

**KAPITEL 13 / CHAPTER 13¹³****EXAMINING THE PROFESSIONAL CULTURE OF LAWYERS: NORMS, VALUES, AND PRACTICES WITHIN THE LEGAL PROFESSION****DOI: 10.30890/2709-2313.2025-42-06-010****Introduction**

The legal profession is frequently regarded as a cornerstone of the justice system, governed by a complex network of norms, values, and practices that shape not only the behavior of attorneys but also the broader public perception of legal authority. Understanding the professional culture of lawyers is crucial, as it delineates the expectations and behaviors considered acceptable within this influential field. Key norms, such as confidentiality, advocacy, and integrity, are fundamental in guiding attorney behavior and significantly influence their decision-making processes, which may vary dramatically across different legal systems and cultural contexts. Furthermore, the core values of the legal profession, including justice, accountability, and respect for the rule of law, play an essential role in establishing ethical standards and shaping lawyers' professional identity. However, tensions frequently arise between personal and professional values, leading to ethical dilemmas that challenge practitioners. Additionally, the daily practices adopted by lawyers, from client interactions to courtroom strategies, not only enhance the efficiency of legal services but also evolve in response to technological advances that are transforming the landscape of legal work. This complex interplay between professional culture, identity, and societal expectations raises significant questions regarding job satisfaction among lawyers and how these factors contribute to public perception of the profession as a whole. Nevertheless, lawyers face a multitude of challenges in upholding these norms and values, often under pressure from external forces such as market demands and regulatory changes that may compromise their adherence to established practices. This research aims to systematically examine the professional culture of lawyers, highlighting the norms, values, and practices that define their work, the challenges they

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encounter, and the strategies they employ to navigate the complexities of their roles in the contemporary legal landscape. In doing so, it seeks to contribute to a deeper understanding of how professional culture influences not only individual lawyers but also the integrity and effectiveness of the legal profession as a whole.

Main text

The fundamental norms that guide attorney behavior are deeply rooted in both formal rules and broader ethical principles. At the forefront, the Rules of Professional Conduct establish fundamental standards that lawyers are expected to uphold, defining the minimum acceptable behavior within the legal profession [1]. These rules not only provide a foundation for conduct but also serve as a vital reference point for disciplinary actions, ensuring that any deviation from these standards can be addressed systematically. Beyond these codified rules, lawyers are also guided by external legal principles that further inform their professional responsibilities. For instance, principles such as principal-agent law elucidate the legal obligations owed to clients and other stakeholders, reinforcing the importance of adherence to these norms. Moreover, attorney conduct is strongly influenced by internal factors, such as personal conscience, which plays a significant role in navigating complex ethical dilemmas and ensuring that their actions align with both personal and professional integrity [2]. The interplay between these rules and principles, alongside personal ethical considerations, underscores the multifaceted framework within which lawyers operate, emphasizing the need for continuous education and ethical awareness to maintain the integrity of the profession [3]. Consequently, for lawyers to effectively navigate their professional landscape, a comprehensive understanding of these guiding norms is essential, requiring ongoing engagement with both formal and informal sources of ethical guidance.

The interaction between established norms and individual decision-making in legal practice is complex, as these norms often supersede personal reasoning and profoundly influence behavior within the legal community [4]. Legal professionals must navigate the tension between adherence to these norms and incorporating personal values into their practice, which can sometimes lead to conflicts in ethical



decision-making [5]. For example, while a lawyer is expected to uphold the law and maintain professional integrity, personal biases and heuristics, such as rapid decision-making shortcuts, may inadvertently affect their judgments [6]. This dual influence underscores the need for continuous evaluation of how norms shape legal decision-making, ensuring they serve the interests of justice rather than merely perpetuating established biases or outdated practices. Consequently, there is a call to balance professional standards with evolving societal values to enhance fairness and accountability within the legal profession.

The divergence of norms across different legal systems or regions is significantly influenced by the unique legal rules, procedures, and institutions inherent to each system [7]. For instance, regions governed by customary law, known as *coutumier*, operate within significantly different legal frameworks compared to those adhering to more standardized legal systems, reflecting profound diversity in the status and function of the judicial profession [7]. These differences underscore the adaptability of the legal profession to serve groups with distinct social norms and legal needs, highlighting the importance of a legal system's capacity to effectively serve diverse communities. This adaptability is further complicated by the interaction between state-produced legal norms and private sector legal experts, who often represent clients with different needs and interests. As legal professionals navigate these complex landscapes, there is a critical need for nuanced appreciation of differences between legal norms, particularly when considering universal standards such as human rights. Addressing these disparities requires ongoing dialogue and adaptation within the legal profession to ensure it remains responsive to the evolving needs of different regions and communities, ultimately fostering a more inclusive and equitable legal environment.

