

PROFESSIONAL RESPONSIBILITY
Dr. Leslie Griffin
University of Houston Law Center

Course Information and Syllabus
Summer I, 2009

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Office: 104-J TU-II (in Health Law & Policy Institute)
Class Hours: M, T, W 6:00-8:30 P.M.
Office Hours: Monday, Tuesday, Wednesday 3:30-5:30 p.m., after class, and by appointment. You are welcome to stop in whenever the door is open.

Course Materials:

Required: HAZARD, KONIAK, CRAMTON, AND COHEN, THE LAW AND ETHICS OF LAWYERING (Foundation Press, 4th ed. 2005) [CB].

STEPHEN GILLERS AND ROY D. SIMON, REGULATION OF LAWYERS: STATUTES AND STANDARDS (Aspen Concise Edition 2009) [RB].

The syllabus, old exams and other course materials are posted on the TWEN section of Westlaw.

Recommended: If you need help understanding the course materials, you may find the following sources helpful, but not necessary or required reading.

RONALD D. ROTUNDA & JOHN S. DZIENKOWSKI, PROFESSIONAL RESPONSIBILITY: A STUDENT'S GUIDE (ABA-Thomson/West, 2007-2008)

RONALD D. ROTUNDA, BLACK LETTER OUTLINE ON PROFESSIONAL RESPONSIBILITY (Thomson-West, 7th ed. 2004)

W. BRADLEY WENDEL, PROFESSIONAL RESPONSIBILITY: EXAMPLES AND EXPLANATIONS (Aspen, 2d ed. 2007)

Course Requirements:

Attendance: You are required by Law Center policies to attend at least 80% of our regularly scheduled classes. I will pass an attendance sheet around at the beginning of every class. It is your responsibility to make sure you sign it. As a courtesy to me and

your fellow students, **please arrive at class on time.** I reserve the right to adjust final grades downward for excessive absence and habitual tardiness.

Class preparation and participation: Class preparation and participation are expected. In this class, everyone is on call every day as I believe a panel system may lead you to procrastinate, which, according to the Model Rules, is the worst vice of lawyers. At my discretion, your final grade may be adjusted upward in recognition of exceptional contributions in the classroom or downward for failure to participate.

Use of computers: You are permitted to use a computer to take notes in this class. However, during class your computer is to be used only for note-taking purposes. **Use of e-mail and internet access is not permitted during class sessions unless it is used at my direction as part of a class assignment.** I reserve the right to adjust final grades downward for unauthorized electronic access during class. Please remember that internet use is also a distraction to your fellow students who are trying to focus and learn.

Cell phones/pagers/tape recorders: While it may be necessary to carry these devices, all pagers and cell phones (and any other devices that make noise) **should be set to vibrate/silent mode during class.** Sanctions for violation of this rule may be imposed at my discretion. **You are not allowed to record class in any way without my written permission.**

Visitors: We will occasionally have visiting speakers to describe their experience in the legal profession. They are taking time out of their busy schedules to meet with us. Please treat them with respect and courtesy and prepare any materials they may ask you to read with extra care.

Examination and grading: The course grade will be based on a **closed-book** final examination, on **July 1, 6-9 P.M.** The examination will include two or three essays and some multiple choice questions.

MPRE: The Multistate Professional Responsibility Examination is a multiple-choice test based on the Model Rules of Professional Conduct only. The best way to prepare for the MPRE is to practice as many sample questions as you can until you learn the system. Understanding the Model Rules is part of our course, so taking this course should help you with the MPRE. The Model Rules, however, are not the law in any jurisdiction, so to pass my exam you need to learn case and statutory law, and other materials covered in class, and not just the Rules. As noted above, there will be some multiple choice questions on the exam so that you can have the experience of MPRE-type questions.

Class Purpose: The ethics decision that you make without reflection is the one that will ruin your career. Learning these materials should help you have a successful career as an attorney.

SYLLABUS

The page assignments listed below refer to your casebook. You should always read the rules cited in the casebook in preparation for class, even if pages from the RB or rule numbers are not listed on the syllabus. **I will not announce the assignments in class each day; please read according to the following schedule unless I tell you otherwise.** On occasion I may add additional reading that will be distributed in class and/or posted on TWEN.

Class Date	Topic	Reading Assignment	
M, 6/01	Judge Keller Proceedings	Posted	
T, 06/02	Law, Lawyers and Ethics	1-46, 58-59	
W, 06/03	Criminal Law & Torts	60-85 90-115	
M, 6/08	Corporate Fraud and Lawyer Action: Enron	143-49; 205-54	
T, 6/09	Attorney-Client Privilege	255-64; 284-342	
W, 6/10	Confidentiality	342-88	
M, 6/15	Concurrent Conflicts	388-432	
T, 6/16	-Joint Representation -Successive Conflicts	433-72	
W, 6/17	-Who Is the Client? -Almost Clients	516-32; 543-48; 551-58	
M, 6/22	-Perjury -Remedies for Abusive Litigation Conduct: Rule 11 and Tort Remedies	632-70; 686-94	
T, 6/23	-How Far For a Client? -Prosecutorial Ethics	696-733	
W, 6/24	-Fees; Handling Client Property -Forming and Ending the Relationship; Scope of a Lawyer's Authority	760-85; 790-795; 798-847	
M, 6/29	-Malpractice -Unauthorized Practice of Law	848-72; 909-28	
T, 6/30	-Effective Assistance of Counsel -Advertising, Solicitation	872-98; 928-46	

July 1: 6-9:00 p.m. – Closed Book Final Exam