

**MEET HARRY MCCARR, DIRECTOR
STATE BOARD OF PROFESSIONAL RESPONSIBILITY**

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Editor's Note: The biographical data of Henry W. (Harry) McCarr, 48, the new Director of the State Board of Professional Responsibility, is extensive. He received a B.A. from St. Thomas College in 1949, attended Graduate School at the University of Minnesota, and earned his Juris Doctor, cum laude, from William Mitchell College of Law, where he graduated first in his class in 1955. His professional experience includes service as a Special Assistant Attorney General of Minnesota, Assistant Ramsey County Attorney, Judicial Officer for Hennepin County Municipal Court, private practice of law, and eleven years in the Hennepin County Attorney's office where he was a trial lawyer in the Criminal and Domestic Divisions, Chief of the Appellate and Post-Conviction Proceedings Division, and First Assistant. He has written extensively and has recently completed Minnesota Criminal Practice and Procedure, two volumes, which will be published and released by West Publishing Company shortly.

In addition to serving on countless panels, he is a frequent lecturer and teacher at law schools and seminars. Indeed, Harry McCarr brings to his new assignment most impressive credentials and experience. But more importantly, BENCH & BAR found in Harry McCarr a warmth and sensitivity tempered with direction and purpose. So, rather than a wide-ranging interview, we asked him to answer a series of questions, which hopefully, BENCH & BAR readers might have asked.

Q. In addition to the regular duties and responsibilities of the Board of Responsibility, have you established some personal objectives?

A. "With any new responsibility, I guess you always have in mind some goals or objectives. With this assignment, I believe I have a dual objective. First, to maintain public confidence in the legal profession as a social force and second, to keep the legal profession attuned to the necessity of 'measuring up' to the standard the community has a right to expect from a responsible profession."

Q. We know you recognize the accomplishment of the Board to date, and the excellent record of Mr. Sharood, but are there areas in which you feel there should be increased emphasis?

A. "I think that we must continue our work in making the public aware of the sincere desire and effort on the part of the legal profession to improve and police itself. An overwhelming number of attorneys are proud of their profession and are quick to express disgust with those few who demean the practice of law. This job has a public relations aspect, and that is to emphasize the correct image of the attorney and to tell his story as it is. It is a commendable story. Few people are aware of the numbers of attorneys who are contributing their time and effort to a variety of worthy causes. Unfortunately, it seems that the bad stories are the ones that make the headlines."

Q. Do you feel the emphasis on consumerism has focused more attention on ethics of the legal profession?

A. “Definitely, and this is not phenomenon limited to the legal profession. The key is how we respond to this trend and emphasis. If we do not convince the public that we are interested in their problems as consumers of legal services, some other agency outside the legal profession will fill the vacuum. I’m convinced the legal profession can do the job better than any agency.”

Q. In regard to this question of ethics, are there any areas in which the legal profession should be especially attentive?

A. “I’m too new to have specific ideas, but my initial observations and past experience seem to indicate that the users of legal services are most irritated about delays in the legal process—whether those delays are justified or attributable to our own procrastination.”

Q. Just about everyone brings up the Watergate syndrome as it relates to the legal profession. Do you feel the legal profession as a whole has suffered?

A. “Yes. While we like to point out that those participating in Watergate were not practicing lawyers, I suggest that the public is not too impressed with this explanation. The only way to overcome the stigma of Watergate is by being constantly aware of the need for integrity in our dealings with the public, and by constantly striving to improve the quality of our professional contributions.”

Q. If there is just cause to discipline an attorney, should it be done swiftly and openly?

A. “The present policy by which action short of suspension and disbarment is kept on a confidential basis has proved successful in the past, and in my judgment should be continued.”

Q. How do you feel about the present makeup of the Board of Professional Responsibility? Should its size be decreased or increased? Should there be more lay persons on the Board?

A. “On June 18, 1975, a recommendation of the Standing Committee on Rules to increase the Board from 18 to 21 members was approved, and no doubt will be adopted by the Supreme Court. Also, the recommendation was that the three new members will be lay persons. This will increase lay participation to a total of six members. I feel this is a step in the right direction.”

Q. Are there any major projects on which you plan to embark in the near future?

A. “I cannot answer this until I have a longer period of time to evaluate the problems and needs of this position.”

Q. What are you going to ask of bar members from the standpoint of greater involvement in Professional Responsibility projects and activities?

A. “First of all, we need the punctual response and cooperation of any attorney whom we contact about a complaint. Also, we will stress the importance of attorneys keeping lines of communication open with their clients. In many cases, the problems arise out of a lack of understanding, which leads the client to believe he is being neglected. Sometimes attorneys fail to keep in mind that a complainant has a right to serious consideration of his complaint, and he does not want to hear that ‘good old Joe has been practicing law for 30 years, and just wouldn’t do anything out of line’. Such flippancy is totally out of place.”

Q. **As an attorney, author and teacher, how do you view your role as Director of the Board of Professional Responsibility?**

A. “I believe that a most important role will be working with the legal profession and the public in improving the quality of service we provide. This includes diligence in pursuing allegations of improprieties directed at attorneys and taking prompt action to protect the public in instances where a response is mandated by unprofessional conduct. It is only through such vigilance that the integrity of the profession will be maintained.”

Q. **Do you feel that through education (law curricula), the preventative aspects, and need for professional responsibility can be taught?**

A. “Education can contribute to the awareness of the need for high professional standards. Indeed, I would like to see the Code of Professional Responsibility presented in a more attractive manner (rather than its present dictionary format), and disseminated to law students and members of the bar alike. However, I think it most important that the educational process be attitudinal as well as informational. We must develop attitudes which make high standards of professional conduct as desirable as legal proficiency.”