
THE CANADIAN FAMILY FORUM

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Lawyers' oaths prevent them from acting in best interest of the children

By Stefan Krieger

Recently, I read a copy of the Oath that lawyers swear when they graduate from Law School. The wording of the oath confirmed what I had suspected for a long time – that lawyers in family court really don't work in the best interest of the children, nor can they, like they often pretend to do. I have just witnessed my own niece's relationship with my brother and extended family become severely restricted because of the dirty work of some family law lawyers.

How often do lawyers tell other parents that you can't see your kids because it is not in the kid's best interest? How often do lawyers advise their clients not to attend mediation or to work cooperatively with the other parent while claiming to be helping their client work towards the best interest of the children? How often do lawyers use legal tricks and skullduggery to impede court proceedings with the purpose of obstructing a child's relationship with the other parent?

As of June of 2000, the oath that the lawyer swears to states the following:

“You are called to the Degree of Barrister-at-law to protect and defend the rights and interest of such citizens as may employ you. You shall conduct all cases faithfully and to the best of your ability. You shall neglect no one's interest nor seek to destroy any one's property. You shall not be guilty of champerty or maintenance. You shall not refuse causes of complaint reasonably founded, nor shall you promote suits upon frivolous pretenses. You shall not pervert the law to favour or prejudice any one, but in all things shall conduct yourself truly and with integrity. In fine, the Queen's interest and the interest of citizens you shall uphold and maintain according to the constitution and laws of this Province. All this you do swear to observe and perform to the best of your knowledge and ability. So help you God.” (Amended Feb. 28, 1992)

If there is one thing I have learned about most family law lawyers, is that the only thing they care about is the money. Just as in their oath, they work for the party who “employs” them. It's that plain and simple. Just how many kids can afford to “employ” a lawyer? Most of the lawyers don't give a damn about the kids or about the families they destroy or how the community is adversely affected. While the lawyers sit in their offices, drive their big cars and send their kids off to private schools, they couldn't care less about the little girls and boys who cry in their beds at night, only wishing they could see their non custodial dads or moms. In most cases these kids can't because their custodial parent's lawyer took an oath that says they cannot work in the best interest of the children and of course the lawyer had to advise their client what was best for them, not the children. “You can't blame us,” they say. “We did it because that's what our client wanted” is the usual one liner. What a cop out!

If you want to get a copy of the Oath that lawyers swear then call the Law Society or the Attorney General's office in the Province you reside and see for yourself whose interests the lawyers really are protecting. It sure isn't children or families!

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