

Professional Responsibility for FLLMs

Fall 2025

Course 6321-13900

Professor Megan Davis

mlwilso3@central.uh.edu

713-743-3226

Office 341H

Course Objective:

Welcome to the study of Professional Responsibility. This course strives to provide perspective and understanding of the basic legal, moral, and ethical concepts that govern lawyers and the practice of law. This class will cover topics including, but not limited to, confidentiality, conflict of interests, licensing, the business of the practice of law, attorney-client privilege, duty to the court and non-lawyers, special rules for prosecutors and judges, and the role of lawyers.

Learning Outcomes:

- Students will:
 - Recognize the ethical issues and identify whether the law governing lawyers or the ABA Model Rules of Professional Conduct or both apply;
 - Have knowledge and understanding of substantive and procedural law regulating lawyers' conduct;
 - Apply the elements of the law governing lawyers and the Model Rules of Professional Conduct to fact patterns;
 - Understand and articulate policy arguments commonly used in the field of legal ethics;
 - Locate resources to address professional responsibility concerns;
 - Anticipate legal ethics issues they may face and contemplate what they should, would, and can do in the circumstances;
 - Develop skills in legal analysis and reasoning, legal research, problem-solving, and written and oral communication related to legal ethics and professional responsibility;
 - Identify proper professional and ethical responsibilities lawyers owe to clients and the legal system;
 - Recognize the trends that will influence the future of lawyers' work; and
 - Employ professional skills needed to participate in the legal profession as a healthy, competent, and ethical attorney.

Class Sessions:

This class will meet face-to-face: Tuesdays and Thursdays from 10:40-11:55am.

Reading Material:

Required:

1. Jefferson Et Al., Professional Responsibility: A Contemporary Approach (5th Ed. 2023) (the casebook or "CB"); and

2. Michael L. Seigel & James L. Kelley, *Lawyers Crossing Lines: Ten Stories* (Carolina Academic Press 2010).
3. A current copy of the ABA Model Rules of Professional Conduct (the “Model Rules” or “MRs”); and a current copy of the ABA Model Code of Judicial Conduct, both of which are included in the recommended Dzienkowski supplement.

Recommended:

1. John S. Dzienkowski, *Professional Responsibility Standards, Rules, and Statutes* (2024-2015 abridged edition)

Office Hours:

If you have any questions about the course, please ask me. Questions are welcome and encouraged. I am available after class (12-1) and by appointment.

Attendance Requirement:

This course is in person. It is expected you will be on-time, and prepared to begin when class starts. 80 percent attendance in class is required. I will take roll at the beginning of class. To be counted present, you must be in attendance *for the entire, and not part*, of the class session. If, on a rare occasion, class is occurring on Zoom, that means that you will need to be logged in throughout the class session **with the camera on**. Those individuals not satisfying the attendance requirement will be reported to UH Law Center administrative officials and may be dropped from, or fail, the course.

I am only able to assist you when I know your needs. Please do not hesitate to reach out if you have any difficulties this semester.

Excused Absence Policy:

Regular class attendance, participation, and engagement in coursework are important contributors to student success. Absences may be excused as provided in the University of Houston [Undergraduate Excused Absence Policy](#) and [Graduate Excused Absence Policy](#) for reasons including: medical illness of student or close relative, death of a close family member, legal or government proceeding that a student is obligated to attend, recognized professional and educational activities where the student is presenting, and University-sponsored activity or athletic competition. Under these policies, students with excused absences will be provided with an opportunity to make up any quiz, exam or other work that contributes to the course grade or a satisfactory alternative. Please read the full policy for details regarding reasons for excused absences, the approval process, and extended absences. Additional policies address absences related to [military service](#), [religious holy days](#), [pregnancy and related conditions](#), and [disability](#).

Grading:

Your grade will be based on a chapter presentation, wellness assignment, and final examination.

Presentation 10%

Final Exam 90%
Wellness Assignment (extra credit) 5%

Please note the presentation and wellness assignment will not be blind graded.

You must complete the presentation. This is a group assignment that will be discussed in class. It is a presentation based on a book that discusses real-life scenarios that attorneys face in practice. Instructions and groups will be posted to the course website after the beginning of the semester. This assignment constitutes 10% of your grade.

You may complete the wellness assignment. You will maintain a Three Good Things Journal. More details about the Good Things Journal/wellness assignment will be posted to the course website after the beginning of the semester. This assignment will be graded on a pass/fail basis. If you pass, you earn full credit. If you fail, you receive a zero. The wellness assignment will constitute 5% extra credit.

Your final exam will be an in-person, closed book final exam. The date and time will be posted to the course description page. The exam will likely be comprised of multiple-choice and short-answer questions. Further details about the final exam will be provided to the class after the beginning of the semester. The final exam will account for 90% of your grade in this course.

Multi-State Professional Responsibility Exam (“MPRE”):

Studying for or taking the MPRE is not related in any manner whatsoever to the requirements for successful completion of this course. The MPRE is required for admission to the bar in most states, including Texas.

Although this course will undoubtedly provide useful background for the MPRE, this course is not an MPRE preparatory course. I provide the following MPRE information to you merely as a courtesy. I strongly encourage you to take an MPRE review course prior to taking the MPRE. For more information regarding the MPRE, you should visit: ncbex.org/exams/mpre/.

Student Participation:

You are expected to discuss the assigned material in depth, so please make a commitment to be prepared. Your advanced preparation gives you the best opportunity to correctly synthesize and participate in our class discussion. Be prepared to actively engage – including reading all assigned passages and completing any and all out of class assignments.