In the legal profession, fundamental values such as justice, impartiality, and the rule of law are crucial elements that define the ethical framework and standards of practice. These values are essential for legitimizing law and legal practice, as they hold universally high rank in the hierarchy of societal values. However, the modern legal landscape faces a crisis of values, as emphasis shifts toward business-oriented objectives that often prioritize wealth accumulation over these traditional professional



values. This shift has led to a scenario where the pursuit of monetary gains may overshadow commitment to justice and ethical practice, squeezing the time available for upholding other professional values. Consequently, there is an urgent need for the legal profession to recalibrate its focus and reaffirm its commitment to these fundamental values, ensuring that the pursuit of justice and the rule of law remain at the forefront of legal practice. This recalibration would require structural changes within the profession to counter the current trend of financial gain and restore the ideal of the lawyer-statesman who upholds justice and ethical integrity at every level of practice [2][3].

While ethical rules define minimum standards of conduct for lawyers, the underlying values held by partners in a law firm play a crucial role in shaping ethical standards that go beyond mere compliance. Partners' commitment to addressing the personal support, autonomy, and accountability needs of younger lawyers promotes pragmatic legitimacy, which is essential for creating a robust and ethically sound work environment. By focusing on these aspects, partners not only help maintain ethical standards but also reinforce overall moral legitimacy within the firm by supporting ideals that reflect positively on the appropriateness of legal practices. Furthermore, the principled actions of partners serve to establish a moral community, which is essential in influencing lawyers' ethical standards, as it creates a precedent for moral behavior and professional integrity. This approach reinforces cognitive legitimacy for lawyers within the firm, as it emphasizes the importance of a balanced professional life, thereby promoting more holistic and ethically adapted legal practice [5]. Consequently, the values instilled by partners create a culture that encourages lawyers to adhere to ethical standards that are not merely regulatory but also intrinsically motivated, underscoring the need for continuous reflection and adaptation of these values to meet the evolving demands of the legal profession.

The inherent tension between personal values and professional values in the legal profession is a complex issue that stems from the dual demands placed on lawyers through their ethical obligations and personal moral compass. The 1908 Canons of Professional Ethics, which advised lawyers to "obey their own conscience," suggest an



expectation that personal values should align with professional duties [5]. However, the structured framework of professional ethics often constrains the extent to which personal values can influence legal practice. This constraint is particularly evident among young lawyers who are newly admitted to the profession and must navigate the established norms and ethical codes that define their professional conduct [7]. The legal profession, through its requirement for adherence to these norms, can sometimes create dissonance for lawyers who experience a gap between their personal beliefs and the ethical standards they must uphold. Therefore, it is essential for the legal community to recognize and address these potential conflicts by promoting an environment where both personal and professional values are acknowledged and reconciled. By doing so, the profession can better support lawyers in aligning their personal integrity with their professional responsibilities, ultimately enhancing ethical practice within the legal field.

The landscape of legal practice is significantly influenced by the financial and social pressures faced by lawyers, driving them to adopt various strategies to ensure their survival and success. One of the core practices observed is selective case screening, often influenced by the absence of fee shifting and court involvement in fee arrangements, which compels lawyers to be judicious in the cases they accept. This selectivity is further aggravated by the predominant financial and social insecurities in the profession, causing lawyers to eliminate commercially undesirable cases, particularly those that do not promise immediate financial profits, such as labor litigation and cases involving economically disadvantaged individuals. The competitive environment within the legal field exacerbates this behavior, as lawyers constantly "hunt" for financially viable cases, prioritizing their survival over pursuing justice or truth for their clients. Additionally, the pressure to meet minimum billing quotas further influences lawyers to place their financial stability above their clients' needs. These practices underscore a systemic issue where economic considerations often eclipse lawyers' ethical and professional responsibilities, necessitating interventions that balance the financial realities of legal practice with the imperative to deliver justice and uphold the integrity of the legal profession.



