

An Empirical Study on Professional Ethics in Court in India

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Abstract: Professional ethics play a crucial role in the courtroom, where legal practitioners are tasked with upholding the principles of justice. This abstract provides a concise overview of the importance of professional ethics in the court setting. It emphasizes the significance of independence, impartiality, and the duty to the court and the administration of justice. The abstract also highlights the importance of maintaining confidentiality and attorney-client privilege, while advocating for clients within ethical boundaries. Additionally, integrity and honesty are underscored as fundamental qualities for legal professionals in the courtroom. By adhering to professional ethics, legal practitioners contribute to the fair and equitable administration of justice, upholding the rule of law and safeguarding the rights of all individuals involved. Professional ethics in the courtroom are essential for upholding justice and maintaining the integrity of the legal system. This abstract highlights the importance of independence, impartiality, and the duty to the court. The research method followed was an empirical research with 200 responses. The sampling method was the convenient sampling method where the data was collected in and around Chennai. The Independent variables used are age, gender, occupation, education qualification and marital status. The dependent variables are are you satisfied with government schemes related to procedure at the workplace, to determine whether people are aware of the professional ethics in court, are people aware of the discrimination faced, awareness of the act which regulates an advocate inside the court. The study used the SSPS package to analyze the info collected through applied math measurements like graphical representation.

Keywords: Professional, Justice, Law, Rights, Ethics

I. INTRODUCTION

In the pursuit of justice, the courtroom stands as a bastion where legal professionals, including judges, lawyers, and other courtroom participants, come together to ensure a fair and impartial resolution of disputes. Professional ethics play a pivotal role in maintaining the integrity and credibility of the judicial system. This article explores the importance of professional ethics in the courtroom and highlights key principles that guide legal practitioners in upholding these ethics. Independence and Impartiality Central to the administration of justice is the principle of independence and impartiality. Judges, as the guardians of justice, must maintain their independence from any external influences and decide cases solely on the basis of the law and the evidence presented. They should be free from personal biases or prejudices and avoid any conflicts of interest that may compromise their objectivity. Impartiality ensures that all parties are treated equally and that decisions are made based on merit, without favoritism or discrimination. Duty to the Court and the Administration of Justice Legal professionals owe a duty to the court and the administration of justice. This duty requires them to act honestly, with integrity, and in a manner that upholds the dignity and respect of the judicial process. Lawyers must present accurate and complete information, avoiding any misrepresentations or attempts to mislead the court. They have a responsibility to disclose all relevant facts and law, even if it may be detrimental to their client's case. The duty to the court takes precedence over any loyalty to the client. Confidentiality and Attorney-Client Privilege Confidentiality is a fundamental aspect of the attorney-client relationship. Lawyers are obligated to protect their clients' confidences and secrets, ensuring that the information shared remains



privileged and confidential. This duty encourages open and honest communication between lawyers and their clients, fostering trust and enabling clients to provide full and frank instructions. However, lawyers must balance this duty with their obligation to disclose information when necessary to prevent or rectify wrongful conduct. Zealous Advocacy within Ethical Boundaries Legal practitioners are expected to be zealous advocates for their clients' interests. They must vigorously and competently represent their clients, presenting their cases in the best possible light. However, this advocacy should not infringe upon the boundaries of professional ethics. Lawyers must not engage in dishonesty, deceit, or frivolous arguments. They should respect opposing counsel, the court, and the legal process while maintaining the highest standards of professionalism. Integrity and Honesty Integrity and honesty are the cornerstones of the legal profession. Legal professionals must be truthful in their interactions with the court, their clients, and other parties involved in the legal process. They should not make false statements, conceal relevant information, or engage in any conduct that undermines the integrity of the justice system. Upholding these values enhances public trust in the legal profession and ensures the fair and equitable administration of justice. Conclusion Professional ethics serve as a guiding framework for legal practitioners in the courtroom. Upholding these ethics ensures the integrity, fairness, and credibility of the judicial system. By adhering to principles such as independence, impartiality, duty to the court, confidentiality, zealous advocacy within ethical boundaries, integrity, and honesty, legal professionals contribute to the pursuit of justice. The commitment to professional ethics in the courtroom upholds the rule of law and safeguards the rights and interests of all individuals involved in the legal process. The aim of the paper is to examine people's knowledge about behavior in court halls.

