

## A Lawyer's Style Statement - Dressing Rules & More

### The Thought Behind

Etiquette, couture and attire are subtle indicators of erudition and professionalism, especially for lawyers. According to the Business Insider, research shows that your appearance strongly influences other people's perception of your financial success, authority, trustworthiness, intelligence, and suitability for hire or promotion. Overall appearance and demeanor act as the determining factors for sharing information, developing trust and agreeable to prescribed fee structure.

As per The Bar Council of India (BCI)'s website, India has "approximately" 1.2 million lawyers in India plus "approximately" 400,000 to 500,000 studying law at this very minute, churning out "approximately" 60,000 to 70,000 graduates every year. While these numbers are as encouraging as they can be – to further emphasize their might, let us not forget that this puts us on a par with the US, which still seems to remain the world's largest legal market with 1,201,968 practising lawyers in 2010, according to the American Bar Association.

Having said so, it is indeed voluminous to understand the criticality and importance of how important it is for us to know the laid down rules as far as the prescribed uniform is concerned. This not only means knowledge of all the rules but dire implementation of the same as well. As officers of the court, advocates share a much bigger responsibility to refrain from the minutiae of things that might be comprehended as contempt of court.

The legal profession is solemn in nature and its profundity is complemented by its attire. Hence, it is imperative for a lawyer to refrain from adorning flamboyant outfits that may act as a deterrent to a prospective client. Advocates, in addition to being professionals, are also officers of the courts and play a vital role in the administration of justice. Accordingly, the set of rules that govern their professional conduct arise out of the duty that they owe the court, the client, their opponents and other advocates.

***The Indian legal system prescribes a dress code for the lawyers. Bar Council of India Rules, Chapter IV provides the dress code, which is stated as under:***

#### Advocates other than Lady Advocates

- (a) A black buttoned up coat, chapkan, achkan, black sherwani and white bands with Advocates Gowns, or
- (b) A black open breast coat, white Collar stiff or, soft, and white bands with Advocates Gowns.

In either case long trousers (white, black striped or grey) or Dhoti excluding jeans.

#### Lady Advocates

- (a) black and full or half sleeve jacket or blouse, white collar, stiff or soft, with white bands with Advocates Gowns:
- (b) sarees or long skirts (white, or black or any mellow or subdued colour without any print or design) or Flare (white, black or black striped or grey):

- provided that the wearing of Advocates gown shall be optional except when appearing in the Supreme Court or in a High Court.
- provided further that in Court other than Supreme Court, High Court, District Court, Sessions Court or City Civil Court a black tie may be worn instead of bands."

#### Improper Dressing leads to Contempt of Court

The Court has the right to impose penalty and fine for not adhering to dress code. The punishment may go up to six months' imprisonment or a penalty fine of rupees two thousand. The Patna High Court has in the past imposed such a fine on two officials of the state government for not being dressed up in a proper manner during their appearance in the court. The court directed the chief secretary to ensure strict implementation of the dress code established by the state government in 1954 with regard to officials' appearance in the court. While one of the officials was clad in a gaudy red-green t-shirt, the other was "badly dressed". They had already committed a contempt of court by not implementing its order to pay compensation to a petitioner, whose land had been acquired by the state government.

In another case, the Punjab and Haryana High Court had issued a notice for criminal contempt of court to a senior advocate for misbehavior and not following the dress code in the court. Apart from appearing in the Court wearing kurta-pyjama, the advocate had also entered into a debate with the judge.

Although hair styles, shoes and other accessories are not part of the dress code, an advocate is expected to support neat and well-groomed hairstyle. Wild, untamed or overly teased styles, hair dyed in unnatural colours like pink or purple needs to be avoided as it acts like a distraction and far cry from 'professionalism'. Shoes should be comfortable and preferably in black, brown, tan or grey. Shoes in red or pink colours or jogging shoes are not acceptable. Jewellery and accessory should be tasteful and limited. Extremely long nails painted in loud colours and flashy, large, gaudy dangling jewellery ought not to be worn.

### **An Advocate's Duty towards the Court**

**Act in a dignified manner** - *during the presentation of his case and also while acting before a court, an advocate should act in a dignified manner. He should at all times conduct himself with self-respect. However, whenever there is proper ground for serious complaint against a judicial officer, the advocate has a right and duty to submit his grievance to proper authorities.*

**Respect the court** - *should always show respect towards the court. An advocate has to bear in mind that the dignity and respect maintained towards judicial office is essential for the survival of a free community.*

**Not communicate in private** - *should not communicate in private to a judge with regard to any matter pending before the judge or any other judge. An advocate should not influence the decision of a court in any matter using illegal or improper means such as coercion, bribe etc.*

**Refuse to act in an illegal manner towards the opposition** - *should refuse to act in an illegal or improper manner towards the opposing counsel or the opposing parties. He shall also use his best efforts to restrain and prevent his client from acting in any illegal, improper manner or use unfair practices in any matter towards the judiciary, opposing counsel or the opposing parties.*

**Refuse to represent clients who insist on unfair means** - *shall refuse to represent any client who insists on using unfair or improper means. An advocate shall exercise his own judgment in such matters. He shall not blindly follow the instructions of the client. He shall be dignified in use of his language in correspondence and during arguments in court. He shall not scandalously damage the reputation of the parties on false grounds during pleadings. He shall not use un-parliamentary language during arguments in the court.*

**Appear in proper dress code** - *should appear in court at all times only in the dress prescribed under the Bar Council of India Rules and his appearance should always be presentable.*

**Refuse to appear in front of relations** - *should not enter appearance, act, plead or practice in any way before a judicial authority if the sole or any member of the bench is related to the advocate as father, grandfather, son, grandson, uncle, brother, nephew, first cousin, husband, wife, mother, daughter, sister, aunt, niece, father-in-law, mother-in-law, son-in-law, brother-in-law daughter-in-law or sister-in-law.*

**Not to wear bands or gowns in public places** - *should not wear bands or gowns in public places other than in courts, except on such ceremonial occasions and at such places as the Bar Council of India or as the court may prescribe.*

**Not represent establishments of which he is a member** - *should not appear in or before any judicial authority, for or against any establishment if he is a member of the management of the establishment. This rule does not apply to a member appearing as "amicus curiae" or without a fee on behalf of the Bar Council, Incorporated Law Society or a Bar Association.*

**Not appear in matters of pecuniary interest** - *should not act or plead in any matter in which he has financial interests. For instance, he should not act in a bankruptcy petition when he is also a creditor of the bankrupt. He should also not accept a brief from a company of which he is a Director.*

**Not stand as surety for client** - *should not stand as a surety, or certify the soundness of a surety that his client requires for the purpose of any legal proceedings.*

### In a Nut Shell

While there are interesting times to be seen when it comes to the legal profession going through paradigm shift like liberalization of the sector, new practice areas etc. but constants like adhering to rules pertaining to uniforms etc. will remain one of the key identity parameters. So howsoever massive size the profession may expand into, it will always remain imperative for it to maintain its persona, imagery and identity.