



Professional Responsibility

Professor Ellen Murphy

University of Houston School of Law, Fall 2023

Our Class

The course is designed to acquaint you with the lawyer's obligations—both individual and as a member of the legal profession—to the world in which the lawyer (you, very soon) lives and works. In addition to a discussion of ethical concerns inherent in the practice of law, we will cover lawyer regulation, primarily under the Model Rules of Professional Conduct. We also will consider what it means for you to become a member of the legal profession at a time of economic pressure, technological advancement, and increased competition (and opportunity) presented by nonlawyers (human and non-human).

A lawyer's work largely turns upon relationships, namely between the lawyer and client, but also in the connections made with fellow lawyers, other professionals, and society in general. This course is your opportunity to reflect upon the lawyer you will become as you build these relationships (which you started building the day you started law school).

I consider it my professional responsibility to do all that I can in this course to ensure that you will be well-equipped for a rewarding and meaningful career in the law. I will demand excellence from you in every class and in every assignment; you should expect the same from me.

This is a synchronous online course, and you should plan to meet online during our scheduled class time. However, for some topics, you will watch original instructional videos, prepared by me, in lieu of some of our in-class time together. I will share these videos via Canvas (more info *supra*). As a three-credit course, ours must include 2100 minutes of live class or pre-recorded instructional videos from me; when the videos risk putting us over this number, I'll give you "video credits" back by dismissing class early or cancelling a class.

During our time together (Tuesday & Thursday, 6:00 – 7:30 pm CT), we frequently will work together on problems/hypos/simulations. We also will have guest speakers during the latter part of the semester. Be prepared to engage; ours is not a passive class.

Learning Outcomes

During your time in this course, you will develop competence in the following:

- Knowledge and understanding of substantive and procedural law regulating lawyers' conduct;
- Legal analysis and reasoning, legal research, problem-solving, and written and oral communication related to legal ethics and professional responsibility;
- Exercise of proper professional and ethical responsibilities to clients and the legal system;

- Reflection upon how to integrate conceptions of professionalism and the lawyer's role into your career;
- Recognition of the trends that will influence the future of lawyers' work; and
- Other professional skills needed for competent and ethical participation as a member of the legal profession.

Contact Information

Email is the best way to reach me: mmurphy6@central.uh.edu

Required Text & Tools

You will need only one textbook for this class, and there should be used copies available. **Be sure, however, you get the 4th edition**, as substantial updates have occurred between the 3rd and 4th editions. **Be sure not to purchase the 5th edition** – it will be much too expensive; the 4th will serve you well. **If purchasing the text is a financial hardship, please let me know.**

Jefferson, Pearce, Green, Joy, Kim, Murphy. Terry, & Brown *Professional Responsibility: A Contemporary Approach*, (4th West 2020).
ISBN: 978-1642422856

You may purchase [a hard copy](#) or [an electronic-only version](#). If you purchase the hard copy edition, you will receive an e-version of your text as well (see the inside front cover). The ebook includes mini-audio lectures, as well as live hyperlinks to definitions, Rules, and additional source materials. If you choose to purchase a new book, you may save 15% at the WestAcademic site using this code: **WAHOUSTON**

Both versions include access to the textbook publisher's PR Learning Library, which includes 12-month online access to 100 additional MPRE-style multiple-choice self-assessment quizzes, three leading study aids, Gilbert® Law Dictionary and an outline starter. The included study aids include Acing Professional Responsibility, Exam Pro on Professional Responsibility, Objective and Legal Ethics in a Nutshell. If you are sharing a copy of the textbook or you purchase a used book (which I encourage!) and the front-cover code is not available, you can purchase access to this Learning Library for \$35 [here](#). **This is optional.**

You also need the ABA Model Rules of Professional Conduct, but there is no need to purchase a rules supplement, as you may access the Model Rules of Professional Conduct free at this [ABA website](#). (Although you may purchase a hardcopy [here](#).)

Canvas

We will use the Canvas LMS extensively. I have used Canvas for over eight years; it is very stable, user-friendly, and the tech support is outstanding. I personally can recommend the mobile application. Please ensure that you have Notifications set up in Canvas so that you are alerted to postings, feedback, etc.

We will have a few assignments throughout the semester; all assessments count towards your participation grade (unless otherwise instructed). All assessments must be completed in Canvas to receive credit. You should anticipate that there will be one (1) participation grade assessment in Canvas, each week or two.

I've structured our Canvas course by topic, per the reading assignment grid below. From time to time, there may be an additional Rule (ie not covered by the text) or short article to read; these will be located in the relevant Canvas topic module.

