

INTERNATIONAL LEGAL FRATERNITY OF PHI DELTA PHI

PREFACE

The Initiation Ritual of Phi Delta Phi has remained virtually unchanged for over 130 years with the exception of conforming language for the passage of the constitutional amendment permitting female members to be initiated and the expansion of the Fraternity beyond the borders of the United States of America.

The Ritual is an opportunity for students, Barristers and new members to reaffirm their commitment to the ethical principles and high ideals which inspired the formation and growth of the Fraternity. The Ritual should be conducted in a serious manner. The recommended combination of Benchers is one which includes representatives from the Judiciary, the Academic Community and the practicing Bar. Typically, the Alumni Advisor, Faculty Advisor, Province President, any national officers and prominent local alumni serve as an appropriate group from which to choose the five Benchers. A student often serves as the Esquire, who presents the new initiates.

Experience has suggested that the use of judicial robes is desirable in lending some solemnity to the occasion. The use of the Fraternity flag, wigs, candles and dramatic lighting will vary depending on the setting, character and tradition of the Inn. An actual courtroom or a moot courtroom at the Law School is usually employed for the ceremony.

It is not inappropriate for the Chancellor to introduce himself or herself prior to the beginning of the Initiation Ritual and to make a few introductory comments about the ceremony, *i.e.*, that some 2,500 new members will participate in some 120 initiations prior to the close of the academic year; that there is nothing secret about the Ritual; that men and women about to begin the practice of law are simply exposed to precepts or principles concerning the legal profession that they are encouraged to adhere to during their practice of law.

Experience has proved that a few such introductory remarks help insure a more serious initiation and tend to diminish an element of cynicism among certain of the new initiates.

At the end of the Initiation Ritual it is appropriate for the Chancellor to present the members of the Bench, giving them an opportunity to introduce themselves and to make whatever brief comment they feel is appropriate. Thereafter, it is often effective for the Chancellor to comment upon the Ritual and to remind the new initiates that the Initiation Ritual is virtually identical to that taken by several of the present members, and many past illustrious Justices of the United States Supreme Court, five American Presidents, as well as distinguished members of the Bar and the Judiciary in the United States, Canada and México.

The Chancellor may wish to pick out some portion of the Ritual as a theme for longer discourse which will serve to highlight the ideals upon which the Fraternity is based. Whatever form your ceremony takes, do not lose the opportunity to make the Initiation Ritual of the Fraternity a memorable occasion for the rededication of purpose by old and new members alike. You will make an affiliation with Phi Delta Phi infinitely more meaningful for the initiates and for yourself.

TIME OF INITIATION

Initiations shall be held at such time or times during the year as the Student Inn may select, a suitable program or dinner, or both, being arranged to make the initiation a distinctive occasion. This Ritual is designed for use in the initiation of either student or honorary members, or both, at the same time.

OFFICERS

The officers of initiation are five Benchers (either active student members or Barristers) of whom the central one is designated Chancellor, and an Esquire who conducts the initiates and otherwise carries out the order of ceremonies. When present, members of the Phi Delta Phi Court of Appeals, members of the Council and Province Presidents should serve as Benchers.

EQUIPMENT

Chancellor – Black gown, purple yoke and front, full coat of arms (Phi Delta Phi).

Four Benchers – Black gowns, lower part of coat of arms.

Esquire – Black robe, scales of justice as per upper part of coat of arms of Phi Delta Phi, mace.

One Bench – about 12 ft. long.

One Table Cloth – black, 12 ft. long, 32 in. wide, coat of arms, Phi Delta Phi, 18 in. high.

Because of the high cost of customized robes, the Fraternity in recent years has encouraged the use of standard (black) judicial robes. Although some Inns maintain their own robes, most borrow robes from the local moot court society. When a member of the judiciary is serving as a bencher, many Inns find that the judge prefers to use his or her own robe. Inns that are unable to secure robes can borrow a full set from their Province President. In the event that the robes must be mailed between the Inn and the Province President, the Fraternity covers all shipping costs.