OBJECTIVES

- To determine whether people are aware of professional ethics in court
- To know peoples opinion on ethics in court
- To examine people's knowledge about behavior in court hall
- To analyze the effects of professional ethics

II. REVIEW OF LITERATURE

Laskar, Manzoor (2013) "Professional Ethics emerge from the literature in the area that we have only a limited knowledge and understanding of what actually happens in law education in various schools, and elsewhere. Little systematic research has been conducted since the 1970s There is, however, a burgeoning theoretical literature which is beginning to debate general issues of professional ethical value and the ethical aspect has been considered important as per the conduct of the advocates. **Durkheim (2007)** "Professional ethics of current scenario .The Educational aspect of the court which mandates the advocate in following various Act.The advocate professional has been undergoing greater process of research and its context.The professional ethics of the lawyer should be maintained as it is considered to be important respect which the advocate should show to their profession."**Singh, Vandana (2016)** " Professional ethics that exist before going onto examine the respectable Quality of the Lawyers - Where the lawyers should contribute more personal time in improving the professional ethics of themselves as a moral professional conduct."**(Banks and Gallagher 2009)** "Professional Ethics of advocates as it is tried up with the moral aspect which has to be considered crucial important as per the current context is concerned The ethical aspect of the people is basically considered necessary which has to be provided with the essential components which is considered deemed necessary."**Torremans, Paul (2019)** "professional conduct of the legal experts has to mainly deal with analyzing the problem behind the legal field and their professional conduct of the lawyers which has to be mainly analyzed and should be made with understanding various professional aspects of the same ."(Banks and Gallagher 2009a; Cooper, Public Interest Enterprises, and Inc. 1996) © 2020 IJRAR March 2020, Volume 7, Issue 1 www.ijrar.org (E-ISSN 2348-1269, P- ISSN 2349-5138) IJRAR2001735 International Journal of Research and Analytical Reviews (IJRAR) www.ijrar.org 175 **(Muldoon, Public Interest Enterprises, and Inc. 2006)** professional Ethics are considered in analyzing with regarding in its various process of legal filed which defines Ethics "The ethics are the moral conduct which the advocates has to be abide with various conditions and the measures which has to be analyzed "; Cooper, Public Interest



Enterprises, and Inc. 1996; (Naagarazan 2006) "Professional Ethics of the lawyers has to be given specific attention which has to be followed with specific procedures and process. The Ethical aspect of the lawyers has to be followed with in order to analyze the important. The lawyers has to analyze the various ethics on this the profession" (Banks and Gallagher 2009a; Cooper, Public Interest Enterprises, and Inc. 1996; Muldoon, Public Interest Enterprises, and Inc. 2006; (Dinesh Babu 2007) "The professional ethics of the professors has to be taken into consideration and its professional aspects." (Banks and Gallagher 2009a; Cooper, Public Interest Enterprises, and Inc. 1996; Muldoon, Public Interest Enterprises, and Inc. 2006; Naagarazan 2006; (Brooks and Dunn 2017) "Professional ethics is essential to become a legal member of the country. Legal status of an ethical person where the legal status has to be protected with specific status of the important Aspects of the professional aspect. Legal employment of the lawyer has mainly been followed with the professional aspect which is considered to be necessary." (Cranston 1996) "Professional rights is considered the has not only a mere absolute work but there exist certain rights for the advocate which has to be followed by the advocates and should be taken into Account at the possible circumstances." (Ethics and Board of Ethics 2002) "Professional Ethics Through participation a ethical person exercises one's right over the existing matter, and in various manners which has to be dealt with by the advocates on a particular case and conceptual background." Oakley (2009) "professional conduct of an advocate in stating that the capacity to participate in the ethical aspect of the profession which basically depends on how one is socially and economically included in society Communities basically justify such exclusion as a need for social cohesion which gives rise to the question what sort of social cohesion is required for the present societies (Thornton 1996) "Communities justify such exclusion as a need for social cohesion which gives rise to the question what sort of social cohesion is required for the present societies believed professional ethics converged with legal profession conduct of the parties." Cocking (2013) "The professional ethics has to be considered which has to be improved to be analysed. The main intention behind the professional aspect of the considered which has to be taken into the consideration aspect of the professional conduct." Tigard (2019) "professional ethics are important in current scenario. The advocates has been granted cover with specific powers through the ADVOCATES ACT, 1961. This has to be provided with specific background measures in considering the same." Watson (2019) "Professional procedural of the advocates is a status traditionally reserved the procedural aspects. Therefore, while many people might accept that their are various procedural various procedural components as per the professional conduct. (Meyers 2019) The professional aspects such assumed about and much desired experience are related professionally which has multiple layers and related with world profession." Thakuria, Bhaskar (2010) "The distinction between other professional privilege and other professional aspect is concerned is the subject is different when considering work on profession The main aim is to analyse the other p-rofessional existence and their view which cannot be basically considered to be different when it is concerned. The Another aim of the professional ethics to have a specific [professional responsibility towards their profession." Gayoso (2019) "The assumption is that 'knowing' oneself and others in terms of 'knowing' power relations will lead to the 'inclusion' of different clients into an understanding of profession. This professional aspect has to be considered with which to be mainly taken into the consierational part." Adams (2019) "Professional Factors that affect basic existence at many levels of society, from the most local through the most global; and it is increasingly necessary to examine different forces of identity.