Students with poor class participation may have their final grade dropped by up to 1/3 of a grade. (For example, from a B+ to a B.) The decision to drop a grade for participation is at my discretion and is non-negotiable. A drop in grade due to failure to participate in class can result from a combination of unpreparedness, not

paying attention in class, and absences (even if you are within the five-absence limit). Note that volunteering every class does not constitute a substantial contribution—quality, not quantity matters.

If class occurs online for any reason, your camera should be on during the entire session. You are welcome to use a virtual background, provided it is school appropriate. If this is a problem, please reach out to me individually.

Honor Code:

The UHLC Honor Code applies to all aspects of this class. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please ask me if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations related to my course.

Failure to comply – in any respect – with the UHLC Honor Code will result in referral to the UHLC Honor Court, and may result in you failing this class and, potentially, other sanctions as determined by the UHLC Honor Court.

Of note, unless otherwise specifically instructed, all assignments are to be completed individually and you may not consult the internet, peers, or other resources not specifically included in the assignment instructions. Your work product must be exclusively your own, with help from no other person or technological system; not artificial intelligence systems may be a part of your process to generate assessment work product. It is an honor Code violation to review the graded assignments distributed to, or written by, any of my students from prior years.

Students may be asked to sign an honor code statement as part of their submission of any graded work including but not limited to projects, quizzes, and exams: “*I understand and agree to abide by the provisions in the (select: [University of Houston Undergraduate Academic Honesty Policy](#), [University of Houston Graduate Academic Honesty Policy](#)). I understand that academic honesty is taken very seriously and, in the cases of violations, penalties may include suspension or expulsion from the University of Houston.*”

Computer and Phone Use:

The use of personal computers in the classroom is permitted solely for the purpose of completing class assignments (i.e. letter, notes). Specifically excluded from in-class computer usage is anything beyond these activities, e.g., “surfing the web” and messaging. Nonparticipation and non-responsiveness in the classroom discussion attributable to diversionary uses of your personal computer or phone constitutes an absence from the class. The use of other electronics, including recording devices, is prohibited during class time. Please be sure that all noise-making devices, including cell phones, are in silent mode or powered off. Phones should be put away during class.

Your camera should be on during all class sessions that (may) occur virtually. You are welcome to use a virtual background, provided it is school appropriate. If this is a problem, please reach out to me individually.

Students 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 an 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. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. 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.

Prohibited Use of Artificial Intelligence:

The software technology known as artificial intelligence has recently expanded its capability to generate text and other work product (AI Generated Work Product). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation that is well known to the general public is ChatGPT. These systems can generate text and other work product in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Work Product, appears to have human-mimicking “intelligence” and is thus potentially useable as a substitute for material one might generate themselves. AI Generated Work Product can include computer code or programs as well as human language content and materials.

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Work Product in relation to any activity or assessment in this course. This applies to AI Generated Work Product from yourself or others. This obligation includes that your assessment materials in the course be without any contribution from AI Generated Work Product. This obligation specifically extends to not plagiarize any writing required of you for assessment in this course. AI Generated Work Product will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any material 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 midterms, interim assignments, and final exams. AI Generated Work Product may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination.

Instructor Evaluations:

I welcome any comments or suggestions that you may have regarding my teaching style, class presentation, or any other related subject. Please feel free to provide me

with such comments during the course of the class as they will help me to improve our teaching. I will carefully consider all of the comments and suggestions that I receive.

Inclusion and Wellness:

This is an inclusive learning space.

At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed.

In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status, and other diverse identities that we each bring to class. Our class is richer for this diversity.

Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understand of you and your colleagues. I encourage you to speak up and share your views, but also understand that you are doing so in a learning environment in which we're all expected to engage respectfully and with regard to the dignity of all others.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. I want to be a resource for you. If you feel more comfortable speaking with someone besides me, Student Services is an excellent resource: 713.743.2182. Finally, I encourage you to bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity and Inclusion Committee. The D&I Committee's charge includes "[b]uilding on the Law Center's strengths as a diverse and inclusive environment." You can contact the committee directly at UHLCD&I@uh.edu .

Your suggestions are encouraged and appreciated. Please let me know ways to improve the effectiveness of this course for you personally, or for other students or student groups.

Accessibility and Accommodations:

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact [the Justin Dart Jr. Student Accessibility Center](#) (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

UHLC is committed to ensuring that all students enjoy equal access and full participation. If you anticipate or experience barriers based on disability (including any chronic or temporary medical or mental health condition), please feel free to reach out to me so that we may discuss options. If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary can be reached at sary@central.uh.edu or 713-743-7466. Requests for accommodation that involve graded assignments must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to document and process the request.

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

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.

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.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: [@uh_CSAC](#) and [@uhcupbrd](#). YOU belong here.

Women and Gender Resource Center:

The mission of the WGRC is to advance the University of Houston and promote

the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

Mental Health and Wellness Resources:

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.

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.

The Texas Lawyers' Assistance Program ("TLAP") also 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>.

Anti-Discrimination and Sexual Misconduct Policies:

UHLC and the University are committed to maintaining and strengthening an educational, working, and living environment in which students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University System's Anti-Discrimination Policy SAM 01.D.07 Sexual Misconduct Policy SAM 01.D.08.

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/>.

Security Escorts and Cougar Ride:

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our Security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety please call [713-743-3333](tel:713-743-3333). Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Resources for Online Learning:

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our **Power-On** website. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

UH Email:

Please check and use your CougarNet email for communications related to this course. To access this email, **login** to your Microsoft 365 account with your CougarNet credentials.

Reading Assignments:

See the accompanying document for Reading Assignments and Class Objectives.