

EMPIRE COLLEGE SCHOOL OF LAW
SYLLABUS

COURSE NAME: Professional Responsibility
COURSE NUMBER: F320
UNITS: 2

SEMESTER & TIME: Fall 2009 Tuesday 4:00 p.m. – 6:00 p.m.

TOTAL HOURS/UNITS: 30 hours/2 units

PROFESSORS: Rob Jackson, Esq.

REQUIRED TEXTS: *California Legal Ethics*, 6th Edition, by Wydick, Perschbacher, and Basett. published by West Group. ISBN # 0-314-18394-9.

Dzienkowski's Professional Responsibility: Standards, Rules, and Statutes, 2009-2010 Unabridged ed. published by ISBN # 9780314205896

COURSE DESCRIPTION: Application of the California Ruled of Profession Conduct, the ABA Model Rules of Professional Conduct and relevant case materials; examination of disciplinary system; relationship between disciplinary and legal malpractice liability; duties of attorneys with respect to clients, the courts, opposing parties and the public; problems arising from conflicts of interest.

CLASS ATTENDANCE: Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% (30 hours — 12 of 15 classes) of the class sessions during each semester. Roll will be taken at each class.

GRADING:	90-100	A	Outstanding
	80-89	B	Superior
	70-79	C	Satisfactory
	65-69	D	Unsatisfactory
	below 65	Failing/No Credit	

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Class Schedule and Reading Assignments

1 Tuesday, September 1, 2009

Introduction to Legal Ethics (Optional)

Wydick, Perschbacher & Bassett, Chapter 1, pp. 1-27

Sources and Applications of Legal Ethic Rules

Wydick, Perschbacher & Bassett, Chapter 2, pp.28-55

ABA Model Rules

Preamble, Scope and Terminology

Rules 5.5, 8.1 through 8.5

CRPC 1-100 through 1-300

Calif. B&P Code §§6067-6068, 6076-6077, 6100-6117, 6125-6126

Calif. CCP §1282.4

2 Tuesday, September 8, 2009

Beginning and Ending the Lawyer Client Relationship

Wydick, Perschbacher & Bassett, Chapter 3, pp.56-86

ABA Model Rules

Rules 1.16, 1.18, 3.1, 6.1 through 6.2

CRPC 3-200, 3-700, 4-199(A)(2)

Calif B&P §6068(c)(d)(g) and (h)

Calif CCP §128.5 and 128.7

3 Tuesday, September 15, 2009

Advertising and Solicitation

Wydick, Perschbacher & Bassett, Chapter 4, pp.87-114

ABA Model Rules 7.1 through 7.6

CRPC 1-320(B)-(C); 1-400; California Standards for Attorney Communications
(printed after CRPC 1-400)

Skim Calif B&P §§6150-54;p 6157-6159.2

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4 Tuesday, September 22, 2009

Attorneys Fees and Fiduciary Duties

Wydick, Perschbacher & Bassett, Chapter 5, pp.115-147

ABA Model Rules 1.5, 1.8(e) and 1.15

CRPC 2-200, 4-100, 4-200, and 4-210

Calif B&P Code §6146-6149.5, 6210-6212

5 Tuesday, September 29, 2009

Competence, Diligence and Unauthorized Practice

Wydick, Perschbacher & Bassett, Chapter 6, pp.148-170

ABA Model Rules

Preamble, A Lawyers Responsibilities, note 7

Rules 1.1 through 1.4, 1.8(h), 1.18, and 5.3 through 5.5

CRPC 1-200, 1-300 through 1-320, 3-110, 3-400, 3-500 and 3-510

Calif B&P Code §§6105, 6125–6126

Tuesday, September 29, 2009

Deadline for receipt of MPRE exam application

6 Tuesday, October 6, 2009

Confidential Information

Wydick, Perschbacher & Bassett, Chapter 7, pp.171-194

ABA Model Rules 1.2(d), 1.6, 1.8(b), 1.9(b), 3.3, 3.4(a) and 4.1

Calif B&P Code §6068(e)

Calif Evid.. Code §§950–962

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7 Tuesday, October 13, 2009

Candor in Litigation

Wydick, Perschbacher & Bassett, Chapter 8, pp.195-220

ABA Model Rules 1.6, 3.3 and 4.1

Thursday, October 15, 2009: Deadline for receipt of late MPRE application

8 Tuesday, October 20, 2009

Fairness in Litigation

Wydick, Perschbacher & Bassett, Chapter 9, pp.221-244

ABA Model Rules

Rules 3.1 through 3.9 and 4.4

CJC 3(B)(7) and (9) and 4(D)(5)

CRPC 2-100, 3-210, 5-100, 5-200, 5-220, 5-300, 5-310 and 5-320

Calif B&P Code §§ 6068(b),(c), (d), (f) and (g); 6103 and 6128(a)

9 Tuesday, October 27, 2009

Bias in (and Out of) The Courtroom

Wydick, Perschbacher & Bassett, Chapter 10, pp.245-258

Review ABA Model Rules 3.4, 3.5, 4.4 and 8.4

CRPC 2-400 and 3-120

ABA Model Code of Judicial Conduct Canon 3B(5) and 3B(6)

10 Tuesday, November 3, 2009

Conflicts of Interest—Lawyers, Clients and Third Parties

Wydick, Perschbacher & Bassett, Chapter 11, pp.259-289

ABA Model Rules

Rules 1.2, 1.7, 1.8, 1.10, 1.13, 1.14, 1.18, 2.1, 3.7 and 5.4(c)

CRPC 1-600, 3-120, 3-300, 3-310, 3-320,, 3-600, 4-210, 4-300, 4-400, and 5-210

Calif B&P Code §6106.8

Saturday, November 7, 2009 - MPRE

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11 Tuesday, November 10, 2009

Conflicts of Interest–Conflicts Between Two Clients

Wydick, Perschbacher & Bassett, Chapter 12, pp.290-316
ABA Model Rules , Rules 1.7, 1.8(b),(g) and (i), 1.9 through 1.12, 1.18 and 6.3
CRPC 1-120 and 3-310
Calif B&P Code §6068(e)

12 Tuesday, November 17, 2009

Lawyers in Law Firms and Specialized Practice Areas

Wydick, Perschbacher & Bassett, Chapter 13, pp.317-343
ABA Model Rules rules 1.0(c) (definition of “firm”), 1.10, 1.17, 2.3, 2.4, 5.1 through 5.7
CRPC 1-100(B), 1-300, 1-310, 1-320, 1-500 and 2-400
Calif B&P Code §6125-6127

13 Tuesday, November 24, 2009

Judicial Conduct

Wydick, Perschbacher & Bassett, Chapter 14, pp.344-367
ABA Model Code of Judicial Conduct (1990)
ABA Model Rules, Rules 1.12, 3.5, 8.3(b) and 8.4(f)
CRPC 1-710 and 5-300

14 Tuesday, December 1, 2009

Final Review

TBA

Final Exam

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