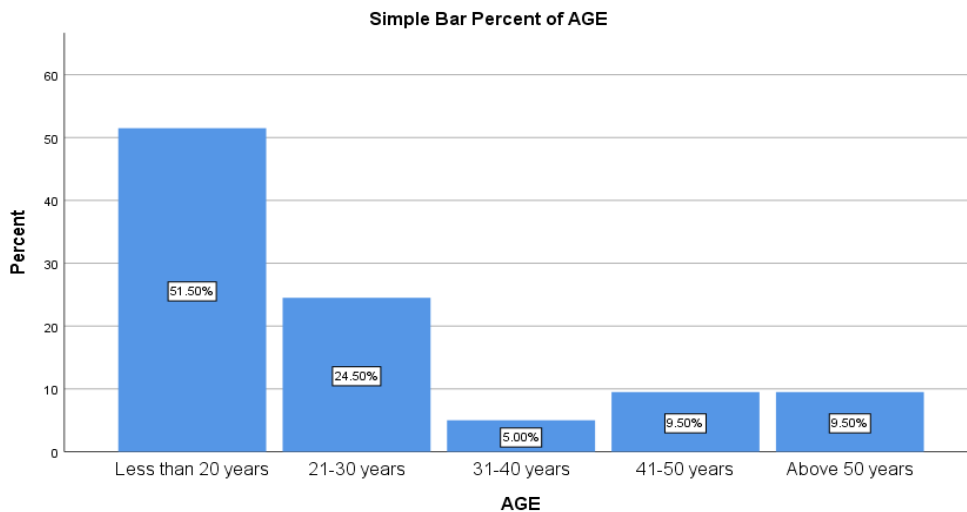
III. METHODOLOGY

The research method followed was an empirical research with 200 responses. The sampling method was the convenient sampling method where the data was collected in and around Chennai. The Independent variables used are age, gender, occupation, education qualification and marital status. The dependent variables are are you satisfied with government schemes related to procedure at the workplace, to determine whether people are aware of the professional ethics in court, are people aware of the discrimination faced, awareness of the act which regulates an advocate inside the court. The study used the SSPS package to analyze the info collected through applied math measurements like graphical representation.



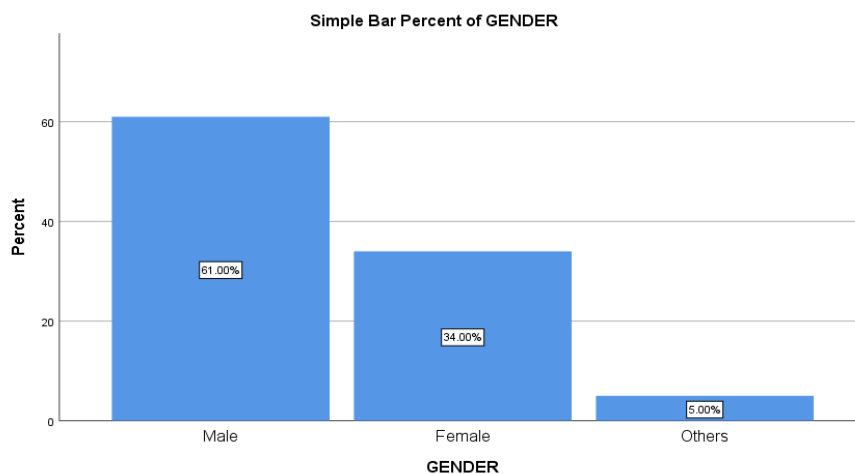
IV. ANALYSIS

FIGURE 1



LEGEND: The above figure 1 shows the age of the respondents.