The expense of reproducing the Fraternity's coat of arms also has led most Inns to stop using the traditional embossed black tablecloth. Instead, it has become popular to place a large banner either in front of or behind the Benchers. Since the colors of the Fraternity are blue and gold, many Inns now use a blue banner that carries the letters $\Phi\Delta\Phi$ in gold. Many Inns have had such banners made at their expense by local flag makers, or purchased banners directly from the Fraternity. For those Inns that do not have their own banner, one can be borrowed from the Province President. Again, the Fraternity covers all shipping costs. In addition to being used at initiations, many Inns display the banner whenever an Inn function, such as a rush party, is held.

ARRANGEMENTS

Bench across the farther end of the hall. Benchers, gowned, seated behind the bench. The Chancellor is in the center. Initiates should be seated facing the bench.

INITIATION PROCEDURE

Prior to the start of the initiation, the hall is set up and the members of the bench and any guests take their seats. The Esquire then ushers the initiates into the hall and leads them to their seats. When all of the initiates have been seated, the Inn's Historian rises, stands before the initiates, and recites the historical narrative.

Historian: Prior to being initiated into membership in Phi Delta Phi, a law student should know about the history and character of the Fraternity. Founded in 1869, Phi Delta Phi is one of the oldest professional organizations in the Western Hemisphere. The Fraternity is the second oldest legal organization in continuous existence in the United States and the third oldest in North America. Because of the importance of its history and the value of understanding it, the Fraternity Constitution for many years required a student to pass an examination on the subject in order to be initiated into membership. That practice no longer exists. It has been replaced with the practice of presenting this narrative history prior to your initiation.

_____ Inn, at _____ (law school) is but one of over 120 active student Inns of Phi Delta Phi located at law schools throughout the United States, Canada, México, and Poland. Our Inns obtain their names after the Inns of Court in the English system – the source, after all, of common law.

Four students founded Phi Delta Phi at the University of Michigan on December 13, 1869. Since then we have initiated over 200,000 members. Phi Delta Phi granted a charter for our Inn, _____ Inn, in _____ (date).

Although Phi Delta Phi has grown enormously over the years, the purpose of our founders and our purpose today remains the same. We are a group of students who, in the words of those four founders and the Preamble to our Constitution, have joined together "to promote a higher standard of professional ethics and culture in this and other law schools and in the profession at large."

Phi Delta Phi has been, since its founding, a student-controlled organization. Every two years delegates

from every Inn assemble at a Convention to review the Fraternity's operations over the previous two-year period. Students elect officers for the next biennium and they provide the officers with a budget and program priorities. The Convention, at which only the student delegates have a vote, is attended by all Phi Delta Phi officers, including the regional Province Presidents. Our Province President, _____ is a _____ (law professor, etc.) from _____ (*this is the perfect opportunity to introduce other visiting dignitaries such as a Phi Delta Phi Council or Court of Appeals member*).

The administrative offices of the Fraternity are in Washington, D.C. There, an Executive Director and a staff of three look after the day-to-day needs of Inns and the financial and administrative activities of the Fraternity.

A five-member board of directors, called the Council, meets quarterly to oversee the operations of Phi Delta Phi; to implement the mandate of the Convention; and to provide policy guidance for the staff. A three-member board of trustees, the Court of Appeals, consists of the immediate past three Presidents of the Fraternity, and has the responsibility of managing the Fraternity's endowment fund in addition to judicial and advisory responsibilities.

All of the alumni officers, with the exception of the Executive Director, are volunteers and spend – collectively – thousands of hours a year on Fraternity affairs.

This brief summary provides only an overview of Phi Delta Phi. We are a professional society with dimensions as diverse as the number of Inns. Yet we are all tied together by common goals and experiences.

