

PROFESSIONAL RESPONSIBILITY

Spring 2018

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Office #221

Office Hours: Tues. 3:30-4:30

MATERIALS:

The required textbook for this course is California Legal Ethics, by Wydick, Perschbacher, and Bassett (9th ed., West Academic, 2015) (hereinafter referred to as “Casebook”).

In addition to the required text, you must have a statutory supplement that includes the California Rules of Professional Responsibility. I recommend the current version of Professional Responsibility: Standards, Rules & Statutes, abridged edition, by John Dzienkowski (Thomson West) (hereinafter referred to as “Standards”).

You may also receive supplemental handouts periodically throughout the course.

READING ASSIGNMENTS:

Reading assignments will generally follow the schedule as set out in this syllabus, although I may adjust an assignment at the end of a class meeting for the next class. Students are expected to read each assignment and be prepared to participate in class discussions of the problems as set out at the beginning of each chapter of the Casebook.

At the beginning of each chapter of the Casebook is a section entitled “Reading Assignment” which includes reading for the Standards. Students should read these selections.

ATTENDANCE:

Attendance at all classes is mandatory. Any student who misses more than one class will be referred to the Assistant Dean for Student Affairs and may be disqualified from the course.

PROFESSIONALISM:

Because professionalism is a major theme in this course, it is expected that all students will adhere to the principles of ethics and civility that underlie the legal profession. Students are required to conduct themselves with maturity and self-discipline and exhibit respect for their classmates. I will not tolerate unprofessional or obstructionist behavior displayed during any class session. Unprofessional or obstructionist behavior includes, but is not limited to, the following types of conduct: 1) a continual failure to be prepared for class; 2) excessive lateness to class; 3) the unexcused leaving of class prior to the end of any class session; and 4) disrespectful behavior directed toward other participants in the class.

PARTICIPATION POINTS:

At the end of the course, I may add or subtract up to two points from your final grade based on your class participation and professionalism. Participation includes attendance and participation in class discussions.

EXAMINATION:

The final examination will be closed book and will be comprised of both multiple choice and essay questions.

STUDENT LEARNING OUTCOMES:

It is my goal that at the end of this course, students will have achieved the following learning outcomes:

1. Students will demonstrate an understanding of the law governing lawyers, including ethical, legal and professional issues.
2. When presented with a dilemma drawn from case-based or hypothetical facts, students will articulate the relevant and applicable ethical standards, apply those ethical standards, and propose one or more resolutions that result in an ethical outcome.
3. Students will conduct themselves in a professional manner.

January 9 & 11

Topic: Chapter 2: Sources and Application of Legal Ethics Rules

Reading Assignment: Pages 29-77

January 16 & 18

Topic: Chapter 3: Beginning and Ending the Lawyer-Client Relationship

Reading Assignment: Pages 83-112

January 23 & 25

Topic: Chapter 4: Advertising and Solicitation

Reading Assignment: Pages 117-144

January 30 & February 1

Topic: Chapter 5: Attorney Fees and Fiduciary Duty

Reading Assignment: Pages 149-178

February 6 & 8

Topic: Chapter 6: Competence, Diligence, and Unauthorized Practice

Reading Assignment: Pages 183-203

February 13 & 15

Topic: Chapter 7: Confidential Information

Reading Assignment: Pages 209-228

February 20 & 22

Topic: Chapter 8: Candor in Litigation

Reading Assignment: Pages 233-261

February 27 & March 1

Topic: Chapter 9: Fairness in Litigation

Reading Assignment: Pages 267-289

March 6 & 8

NO CLASS – SPRING BREAK

March 13 & 15

Topic: Chapter 10: Bias in (and out of) the Courtroom

Reading Assignment: Pages 293-316

March 20 & 22

Topic: Chapter 11: Conflicts of Interest – Lawyers, Clients, and Third Parties

Reading Assignment: Pages 319-343

March 27 (No Class March 29)

Topic: Chapter 12: Conflicts of Interest – Conflicts Between Two Clients

Reading Assignment: Pages 349-384

April 3 & 5

NO CLASS

April 10 & 12

Topic: Chapter 13: Lawyers in Law Firms and Specialized Practice Areas

Reading Assignment: Pages 389-412

April 17 & 19

Topic: Chapter 14: Judicial Conduct / Final Review

Reading Assignment: Pages 415-445

May 2

Final Exam 9:00 am