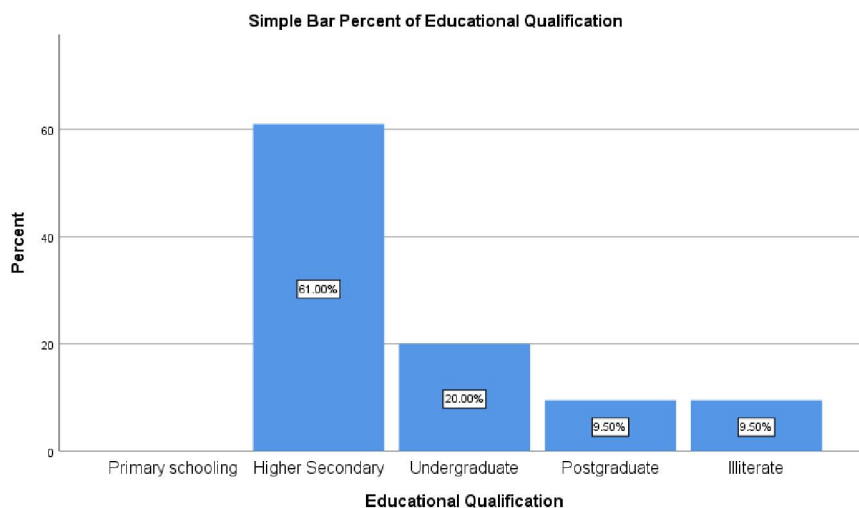
FIGURE 2



LEGEND: The above figure 2 shows us the simple graph on the gender of respondents.

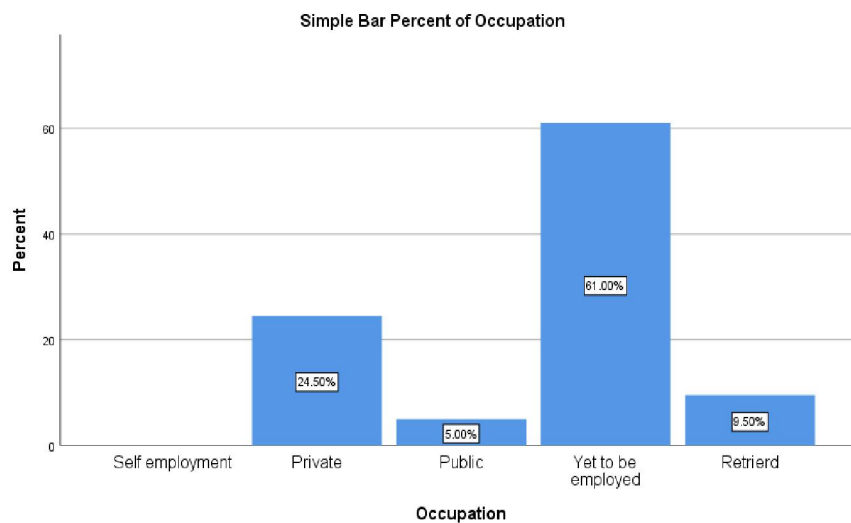


FIGURE 3



LEGEND: The above figure 3 shows us the simple graph on the education qualification of the respondents.

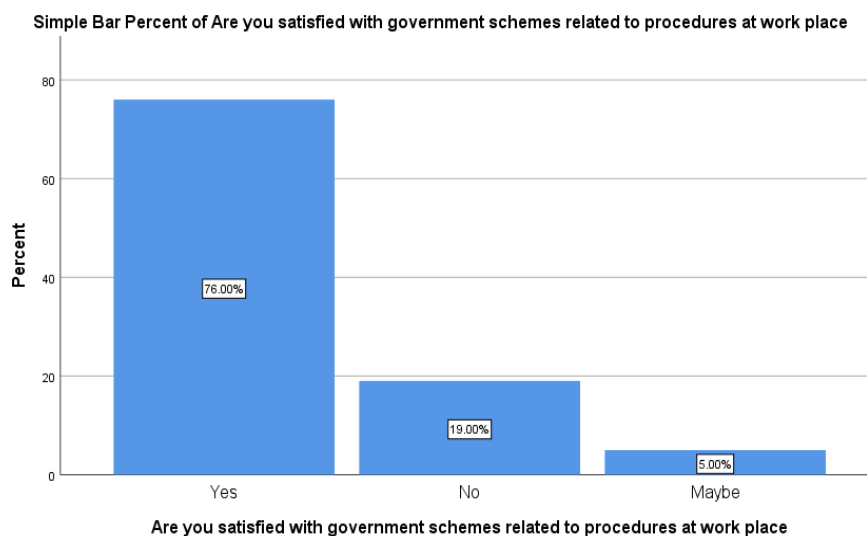
FIGURE 4



LEGEND: The above figure 4 shows us the simple graph on the occupation of the respondents.