Of all the ties that bind us, none is more visible than our coat of arms. The colors of the coat of arms – red, blue, and gold – stand for courage, loyalty, and dignity. The scroll below the shield bears the motto of the Fraternity – “Friends of Justice and Wisdom.” The skull, owl, and swords on and behind the shield remind us of our mortality, our need for knowledge, and the importance of our obligations as a lawyer. The wreath, arm, and scales above the shield emphasize our interest in justice

and the proper administration of the law. Finally, the three stars indicate the birth dates of the three great legal scholars: Coke, Chitty and Story.

The tenets of Phi Delta Phi are carefully spelled out in our historic and eloquent initiation Ritual in which you are about to participate. And reflect, as you participate in this ceremony, that the same Oath, over 130 years old, has been subscribed to by outstanding members of the Bar and Bench since our founding in 1869. At the conclusion of the initiation ceremony, the Chancellor will comment separately upon the Ritual.

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When the narrative has been completed, the Historian returns to his or her seat and the Esquire stands and faces the bench. The Chancellor then asks the Esquire:

Chancellor: Whom have you here?

Esquire: I present (*full name of each initiate – each initiate should stand as his or her name is called*) whom we have chosen as worthy for membership and who are now candidates for initiation.

Chancellor to Initiates: Are you now ready to declare and pledge yourselves to maintain the high principles and ethics of this order?

Candidates: We are.

Chancellor to Students of the Inn: Do you now cast your Final Vote unanimously in favor of these candidates before you?

The Esquire moves to a position at the left end of the line and about five feet in front of it bows to the Chancellor, in plain view of the initiates, answering: “I do”. The Esquire then takes the Esquire's original post.

The Chancellor addresses the initiates as follows:

The Final Vote is cast by those who have been delegated to express the unanimous choice of the Inn. (*Pause*)

We feel that we are honoring you by admitting you into this order, and that we are equally honored by your choice.

Preparatory to our final initiation the first Bencher will now pronounce an invocation.

First Bencher pronounces Invocation:

Most High, the Source of All that Is: in Whom we live and move and be: We meet now by our Covenant, to state the aims which bind us in this Order. The great Law of the Universe we see to be Justice, based on Truth. Of this Law, our own is but a branch – a part – built after Nature's code, and used by people to rule themselves. It aims, by finding what *is* Truth, and what *is* Justice, so to lead humanity that naught shall hinder nor impede the working out of God's Great Plan. Our prayer, as Guardians of the Law, is, to be attuned to this great Cosmic Law at all times; that we may see our work as but an effort to disclose and bring to mortal sight, what yesterday, today, forever, is the Same. For when the Race is run, and we are returned to whence we came, there will yet endure the Law – Justice, based on Truth. The Present we know to be a breath of Eternity; let us, then, make our work the noblest Mission of them all – for we are called upon to guard that Beacon Light wherewith all see to grope their way, till dawn of the Day of Understanding. Then, with clear vision, all shall abide in peace

and harmony, in Justice based on Truth. Keep us steadfast to this Trust. *Amen.*

Immediately following the Invocation, the Esquire and initiates are all seated, each facing the bench.

The Chancellor resumes:

Friends: You are now to become members of The International Legal Fraternity of Phi Delta Phi. Our active membership is drawn from those students of the law who not only have shown themselves companionable, but have manifested ability and industry in legal study.

We intend that those so selected shall lead their Profession. We have therefore both a great opportunity and a great responsibility. Our aim is so to inspire our members to hard work and to noble ideals, that they shall be a force for strength and probity in our Profession. Young people are especially open to influence. As we guide them with scrupulous care, so will they grow into a broad and noble life.

The following paragraph may be omitted when there are no honorary initiates.

Our honorary members are drawn from those members of the legal profession who, as judges of courts of record, members of law school faculties, and practitioners learned in the law, have shown themselves to be exemplars (eg - zem' plers) of our ideals. Taking the same vows with students entering upon legal careers, they repledge themselves to the principles to which they have been true.

The need of ethical associations in our Profession is obvious. Phi Delta Phi, as the first and best equipped society for this purpose, holds a place unique in our legal world. Our members, drilled in right ideals, go forth to leaven the Profession at large by example and integrity.

