

Women Leaders in the Law

*An Inspiring Perspective of the Legal Profession from
Various Leadership Positions*

November 12, 2025

Judges, Lawyers & Law Students Ethical Obligations

- As members (and prospective members) of the NYS Bar Association we have several ethical obligations we must be familiar with and adhere to.
- We also have an obligation to hold the bench, the bar, and law/students and attorneys waiting admission accountable for their actions.
- Lawyers in supervisor and senior positions are required to supervisor the work of law students (and attorneys) awaiting admission to the bar, paralegals and other individuals who are not members of the NYS Bar.
- Law students and attorneys awaiting an admission also have a responsibility to hold their supervisors accountable for their actions.
- Our responsibilities whether as a law student/attorney waiting admission and/or whether in a supervisor role are essential to preserving the integrity of our legal system.

Responsibilities as a Supervisor and as a Subordinate Lawyer (See NY Rules of Professional Conduct 5.1)

- (a) A law firm shall make reasonable efforts to ensure that all lawyers in the firm conform to these Rules.
- (b)(1) A lawyer with management responsibility in a law firm shall make reasonable efforts to ensure that other lawyers in the law firm conform to these Rules.
- (2) A lawyer with direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the supervised lawyer conforms to these Rules.
- (c) A law firm shall ensure that the work of partners and associates is adequately supervised, as appropriate. A lawyer with direct supervisory authority over another lawyer shall adequately supervise the work of the other lawyer, as appropriate. In either case, the degree of supervision required is that which is reasonable under the circumstances, taking into account factors such as the experience of the person whose work is being supervised, the amount of work involved in a particular matter, and the likelihood that ethical problems might arise in the course of working on the matter.

NY Rules of Professional Conduct 5.1

Continued

- (d) A lawyer shall be responsible for a violation of these Rules by another lawyer if:
 - (1) the lawyer orders or directs the specific conduct or, with knowledge of the specific conduct, ratifies it; or
 - (2) the lawyer is a partner in a law firm or is a lawyer who individually or together with other lawyers possesses comparable managerial responsibility in a law firm in which the other lawyer practices or is a lawyer who has supervisory authority over the other lawyer; and
 - (i) knows of such conduct at a time when it could be prevented or its consequences avoided or mitigated but fails to take reasonable remedial action; or
 - (ii) in the exercise of reasonable management or supervisory authority should have known of the conduct so that reasonable remedial action could have been taken at a time when the consequences of the conduct could have been avoided or mitigated.

Whose responsibility is it to “police” the law firm, the partner, the associate, the law student?

What do I do and what are my ethical obligations if I know that a lawyer has violated the NY Rules of Professional Conduct 5.1?

What are my obligations as a subordinate lawyer?

NYS Rules of Professional Conduct Rule 5.2

Responsibility of Subordinate Lawyer

Pursuant to Rule 5.2:

(a) A lawyer is bound by these Rules notwithstanding that the lawyer acted at the direction of another person.

(b) A subordinate lawyer does not violate these Rules if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.

See Rule 5.2

NYS Rules of Professional Conduct Rule 5.3 Lawyer's Responsibility for Conduct of Non-Lawyers

(a) A law firm shall ensure that the work of nonlawyers who work for the firm is adequately supervised, as appropriate. A lawyer with direct supervisory authority over a nonlawyer shall adequately supervise the work of the nonlawyer, as appropriate. In either case, the degree of supervision required is that which is reasonable under the circumstances, taking into account factors such as the experience of the person whose work is being supervised, the amount of work involved in a particular matter and the likelihood that ethical problems might arise in the course of working on the matter.

(b) A lawyer shall be responsible for conduct of a nonlawyer employed or retained by or associated with the lawyer that would be a violation of these Rules if engaged in by a lawyer, if:

- (1) the lawyer orders or directs the specific conduct or, with knowledge of the specific conduct, ratifies it; or
- (2) the lawyer is a partner in a law firm or is a lawyer who individually or together with other lawyers possesses comparable managerial responsibility in a law firm in which the nonlawyer is employed or is a lawyer who has supervisory authority over the nonlawyer; and
 - (i) knows of such conduct at a time when it could be prevented or its consequences avoided or mitigated but fails to take reasonable remedial action; or
 - (ii) in the exercise of reasonable management or supervisory authority should have known of the conduct so that reasonable remedial action could have been taken at a time when the consequences of the conduct could have been avoided or mitigated.

See Rule 5.3

How does this come up in real life practice?

Filing of Motion Papers

Speaking and meeting with Clients and Rendering Legal Advice

Use of Artificial Intelligence

Preparing for and Appearing at Various Court Appearance

What are my ethical obligations if I know someone has violated the Rules of Professional Conduct?

Holding your Colleagues Accountable

NYS Rules of Professional Conduct Rule 8.3

Reporting Misconduct

- (a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation.
- (b) A lawyer who possesses knowledge or evidence concerning another lawyer or a judge shall not fail to respond to a lawful demand for information from a tribunal or other authority empowered to investigate or act upon such conduct.
- (c) This Rule does not require disclosure of:
 - (1) information otherwise protected by Rule 1.6; or
 - (2) information gained by a lawyer or judge while participating in a bona fide lawyer assistance program.

See Rule 8.3

NYS Rules of Professional Conduct Rule 8.4

Misconduct

A lawyer or law firm shall NOT:

- **Violate or attempt to violate the Rules of Professional conduct, knowingly assist or induce another to do so, or do so through the acts of another;**
- **Engage in illegal conduct that adversely reflects on the lawyer's honesty, trustworthiness or fitness as a lawyer;**
- **Engage in conduct involving dishonesty, fraud, deceit or misrepresentation;**
- **Engage in conduct that is prejudicial to the administration of justice;**
- **State or imply an ability to influence improperly or upon any irrelevant grounds any tribunal, legislative body or public official or to achieve results using means that violate these Rules or other law**
- **Knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law**
- **Engage in conduct that a lawyer reasonably knows constitutes harassment and/or discrimination as further discussed pursuant to Rule 8.4**

See NY Rules of Professional Conduct 8.4 for further details.

Questions for Our Panelists

- 1. How did you get to your current role? Career path?
- 2. What were your most valuable learning experiences in becoming a leader?
- 3. Describe instances where you have made mistakes in your careers and how did you handle it?
- 4. What do you recommend to younger lawyers that are seeking out mentors or trying to develop mentor/mentee relationships?
- 5. What benefits have bar associations provided in your development as a leader?