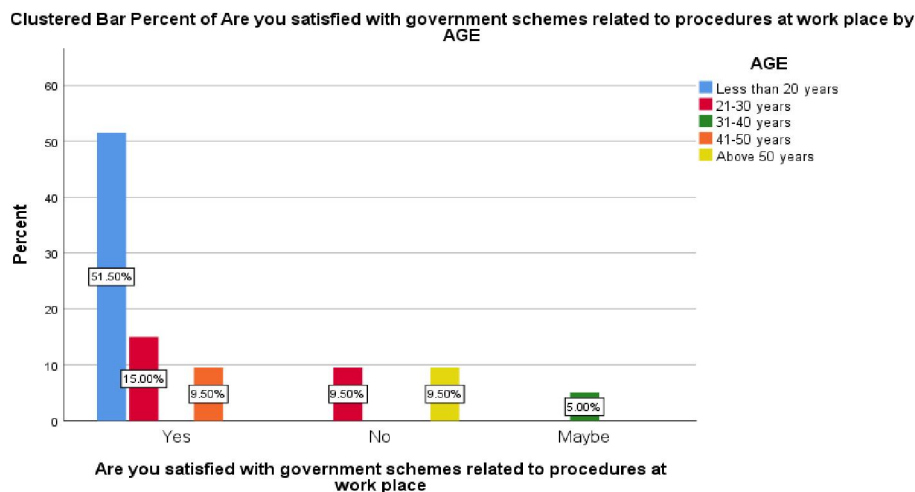


FIGURE 5



LEGEND: The above figure 5 shows us the simple graph on satisfaction with government schemes related to procedure at workplace

FIGURE 6

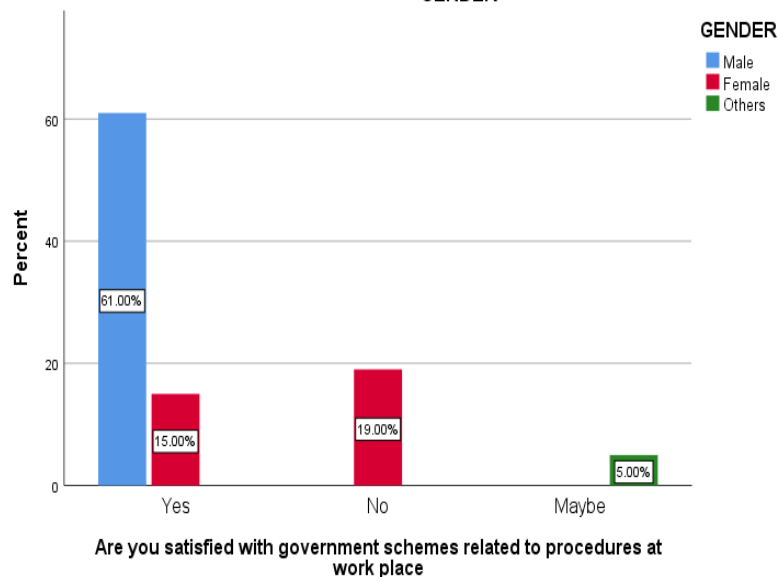


LEGEND: The above figure 6 shows us the complex graph on satisfaction with government schemes related to procedure at workplace compared to age of the respondents