Final Note

This syllabus contains important information about the organization of the course, the requirements, and your grade. This is a syllabus, not a contract, and it is subject to change, especially considering COVID-19. Please check your email daily for the most up-to-date course information.

The MPRE

Professional Responsibility at is not an MPRE test-prep course. You should plan to use a commercial prep course. I do not have opinions on which courses are best – my only advice is to do as many practice questions as you can before the test. However, we will cover *most* of the material on the test, and you will complete 100+ practice questions throughout our course. In addition, if you utilize the Learning Library discussed above, you will have access to an additional 100 practice questions. You may find information from the MPRE on [registering](#) and [preparing for the test](#).

Zoom Rules and Attendance

I will email the Zoom link to our class.

Your camera must be turned ON throughout the entire class session, as this is an active classroom, as explained. In my 15 years of teaching online, my experience is that cameras on promotes this type of engagement. It may be turned off in exigent circumstances (for example, wi-fi issues). If you believe you have a compelling reason

why your camera cannot regularly be turned on, please e-mail me to discuss. Please have your microphone muted unless you are speaking.

Class will begin at precisely 6:00pm CT; login early and check your audio and video settings. I find it helpful to restart my computer before starting a new class.

I recognize that some of you may be logging in to class from locations that are not always quiet, private, or distraction-free. Pets and roommates might wander across the screen, and small children might require your attention during class. I will treat these occurrences with good humor and flexibility, and I expect you to show the same to your classmates. However, I expect you to maintain professionalism throughout the course – you should present on camera as you would to your senior partner, your client, or the judge hearing your case. No eating, cooking, making French press coffee, grooming (your person or your pet), etc. If you would not do it in a virtual court, don't do it in our class. I expect regular, on-time attendance. I will be recording attendance throughout our live classes.

Recording and Use of Recordings

Recording our Synchronous Class Sessions. I will record our synchronous Zoom classes. All recordings will be available for viewing in Zoom. They may be viewed only by students enrolled in our class. The recordings are not available for download. You may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without my advanced written consent.

You may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform.

Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Recording Tails in our Synchronous Classes. Synchronous class recordings may include events that happen before class officially begins or after it officially ends. Please do not discuss any confidential matters during these periods of time. You are welcome to set up a time or meet with me outside of class time.

Grading Policy

Assessment in this class is based upon participation quizzes and other weekly exercises (10%) and a final exam (90%). These weekly exercises may include: MPRE practice quizzes; reading quizzes; case studies; and other assignments. Thoughtful, well-reasoned and well-edited, professional school level work is required and is a component of your grade. This includes proper citation to rules, cases, laws, ethics opinions, etc. You should anticipate that there will be at least one participation grade assessment every one-two weeks.

Participation. The points for participation will be based upon:

1. Timely completion of all assignments and quizzes
2. Thoroughness of responses to the assignments and case studies
3. Participation in role plays/small group activities/other weekly activities

Please note that participation points are not based upon a curve, and it is my hope every class participant will receive all allotted points. I reserve the right to raise a grade by one grade increment (ex: B to B+) for significant and consistent work that exceeds the normal expectation of the class, as determined in my sole discretion. I also reserve the right to lower a grade by one grade increment (ex: B to B-) for significant and consistent work that does not meet the normal expectation of the class. This reduction may be in addition to loss of participation and effort points, discussed above.

Final Exam. The final exam will be a take-home exam that I will make available for you to take during the exam period. The final exam will include multiple-choice MPRE-style questions, as well as short answer, and/or essays; it is open-book, rules, and notes. Use of AI

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. It is an Honor Code violation to review the graded assignments distributed to, or written by, any of my students from prior years.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

AI Generated Work

The software technology known as artificial intelligence has recently expanded its capability to generate text and more. Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Work in relation to any activity or assessment in this course **unless I direct you to do so. There will be times during our class in which we, together, will use ChatGPT or a similar tool as part of our work together.**

This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/other in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams.

The use of ChatGPT on our final exam will be addressed in the final exam instructions.

Mental Health and Wellness Resources

The Texas Lawyers’ Assistance Program (“TLAP”) supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP’s website includes a page with links to sources about mental health that are of interest to law students:
<https://www.tlaphelps.org/law-students>.

The University of Houston has a number of resources to support students’ mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let’s Talk location in-person or virtually. Let’s Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Names/Preferred Pronouns

I want to address each of you in a manner that corresponds to your identity. Although mistakes happen, proper pronunciation, chosen names and preferred pronouns—including non-binary ones such as they|them|their|Mx.—are respected in my classroom. Please feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun or proper pronunciation or if you have other concerns.

ADA Accommodations

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let me know as soon as possible so that we may make arrangements.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault,

sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.