The efficiency of legal services is significantly enhanced by their ability to reduce transaction costs, which is achieved through clarifying property rights and facilitating property exchanges [2]. This reduction in transaction costs not only benefits the direct parties involved in legal transactions but also generates positive externalities that ripple through the market, ultimately benefiting society as a whole. Through efficient resolution of commercial disputes, legal services enhance market efficiency, thereby promoting an environment where businesses can operate with greater confidence and predictability. These practices are crucial for developing and implementing market rules and regulations, which are fundamental to ensuring a coherent and functional market system. Additionally, the efficient provision of legal services contributes to the broader economic landscape by increasing overall economic activity, as it empowers markets to function better and encourages higher volumes of transactions. Therefore, to maintain the efficiency of legal services, continuous evaluation and regulation of legal professionals must be prioritized to ensure they possess the necessary training and skills to meet the demands of sophisticated transactions.

Technological advances are reshaping legal practices by challenging traditional professional norms and altering the dynamics of the legal field. The integration of web technologies and cloud-based tools is driving a transformation in law firms' business models and workplace cultures, resulting in reduced need for physical office spaces and facilitating remote work for many lawyers. This shift not only enhances productivity and competitiveness for smaller law firms and solo practitioners but also stimulates a more client-centered approach to legal services. By offering innovative and cost-effective solutions, legal technology disrupts the monopoly of traditional legal service providers, empowering clients and creating a more competitive environment [2]. These changes underscore the necessity for law firms to invest in research and development, embracing new technologies to meet evolving client demands and ensure sustainable growth. As the legal profession continues to navigate these technological disruptions, there is a pressing need for legal practitioners to adapt and embrace these advances to maintain relevance in a rapidly changing landscape.

Professional culture plays an essential role in shaping lawyers' identity,



influencing how they perceive their responsibilities and their place within the legal system. A lawyer's identity is closely tied to their understanding of their role within the legal system, which is a reflection of the professional culture in which they are immersed. This culture not only dictates the norms and expectations of their professional behavior but also shapes their personal views and values, often resulting in a "thin professional identity" that separates personal values from professional duties [4]. Such bifurcation, while serving to prevent role confusion and ensure neutrality in client interactions, can also lead to professional role distancing, a significant concern in the literature on legal identity. Furthermore, the interaction between professional culture and individual roles contributes to how lawyers view their professional identity and interact with the broader legal community. It is essential to recognize that these dynamics are not merely theoretical but have practical implications for how lawyers engage with their work, their clients, and society at large. To address potential issues arising from professional culture, there is a need for a more integrated approach that recognizes the complex interplay between personal values and professional responsibilities, thereby encouraging a more holistic professional identity.

Professional culture significantly influences lawyers' job satisfaction, shaping their perceptions and relationships within their work environment. Organizational culture in legal workplaces not only dictates the roles that lawyers assume but also shapes their views about professional ideals, which are essential to their sense of fulfillment [5]. Specific organizational contexts reflect and perpetuate workplace ideologies, thereby influencing lawyers' levels of satisfaction. This culture intricately relates to lawyers' perceptions of professional life and their relationships, emphasizing the importance of the types of organizations to which they belong. Additionally, the internal and external relationships fostered within these professional settings are essential to their overall job satisfaction, highlighting the need for supportive and collaborative environments. Therefore, cultivating a positive professional culture is essential for enhancing job satisfaction, suggesting that legal organizations should focus on promoting environments that align with the professional ideals and relational dynamics valued by their lawyers.



The professional culture within the legal field plays a significant role in shaping public perception of lawyers, often in ways that do not fully reflect the complexity of the profession. One of the primary issues is the widespread belief that lawyers are primarily driven by profit and a win-at-all-costs mentality, which can lead to a negative public image [6]. This perception is exacerbated by the portrayal of lawyers in popular culture, which frequently emphasizes these aspects and influences societal viewpoints without providing a comprehensive understanding of what lawyers actually do [7]. Such portrayals can overshadow the cultural awareness and effective communication skills that many lawyers possess, which are essential for understanding and respecting different perspectives. However, the internal culture of the legal profession, particularly when subjected to scrutiny, as observed in New Zealand with recent allegations of misconduct, can further erode public trust and highlight the need for cultural sensitivity within the profession. To mitigate these negative perceptions, it is essential for the legal community to actively promote transparency, cultural competence, and ethical practices, thereby fostering a more accurate and positive public image.