FIGURE 7

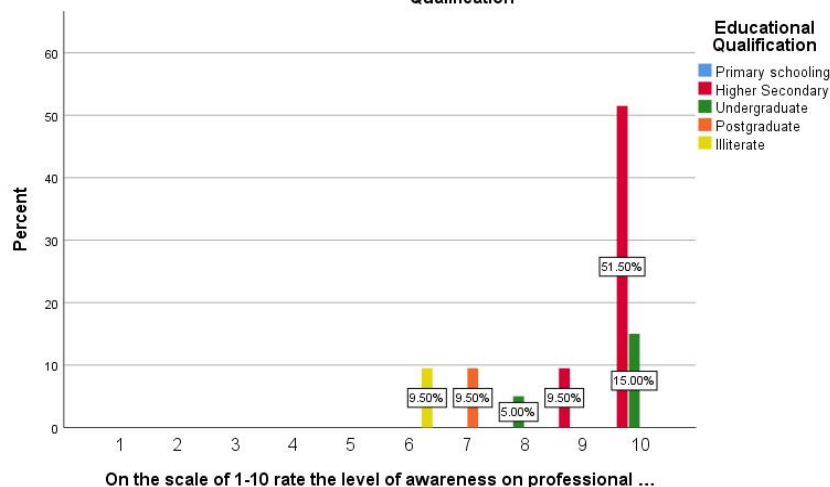
Clustered Bar Percent of Are you satisfied with government schemes related to procedures at work place by GENDER



LEGEND: The above figure 7 shows us the complex graph on satisfaction with government schemes related to procedure at workplace compared to gender of the respondents.

FIGURE 8

Clustered Bar Percent of On the scale of 1-10 rate the level of awareness on professional ethics by Educational Qualification

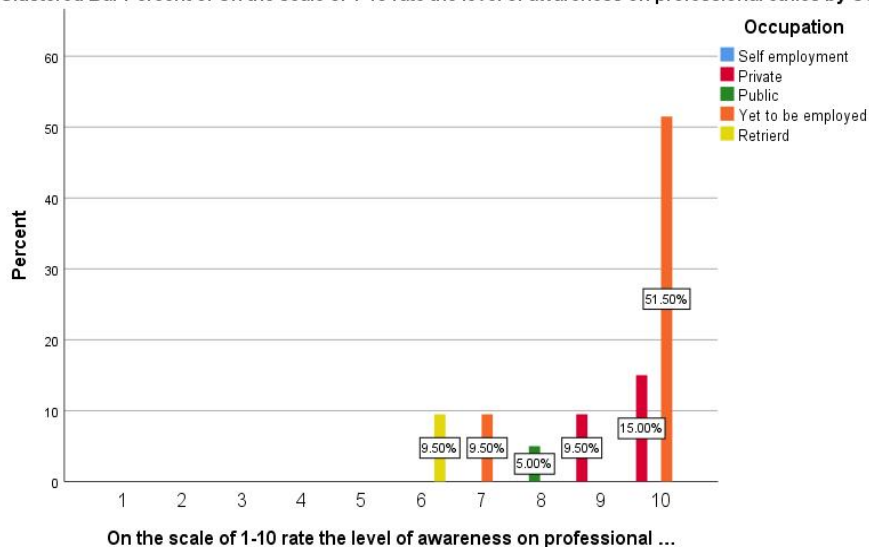


LEGEND: The above figure 8 shows us the complex graph on the basis of level of awareness on professional ethics compared to educational qualification of the respondents.



FIGURE 9

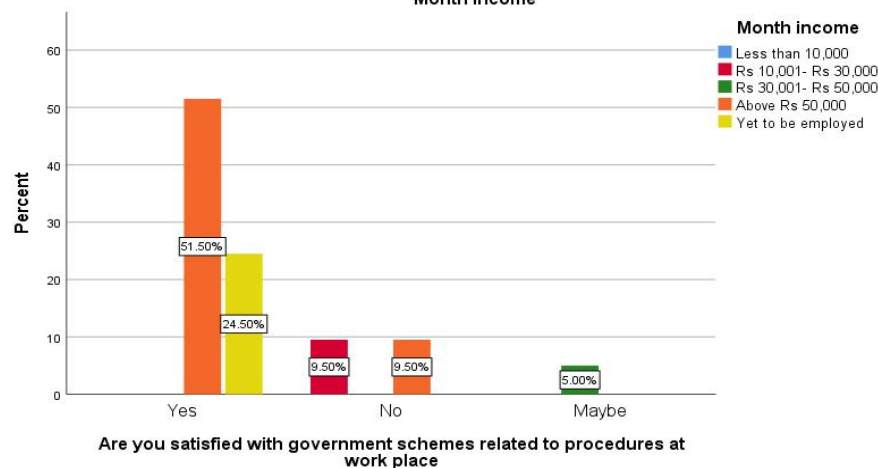
Clustered Bar Percent of On the scale of 1-10 rate the level of awareness on professional ethics by Occupation



LEGEND: The above figure 9 shows us the complex graph on the basis of level of awareness on professional ethics compared to occupation of the respondents.

