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A New Year for Doing the Right Thing

Compliance and Ethics



It's the time of year for resolutions. Aside from the typical — and highly worthwhile — New Year's resolve to get healthier or spend more time with family, what goals can be set as it relates to your role as in-house counsel? Perhaps you'd like to help usher in the next generation of in house counsel and finally create that mentoring program in your legal department, or maybe you'd like to take those mini MBA courses offered by ACC. Whatever you decide, bringing a little bit of that New Year spirit of reinvention, improvement and growth into your work life can benefit you, your legal department and the company as a whole.

As recent events have shown, some business professionals might consider choosing to be more ethically minded in 2015. One only has to look at the headlines of recent years, which tell the stories of the Bernie Madoffs of the world, to know this is true. As in-house counsel, it is often up to us to be the moral compass of our organizations, as well as the enforcer of the "rules." The January/February issue of the *Docket* focuses on ethics and privilege, and the cover story "The Canons of Business Ethics" takes a look at ethical decision-making. We're all attorneys, and steering our companies down an ethical path — while also making sure they are profitable — is something that we do on autopilot, right? Perhaps this deserves some further examination. The author asks what is the "right thing" and challenges us to think about what makes us different from those other professionals who likely started out with the same intention, but failed. We need to protect our careers and our companies by having a plan in place to navigate potential minefields. As the author points out, organizations which "successfully integrate moral considerations into their decision-making process lower enterprise risks and optimize business performance." If this line isn't included in your job description verbatim, it might as well be.

Being a leader is as much a privilege as it is a great responsibility. We must lead by example and company culture starts at the top. This is yet another reason why in-house counsel must have a seat

at the executive table. Our CEOs and top executives all want the same thing: a successful company. While they don't want to break any laws to get there, they tend to have a vision and just want to see it executed. Being compliant and ethical ... well that's what they have you for. Make sure you're always doing the right thing, and your team will follow.

This issue includes other articles to help you be that leader your CEO and legal department look to, with features that focus on the recurring issues in ethics as it relates to in-house counsel, what elements should be included in a compliance program, export compliance within M&A transactions, and more. There's also an article by a team of Brazilian authors exploring the role financial institutions and the government play in achieving social and environmental sustainability in Brazil. Social and environmental considerations are top of mind for many CEOs, and how our companies can contribute to efforts to protect the environment is a conversation worth having. There we go again, being ethical attorneys.

Back to those New Year resolutions: whether you've pledged to be healthier, spend more time with family, mentor young lawyers or lead the ethical charge in your legal department, there's one thing I'm sure you'll do in 2015 — the right thing.

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