

Ethical Infrastructure in Large Law Firms

We propose to study the emergence of ethical infrastructure in large law firms. By "ethical infrastructure," we mean specialized management structures (such as policies, committees, and personnel) that firms create (or could create) to promote compliance with ethical and regulatory standards and to foster a climate that encourages lawyers to adhere to a broad range of professional values. Most large firms already have a significant amount of ethical infrastructure. For instance, virtually all-large law firms have created conflicts committees or new business committees to manage conflicts checking. In addition, large firms increasingly are creating ethics committees and hiring in-house ethics advisors to promote internal compliance and avoid the expense of employing outside counsel on such matters. Regulatory developments in areas as diverse as professional discipline, multidisciplinary practice, and employment discrimination are likely to encourage firms to adopt additional measures of this kind in the coming years. Yet, we know almost nothing about the kinds of ethical infrastructure firms are adopting and whether these measures are effective.

Our study is designed to fill important gap by providing systematic information on three questions central to a proper understanding and evaluation of this phenomenon:

- 1) What types of ethical infrastructure are firms creating and why are they being created?
- 2) To what extent does a firm's ethical infrastructure affect lawyers' values and behavior?
- 3) How can the profession encourage firms to develop and implement those internal structures that best nurture and support important professional values?