This then is our Order; this our noble purpose and reason for existence. To help attain these ends, we have chosen you to be of our number. Give heed to those who will state the ideals of our Order.

You will first be reminded of your duties as a *Lawyer* toward the *Public*.

Third Benchler delivers address on Lawyer and Public:

Wherever there is liberty, there must be law, for freedom unrestrained descends to license. The lawyer is the medium through which the law reaches the people, and the highest honor and integrity must mark the calling which deals with the rights, privileges, and liberties of the people. By reason of a lawyer's training and position, a lawyer is looked to for guidance and advice and wields a mighty influence for good or evil. The lawyer's education is never done. Legal knowledge must touch upon all things, for all things are involved in subjects of judicial investigation. Attorneys frame our laws and help to interpret them. If we think clearly, our whole people prosper; if the lawyer is slovenly, confusion follows in that lawyer's train.

The lawyer's place in history is most important. Supplanting might with right, the lawyer laid the foundation of civil society in place

of military rule; formulated civil regulations; and has ever since been their expounder and administrator. The precepts of the civil law are these: to live honorably, to injure nobody, to render to all their due. Upon us as ministers of the law falls the duty of keeping its foundation pure and undefiled.

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Third Bencher Continues:

No other calling among humanity has been such a factor in the vindication of personal rights and the advancement of universal justice between state and subject, and between individuals. Just so long as the profession recalls and holds in sentimental devotion its ancient traditions – and no longer – will it maintain its primacy in honorable achievement and popular respect.

Demanding the noblest attributes of the mind and heart, and the richest endowments of education, the practice of the law should be inseparable from the idea that it is the Servitor of Justice. Its pursuit should never cross the bounds of morality or deflect from the pathway hedged about with honor.

Consider the importance of our profession. It calls upon you to be the preservers of freedom, the defenders of weakness, the unravellers of cunning, the investigators of artifice, the humblers of pride, and the scourgers (skurjers) of oppression. In all difficulties people depend upon your alert faculties and spotless integrity, and require of you an elevation above all that is mean, and a

spirit that will not yield when it ought not to yield. So long as our profession retains its character for learning and for virtuous boldness, the rights between people will be adjusted and well defended.

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Chancellor: You will next be reminded of your duties as a *Lawyer* toward the *Court*.

Fourth Bencher delivers Lawyer and Court:

This we would instill in our new members: They must throughout their lives at all times consider themselves Officers of the Courts, directly responsible to them, and in duty bound to see that the courts are not deceived or misinformed; that the rules of evidence and the proper forms of procedure are applied in every case. By their own examples they should maintain that respect for law and our courts which is the only sure foundation of government. We insist that no amount of loyalty to client should prompt the slightest deviation from the truth, nor can it justify misstatement of fact or deceit of court. A lawyer's full duty is performed when the lawyer requires that those rules of practice, procedure and evidence be applied to the client's interests as from the facts in each case they honestly appear.

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Fourth Bencher resumes:

The importance of being prepared we accentuate. Knowledge and integrity, combined with sound

judgment and hard, persistent work are the secrets of success. The position of our courts depends upon the ability and force of our profession. The learned lawyer who presents the facts and law clearly and forcibly is a bulwark of strength to the courts of our land. The judge is too often but the mirror that reflects the bar around the court. If the court give back distorted images of justice and righteousness, it is because the lawyers about the court are crookt and warped. If the bar be inspired by high ideals, standing *rectus in curia* (rek' - tus in koor' - ia), exhibiting true nobility of character, intellectual greatness, and real culture, the effect is to make the court itself what Cicero lauded as *perfectus magistar* (per - fek' tus ma - gist' - air).

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Chancellor: You will now be reminded of your duties as a *Lawyer* to your *Client*.

Second Bencher delivers Lawyer and Client:

Phi Delta Phi impresses upon its members the particular need of fidelity, integrity, and diligence in all relations of a personal and private nature.

