sept. 1, 2025). California courts that permit generative AI must adopt policies on confidentiality, bias, accuracy, accountability, and disclosure—a state-court model for the federal discussion.
- Xavier Rodriguez, *Judging AI: How U.S. Judges Can Harness Generative AI Without Compromising Justice*, 109 Judicature 10 (2025). Judge Rodriguez (W.D. Tex.) tests generative AI on a bench trial record of about 80 witnesses and 5,000 transcript pages, including locating exhibits, summarizing testimony, and drafting parts of the findings. A working judge's answer to the chambers-use question. ***See also*** Xavier Rodriguez et al., *The Judicious Judge's Guide to Generative Artificial*

Intelligence and Large Language Models (Aug. 2026) **(co-authored with Magistrate Judge Allison Goddard, S.D. Cal.).**

Threats Against the Judiciary

- U.S. Marshals Serv., *Protective Investigations: Threat Statistics* (data through Oct. 5, 2026). Threats against federal judges: FY2022, 403 threats against 302 judges; FY2023, 630 against 455; FY2024, 509 against 379; FY2025, 562 against 395; FY2026 to date, 471 against 340.
- **Daniel Anderl Judicial Security and Privacy Act of 2022, Pub. L. No. 117-263, div. E, tit. LIX, subtit. D, 136 Stat. 2395 (2022);** ***see*** Press Release, Admin. Off. of the U.S. Cts., *Congress Passes Daniel Anderl Judicial Security and Privacy Act* (Dec. 16, 2022)**.** Restricts the publication of federal judges' personal information, enacted after the 2020 murder of Judge Esther Salas's son.
- Katrina N. Neumann & Fred L. Wilks, *Ethically Speaking: Defending the Bench: Proposed Changes to Rules of Professional Conduct Amid Surge in Judicial Threats*, Orange Cnty. Law., Aug. 2025.

Additional Resources

- Cal. Civility Task Force, *Beyond the Oath: Recommendations for Improving Civility* (2021). The report behind the civility hour and the annual oath; collects survey data, including a 2014 Illinois survey in which 85% of respondents reported uncivil conduct within the prior six months.
- David A. Grenardo, *Civility Rules: Debunking the Major Myths Surrounding Mandatory Civility for Lawyers and Five Mandatory Civility Rules That Will Work*, 37 Geo. J. Legal Ethics 167 (2024).
- Joseph M. Barrett, *Warriors for Civility*, Advocate (Feb. 2026).
- Andrew B. Mamo, *A Tale of Two Civilities*, 39 Geo. J. Legal Ethics 1 (2026).
- Melissa Mortazavi, *Incivility as Identity*, 2020 Mich. St. L. Rev. 939.
- Bruce A. Green, *Why Should Prosecutors "Seek Justice"?*, 26 Fordham Urb. L.J. 607 (1999).
- Lissa Griffin & Stacy Caplow, *Changes to the Culture of Adversarialness: Endorsing Candor, Cooperation and Civility in Relationships Between Prosecutors and Defense Counsel*, 38 Hastings Const. L.Q. 845 (2011).
- Terry A. Maroney, *Judicial Temperament Explained*, 105 Judicature 48 (2021).