FIGURE 10

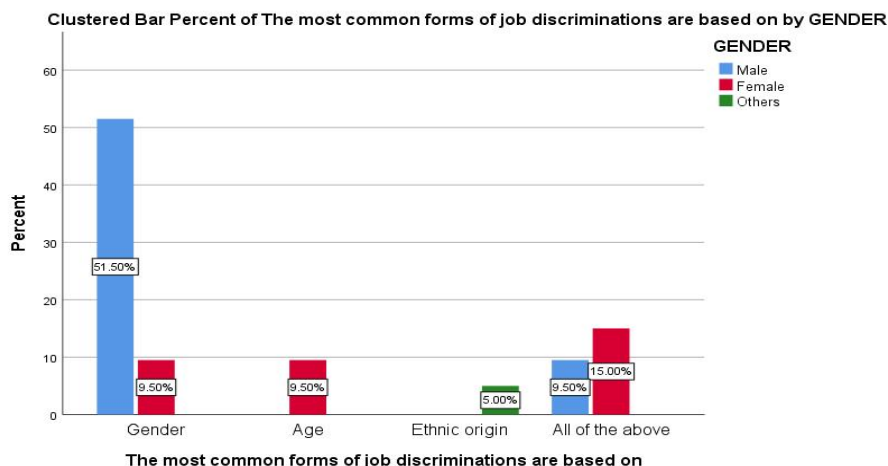
Clustered Bar Percent of Are you satisfied with government schemes related to procedures at work place by Month income



LEGEND: The above figure 10 shows us the complex graph on satisfaction with government schemes related to procedure at workplace compared to monthly income of the respondents.

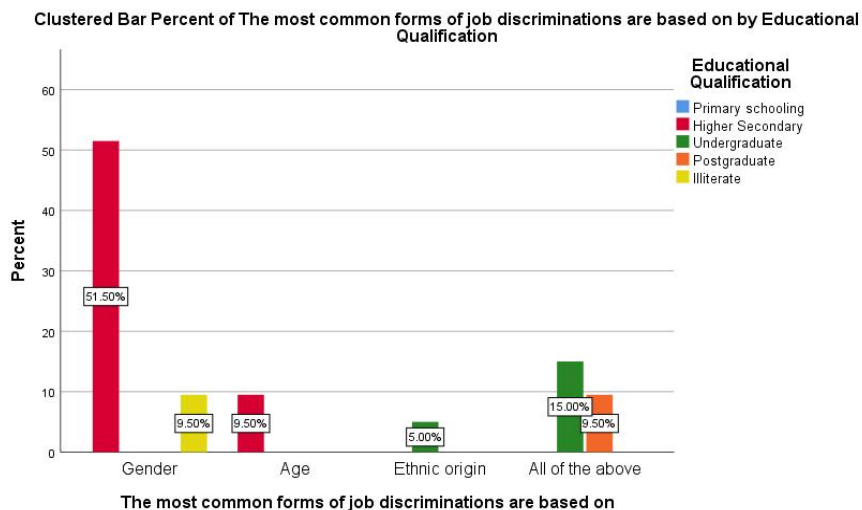


FIGURE 11



LEGEND: The above figure 11 shows us the complex graph on the most common forms of job discrimination are based on comparing to the gender of the respondents.

FIGURE 12



LEGEND: The above figure 12 shows us the complex graph on the most common forms of job discrimination are based on comparing to the education qualification of the respondents.

V. RESULT

It can be referred from the above **figure 1** that most of the respondents are from less than 20 years 51.50%. It can be referred from the above **figure 2** that most of the respondents are male with 61%. It can be referred from the above **figure 3** that most of the respondents are higher secondary educated with 61%. It can be referred from the above **figure 4** that most of the respondents are yet to be employed with 61%. It can be referred from the above **figure 5** that yes is the most responded answer for satisfaction with government schemes related to procedures at the workplace with 76%. It can be referred from the above **figure 6** that most of the respondents are from less than 20 years 51.50% have said



yes to the asked questionnaire. It can be referred from the above **figure 7** that most of the respondents are male 61% have responded that yes they are satisfied with government schemes It can be referred from the above **figure 8** that most of the respondents are from higher secondary 51.50% have responded that they are highly aware about professional ethics It can be referred from the above **figure 9** that most of the respondents are from the private sector 51.50% and have responded that they are highly aware about professional ethics It can be referred from the above **figure 10** that most of the respondents are from above 50,000 51.50% and have responded yes for the asked questionnaire. It can be referred from the above **figure 11** that most of the respondents are from the gender male 51.50% and have said that gender It can be referred from the above **figure 12** that most of the respondents are from the higher secondary 51.50% and have said that gender is the main reason for discrimination.

