This course will focus on the ethical rules, common law concepts, statutory and constitutional sources of law governing the ethical obligations of attorneys. The casebook is Hazard, Koniak, Cramton, Cohen and Wendel, The Law and Ethics of Lawyering (Foundation, 5th ed. 2010). The statutory supplement is Professional Responsibility Standards, Rules & Statutes (West 2013-14, Dzienkowski, ed). (N.B. The 2014-15 edition of the Rules & Statutes is not available until mid-July; thus we will use the earlier edition. Do not purchase the Abridged Edition, as this lacks the AL version of the Model Rules.) Both texts are required. Additional copies of both texts will be placed on library reserve. Please bring the statutory supplement along with the casebook to each class. You are expected to have read before class any Model Rules and accompanying comments, as well as Restatement sections and comments, that are cited in the casebook reading assignments.

Regular class attendance and preparation of assigned materials are required. Class participation can only help your final grade. The final exam will consist of both essay and multiple-choice questions. You will not be examined on any topics we do not cover in class.

My office hours are M-Th, 2:00 p.m. - 5:00 p.m. My office is located in Room 357.

SYLLABUS

CHAPTER 1: LAW, LAWYERS AND ETHICS


CHAPTER 2: CONFORMITY TO LAW

July 9 (W) Casebook, pp. 57-88. Conformity to the Law: Gellene; Arthur Anderson.

CHAPTER 3: CORPORATE FRAUD AND LAWYER ACTION

July 16 (W) Casebook, pp. 211-56. Refco; Sarbanes-Oxley and the new SEC rules.

CHAPTER 4: CONFIDENTIALITY

July 22 (T) Casebook, pp. 331-64. Self-Defense Exception: Meyerhofer; O.P.M.
July 23 (W) Casebook, pp. 364-90. Retaliatory Discharge; Electronic Evidence

CHAPTER 5: CONFLICTS OF INTEREST/ CHAPTER 9: INEFFECTIVE ASSISTANCE
July 24 (Th) Casebook, pp. 391-430. Concurrent Conflicts: Westinghouse; Fiandaca.
July 28 (M) Casebook, pp. 884-910; 430-42. Effective Assistance; Cuyler.
Successive Conflicts: Brennan’s; Imputed Conflicts: Nemours.

CHAPTER 6: WHO IS THE CLIENT? CHAPTER 7: NON-Clients

CHAPTERS 7, 8 AND 10 – SELECTED ISSUES