One of the major challenges facing lawyers in maintaining professional norms and values is the inherent conflict between the morality they can express and the broader ethical standards expected in the profession. The morality available to lawyers is often limited to instrumental, utilitarian, and commercial purposes, which can create discord with ethical standards that emphasize broader societal values and justice. This limitation is further exacerbated by the subordination of moral considerations to the profitable interests of clients and firms, which can lead to ethical compromises that challenge the maintenance of professional norms [3]. Lawyers operate within a structure that imposes professional and institutional constraints on their expressions of morality, limiting their ability to engage in ethical decision-making that aligns with personal and professional values. The dominant managerial and economic focus prevalent in the legal industry reinforces this restricted form of morality, often prioritizing profitability over ethical considerations. Consequently, legal work can become associated with the moral and social vice of dirty work, further complicating



lawyers' efforts to uphold professional norms and values. To address these challenges, there is a pressing need for research and reform within the legal profession to cultivate a framework that supports more comprehensive moral reflexivity and autonomy, enabling lawyers to align their practice with both professional standards and personal ethical beliefs.

External pressures exert a profound influence on adherence to professional practices within the legal profession, illustrating the complex interplay between institutional expectations and individual compliance. Normative pressure, through the establishment of industry standards and expectations, plays a crucial role in shaping the behavior of legal professionals, ensuring they align with the ethical norms and values embedded in their professional networks and formal education. These pressures are further compounded by institutional theory, which suggests that while legal organizations may initially vary in their adherence to professional practices, they tend to converge over time as they strive for legitimacy and conformity with established norms. However, the effectiveness of these external pressures is not static; it can fluctuate in response to critical events within the legal industry, such as major cases of misconduct or changes in regulatory frameworks, which necessitate a dynamic approach to implementing professional practices. To ensure meaningful adherence, it is essential to continuously assess and adapt to these evolving pressures, promoting a culture of authentic compliance rather than symbolic adoption of standards. This approach not only supports the integrity of the legal profession but also reinforces public trust in its practitioners.

To effectively address the challenges within the legal profession, several strategic approaches can be employed, focusing on both individual and organizational levels. A growth mindset, which frames challenges as opportunities for learning and development, is essential for fostering resilience among legal professionals. This mindset not only enhances personal growth but also aligns with broader professional norms that dictate behavior, thereby ensuring that personal values do not conflict with professional decision-making. Additionally, addressing stress management is crucial; therefore, lawyers must develop robust coping strategies to handle the high-pressure



environment in which they often find themselves. Through effective stress management, legal professionals can maintain their well-being and productivity, which in turn supports the integrity of the legal community. Furthermore, strategic planning plays a critical role in overcoming obstacles within the legal field. By adopting comprehensive planning methods, legal professionals can anticipate potential challenges and devise effective solutions, thereby strengthening their ability to make informed decisions that align with both professional standards and personal values. These strategies collectively contribute to a more resilient and ethically sound legal profession, emphasizing the importance of continuous improvement and adaptability in maintaining the integrity and effectiveness of the profession.

Summary and conclusions

The findings of this research illuminate the intricate interplay between codified rules and broader ethical principles that govern attorney behavior within the legal profession. A key insight is the profound impact of established norms on individual decision-making, suggesting that these norms often supersede personal reasoning, thereby shaping the ethical landscape of legal practice. This underscores the necessity for continuous education and ethical awareness among legal practitioners to effectively navigate the complex dynamics of their professional environment. Moreover, the tension between personal conscience and professional obligations emerges as a critical factor in ethical decision-making, revealing the potential for conflicts that may arise when personal values diverge from established norms. The analysis highlights the importance of strategic planning and resilience in overcoming challenges faced by legal professionals, emphasizing the need for a growth mindset that views obstacles as opportunities for development. However, the research also raises concerns about the current crisis of values within the legal profession, where an increasing emphasis on business objectives may undermine traditional ethical standards. This observation calls for a recalibration of the legal profession's priorities, reaffirming commitment to fundamental values such as justice, impartiality, and the rule of law. Additionally, the differences between legal norms across different jurisdictions indicate the need for



nuanced understanding of cultural differences within the legal framework, which is essential for effectively serving diverse communities. The paper also identifies the impact of organizational culture on lawyers' job satisfaction and ethical behavior, suggesting that firm leadership plays an essential role in establishing a moral community that encourages integrity and compliance. As the legal profession continues to evolve amid technological advances and changing societal expectations, there is a pressing need for ongoing dialogue and adaptation to ensure that ethical standards remain relevant and responsive to the needs of the legal community. Future research should explore mechanisms through which personal values can harmonize with professional responsibilities, as well as investigate strategies that can effectively bridge the gap between ethical standards and the realities of legal practice. By focusing on these dimensions, the legal profession can enhance its integrity and effectiveness, ultimately restoring public trust and confidence in its practitioners.