

**EMPIRE COLLEGE SCHOOL OF LAW**  
**SYLLABUS**

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

**SEMESTER & TIME:** Summer 2011 Tuesday 4:00 p.m. – 6:00 p.m.

**TOTAL HOURS/UNITS:** 30 hours/2 units

**PROFESSOR:** Rob Jackson, Esq.  
Kelly Jackson & Christianson  
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**REQUIRED TEXTS:** *California Legal Ethics*, 7<sup>th</sup> Edition, by Wydick, Perschbacher, and Basett. published by West Group. ISBN # 9780314927088.

*Dzienkowski's Professional Responsibility: Standards, Rules, and Statutes*, 2011-2011 Unabridged ed. published by West ISBN # 9780314262721

**COURSE DESCRIPTION:** Application of the California Rules of Professional 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.

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

Revision Dated: 4/6/2011

# EMPIRE COLLEGE SCHOOL OF LAW

## CLASS READING ASSIGNMENTS AND SCHEDULE

### **1 Tuesday, May 3, 2011**

#### **Introduction to Legal Ethics (Optional)**

Wydick, Perschbacher & Bassett, Chapter 1, pp. 1-26

#### **Sources and Applications of Legal Ethic Rules**

Wydick, Perschbacher & Bassett, Chapter 2, pp.27-66

#### 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

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### **2 Tuesday, May 10, 2011**

#### **Beginning and Ending the Lawyer Client Relationship**

Wydick, Perschbacher & Bassett, Chapter 3, pp.67-97

#### 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

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### **3 Tuesday, May 17, 2011**

#### **Advertising and Solicitation**

Wydick, Perschbacher & Bassett, Chapter 4, pp.98-126

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, May 24, 2011

#### **Attorneys Fees and Fiduciary Duties**

Wydick, Perschbacher & Bassett, Chapter 5, pp.127-159

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

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### 5 Tuesday, May 31, 2011

#### **Competence, Diligence and Unauthorized Practice**

Wydick, Perschbacher & Bassett, Chapter 6, pp.160-182

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

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### 6 Tuesday, June 7, 2011

#### **Confidential Information**

Wydick, Perschbacher & Bassett, Chapter 7, pp.183-203

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, June 14, 2011

#### **Candor in Litigation**

Wydick, Perschbacher & Bassett, Chapter 8, pp.204-225

ABA Model Rules 1.6, 3.3 and 4.1

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**8 Tuesday, June 21, 2011**

**Fairness in Litigation**

Wydick, Perschbacher & Bassett, Chapter 9, pp.226-249

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)

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**Tuesday, June 21, 2011**

**Deadline for receipt of MPRE exam application**

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**9 Tuesday, June 28, 2011**

**Bias in (and Out of) The Courtroom**

Wydick, Perschbacher & Bassett, Chapter 10, pp.250-277

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)

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**10 Tuesday, July 5, 2011**

**Conflicts of Interest—Lawyers, Clients and Third Parties**

Wydick, Perschbacher & Bassett, Chapter 11, pp.278-304

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

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**THURSDAY, JULY 7, 2011: DEADLINE FOR RECEIPT OF LATE MPRE APPLICATIONS!!!**

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**11 Tuesday, July 12, 2011**

**Conflicts of Interest—Conflicts Between Two Clients**

Wydick, Perschbacher & Bassett, Chapter 12, pp.305--339  
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)

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**12 Tuesday, July 19, 2011**

**Lawyers in Law Firms and Specialized Practice Areas**

Wydick, Perschbacher & Bassett, Chapter 13, pp.340-368  
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

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**13 Tuesday, July 26, 2011**

**Judicial Conduct**

Wydick, Perschbacher & Bassett, Chapter 14, pp.369-396  
ABA Model Code of Judicial Conduct (2007)  
ABA Model Rules, Rules 1.12, 3.5, 8.3(b) and 8.4(f)  
CRPC 1-700, 1-710 and 5-300

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**14. Tuesday, August 2, 2011**

**Final Review**

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**FINAL EXAM – TBA**

**MPRE EXAM: Friday, August 5, 2011**