VI. DISCUSSIONS

It can be referred from the above **figure 1** that most of the respondents are from less than 20 years 51.50%. It can be referred from the above **figure 2** that most of the respondents are male with 61%. It can be referred from the above **figure 3** that most of the respondents are higher secondary educated with 61%. It can be referred from the above **figure 4** that most of the respondents are yet to be employed with 61%. It can be referred from the above **figure 5** that yes is the most responded answer for satisfaction with government schemes related to procedures at the workplace with 76%. It can be observed from the above **figure 6** that most of the respondents are from less than 20 years 51.50% have said yes to the asked questionnaire this could be due to the fact that they may be well aware of government schemes through newspapers, article, textbooks, etc. It can be observed from the above **figure 7** that most of the respondents are male 61% have responded that yes they are satisfied with government schemes this could be due to the fact that they are well aware of the government schemes. It can be observed from the above **figure 8** that most of the respondents are from higher secondary 51.50% have responded that they are highly aware about professional ethics this could be due to the fact that they are well aware of the professional ethics. It can be observed from the above **figure 9** that most of the respondents are from the private sector 51.50% and have responded that they are highly aware about professional ethics this could be due to the fact that they are well known of the professional ethics are may follow them. It can be observed from the above **figure 10** that most of the respondents are from above 50,000 51.50% and have responded yes for the asked questionnaire this could be due to the fact that they may be well aware of the government schemes. It can be observed from the above **figure 11** that most of the respondents are from the gender male 51.50% and have said that gender this could be due to the fact that most of the respondents have said gender because they may have faced such discrimination. It can be observed from the above **figure 12** that most of the respondents are from the higher secondary 51.50% and have said that gender is the main reason for discrimination this could be due to the fact that they may be well aware of the discrimination and may have seen someone facing discrimination on the basis of gender.

VII. LIMITATION

The Major limitation of the study is the time frame. The sample frame Collected through offline platforms like choosing a particular area and reaching there on a certain date for receiving data , the real field experience is obtained but due to the corona post pandemic many hesitated to the questioner . The restrictive area of sample size is yet another drawback of the research. Collection of data via offline method only on an particular place and particular time is limiting the researcher to collect data from the vast field. Since the data is collected on offline mode wherein the all respondents were not willing to respond and open up the researcher could only come to an conclusion only by limited responses obtained from willing respondents.

VIII. CONCLUSION

In conclusion, professional ethics serve as a guiding framework for legal practitioners in the courtroom. Professional ethics in India, like in any other country, play a crucial role in maintaining the integrity, trust, and reputation of various professions. Upholding these ethics ensures the integrity, fairness, and credibility of the judicial system. By adhering to principles such as independence, impartiality, duty to the court, confidentiality, zealous advocacy within ethical boundaries, integrity, and honesty, legal professionals contribute to the pursuit of justice. The commitment to



professional ethics in the courtroom upholds the rule of law and safeguards the rights and interests of all individuals involved in the legal process. In conclusion, professional ethics in the court setting are paramount for maintaining the integrity, fairness, and credibility of the legal system. Upholding professional ethics ensures that legal practitioners, including judges, lawyers, and other courtroom participants, fulfill their duties with integrity, impartiality, and respect for the administration of justice. Key principles such as independence, impartiality, and the duty to the court guide legal professionals in making unbiased decisions based on the law and evidence presented. The professional ethics in India are dynamic and multifaceted, reflecting the country's rich cultural diversity and the need to adapt to global standards. Upholding these ethics is essential for the credibility and integrity of Indian professionals across various sectors. Confidentiality and attorney-client privilege foster trust and open communication between lawyers and their clients. Zealous advocacy within ethical boundaries allows lawyers to vigorously represent their clients' interests without engaging in dishonesty or frivolous arguments. Upholding integrity and honesty establishes public trust in the legal profession and guarantees a fair and equitable administration of justice. By adhering to professional ethics, legal professionals contribute to the pursuit of justice and safeguard the rights and interests of all individuals involved in the legal process.

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