

PROFESSIONAL RESPONSIBILITY

Law 555
Maymester 2007
Classroom 230

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Class Syllabus

BOOK: Lisa G. Lerman & Philip G. Schrag, *Ethical Problems in the Practice of Law* (2005).

RULES: You will need to have a copy of both the ABA Model Rules of Professional Conduct and the Restatement (3d) of the Law Governing Lawyers, but you do not have to buy a professional responsibility rules supplement from the bookstore. Both the Model Rules and the Restatement are available to you on Westlaw (databases ABA-AMRPC and REST-LGOVL, respectively). The Model Rules can also be found at http://www.abanet.org/cpr/mrpc/mrpc_home.html . Whether you choose to buy a rules supplement or to download them, you will need to use the Model Rules, including Comments, and the Restatement for preparation; bring them to class, either on your laptop or in hard copy.

THE WEST EDUCATION NETWORK (TWEN): Materials and information for this course will be posted on and class discussions will take place on TWEN, West's web-based legal education site. You will need to register to use our class site; please do so before our first class and check it regularly. **You are responsible for all information posted on the site.** When registering on TWEN, use an address for an email account that you check regularly.

OFFICE HOURS: Monday - Thursday, 1:30 - 3:00 pm. Please feel free to drop by my office at other times, except during the 30 minutes preceding class; if I am available, I will be happy to meet with you then or to schedule an appointment. You may see me after class to set an appointment, but the best way to contact me, whether to arrange an appointment or ask a question, is by email. However, if you have a question about the material we have covered in class, I urge you to share your question with your classmates by posting the question on TWEN, so they can share their thoughts; I will answer the question on TWEN for the benefit of the whole class.

CLASSROOM ETIQUETTE: Do not wear hats in class and do not chew gum or tobacco or eat in class. Sit in your assigned seat. Turn off all cell phones and pagers and silence your computer. Stand to speak whenever you are recognized to speak.

CLASS PREPARATION: Read and study the assigned materials in Lerman & Schrag and the related Rules of Professional Conduct, including the Comments, and Sections of the Restatement (3rd) of the Law Governing Lawyers. Develop an informed, thoughtful solution to each problem and be prepared to defend your answer during class discussion. Lead and Co-Counsel will be appointed in advance for each problem, but you must prepare an answer for all. Do not come to class if you are not thoroughly prepared to discuss the assignment, unless you have advance permission from me. Many of the Rules have significant details, and you must learn them precisely; you are likely to find it easier to do so as you encounter each Rule, rather than by trying to memorize the Rules while studying for the exam. At the start of most classes we will have a quiz on the Rules for that class or the previous one.

ATTENDANCE: Regular, punctual attendance is necessary. You are expected to attend every class. Excessive absences will affect your grade. In addition, Law School regulations require that any student who misses more than 1 of the 8 class meetings in this course be given a grade of F. You are responsible for keeping track of your absences. Sit in your assigned seat. If you are not in your seat at the beginning of class, you will be considered absent.

GRADES: Grades will be based on the final examination (60%), quizzes (20%), and class participation including attendance (20%). The Exam will include objective, short-answer, and essay questions.

<u>CLASS</u>	<u>LERMAN & SCHRAG</u>	<u>RULES & RESTATEMENT</u>
Mon. May 14	Introduction to the Book and Subject; Regulation of Lawyers. Chapter 1, pp. 1-108.	MRPC Preamble, Scope, 1.0, 5.1-5.3, 8.1, 8.3, 8.4; Rest. §§1, 2, 5, 6, 8, 11, 12, 48-58.
Tue. May 15	The Duty to Protect Client Confidences; Privileges. Chapters 2 & 3, pp. 109-201.	MRPC 1.0(f), 1.2(d), 1.6, 1.16(a) & (b), 2.3, 3.3, 4.1, 8.4(c); Rest. §§59-80, 82, 83, 86-93, 95.
Wed. May 16	Relationships Between Lawyers and Clients. Chapter 4, pp. 203-278.	MRPC 1.0(d), 1.1-1.4, 1.13-1.17, 2.1, 8.4(c); Rest. §§14-16, 20-24, 26-27, 31-33, 44-46.
Thu. May 17	Concurrent Conflicts of Interest. Chapter 5, pp. 279-341.	MRPC 1.7, 1.10; Rest. §§121-23, 128-31, 134.
Mon. May 21	Conflicts Involving Former Clients, Government Lawyers, and Judges. Chapter 6, pp. 343-402.	MRPC 1.9-1.12, 1.18, 2.4; Rest. §§15, 132-33.
Tue. May 22	Conflicts of Interest Between Lawyers and Clients. Chapter 7, pp. 403-71.	MRPC 1.5, 1.8, 5.2, 8.3; Rest. §§34-36, 38, 41-43, 47.
Wed. May 23	Lawyers' Duties to Courts, Adversaries, and Others. Chapter 8, pp. 473-581.	MRPC 3.1-3.9, 4.1-4.4, 7.1, 7.6, 8.2, 8.4(c); Rest. §§98-104, 106-08, 110-13, 116-20.
Thu. May 24	The Legal Profession & the Provision of Legal Services. Chapters 9 & 10, pp. 583-694.	MRPC 5.4-5.7, 6.1-6.5, 7.1-7.5, 8.5; Rest. §3.
Fri. May 25	Final Exam	