In no sphere of human activity are higher qualities called for than in the duties of the lawyer to the client. That supreme fiduciary relation bred of the highest intelligence, the widest liberty of thought and action, embraces those important matters of home, family, property, citizenship, and often very life itself, which are entrusted by the client to the protecting care of the lawyer. It is the

attorney's duty to be found not wanting, to be not recreant (rek're - ant) to this trust, but to maintain inviolate (in - vi'o - lat) the client's confidence, and, at every peril to the lawyer, to preserve the secrets, and protect and serve the interests of the client.

Upon their lawyer's advice clients risk their characters and their fortunes. The lawyer can rely on no one else. In the exigencies (ek'si - jent - siz) of trial, we win or lose by our knowledge of our cause. The ability to state a case clearly and concisely, to have at instant command the principles to meet unexpected issues; readiness to seize and turn to immediate advantage testimony which is helpful or to avert the force of that which can harm by quick discernment and analysis; all of these qualities are vital to success in a cause.

Not alone by brilliant triumphs as an advocate, but more often as the advisor and friend, does the lawyer find the sphere of largest usefulness. By discouraging suits and encouraging settlements, by aiding the prompt administration of the law, by making it profitable not to litigate, the able counsellor promotes the interests of the client and inculcates (in - kul' kates) justice.

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Second Bencher resumes:

Upon a death in the home of a client, a lawyer may be called upon for advice, counsel, and professional service. Such service may involve the interests of the bereaved or the parentless. Superior education and experience will often make apparent to a lawyer possibilities for great

personal gain either at the expense of, or without loss to, those whose trust, reliance, and confidence have caused their lives or their property to be placed in the lawyer's hands or influence. To resist self-interest and to advance the estate and well being of the innocent is to exercise the noblest duty of an honored profession. Whenever temptation rises in the life of a lawyer let such person recall the lawyer's oath to the Supreme Judiciary of the State and the solemn obligation to this Fraternity.

Chancellor: Do you so pledge yourselves?

Initiates: We do!

Chancellor addresses initiates:

You have heard the precepts of our Order; you know what motives prompt our Bond. We call upon you now to take the Obligation, which establishes your membership in Phi Delta Phi. Please stand, raise your right hand and repeat:

First Bencher, *standing with his right hand raised, administers the Oath:*

Before God, and these witnesses, – I make this declaration: – The Tenets of this Order are good. – I find them echoed in my heart. – I subscribe to them with gladness. – I make these precepts my own. – My Life shall be, at all times, their exemplar (eg - zem' - pler). – Into my hands the Law is placed, – a Trust – I so accept it. – To be just and to be wise in its administration – shall be my constant aim. – To these ends, I take the Teachings of this Order for my Guide. – And if a day should come – when I am tempted to degrade our high Profession, – then will I recall this hour, – this Oath; – and in the memory hereof, – recharge myself with new determination.

(Pause)

Chancellor, in conclusion:

In placing our Badge upon you, we send it out among people in the confident expectation that it will at all times be received and hailed as the symbol of professional integrity. We remind you, however, who are students, that you stand but on the threshold of your career, and that upon your daily life will hinge, so far as in you lies, success or failure of our Mission.

The name of our Fraternity is "**Philous Dikaiooi Philosophoi**" (Feeletoo deekay yeekey fee-low-so-fee) meaning "Friends of justice and wisdom." We are also known as **PHI DELTA PHI**, the initial letters of these Greek words.

As friends now drawn close by the ties of a common Purpose; sworn to a common Guide in the keeping of that Trust which calleth forth the homage of the World – of the weak as feeling its protecting care; of the strong as not exempted from its power – summoning you now to live in the part, and meet henceforth the confidence reposed in you, we pronounce you **PHI DELTA PHIS!**

(Pause)

At this point it is appropriate for the Chancellor to comment upon the history and significance of the initiation ritual.

Benchers file down to greet the new members, followed informally by all present.

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NOTES