LAW B510—Problems in Professional Responsibility

Fall Quarter 2015 | Tuesday and Thursday 1:30 pm to 3:20 pm | Room 133

Professor Hugh Spitzer | Room 421 | spith@uw.edu | Office hours: Tues. and Thurs. 3:30 to 5 pm and by appointment most any time.

Course Assistant | Ruth Beardsley | Room 325 | giaconi@uw.edu | (Course assistant is Kaitlyn Bunker until October 1: kbunker@uw.edu)

Course Description and Objectives

This course explores the ethical problems lawyers face daily in our legal system. Through a detailed study of the ABA's Model Rules of Professional Conduct and their state counterparts (particularly Washington's RPCs), we will examine professionalism and ethics issues that lawyers deal with in any practice, and particular issues that arise within specific types of practice (e.g., civil litigation, transactions, criminal law, public interest law, government service, etc.). This course also addresses the larger philosophical and ethical dimensions of the lawyer's role in our society.

In this course, I hope you will:

1. enhance your sensitivity to ethical dilemmas regularly encountered by attorneys;
2. understand the many sources of law that set and influence the standards of professional legal practice;
3. learn to identify and evaluate the legal profession’s fundamental values and the resulting duties and challenges they raise;
4. consider some of the current debates in the field of legal ethics;
5. prepare to pass the professional responsibility portion of the bar exam (particularly the MPRE); and
6. critically evaluate the legal profession and your role in it.

This course is required for all J.D. candidates. The fact that it is the only required course beyond the first year underscores its importance. This course is also required for others (including LL.M. students) who desire to take the bar exam in certain states, such as New York.

Required Texts and Other Course Materials


This rules book is relatively thin, and includes the ABA Model Rules and Comments together with the Restatement Third – The Law Governing Lawyers, the Model Code of Judicial Conduct, and other useful items. (By the way, the table of contents to the Restatement (3d) is better organized than the RPCs and gives you a nice overview of the entire field.) You may use another rules book other than Martyn, but make sure it is up to date. There have been several changes to the rules by the ABA in recent years. If you choose not to purchase the rules book but instead to use free online resources, I strongly recommend you print out copies of the rules (and committee comments) and keep them in a
Notebook so you can easily refer to them in class. Links to various sources of the ABA model rules and the Washington Rules of Professional Conduct will be available on the UW Canvas site for this class, under “LINKS.”

- Additional reading materials listed on the course schedule below will be available on our course website on UW Canvas. You can find them linked in the course syllabus on the UW Canvas course website.

- If you want to read some amazing short stories about real-life lawyer ethics issues, two editions (with mostly different tales) are on course reserve in the Gallagher Law Library: James L. Kelley, *Lawyers Crossing Lines: Nine Stories* (2001); and Michael L. Siegel and James L. Kelley, *Lawyers Crossing Lines: Ten Stories* (2010). These make for quite enjoyable weekend reading, and you’ll actually learn a lot that’s useful in the MPRE.

Most class assignments contain readings in addition to your casebook. As noted above, a short version of The Restatement Third, The Law Governing Lawyers (2000), is found in the Martyn, Fox & Wendel; the complete version (including commentary) can be found on Lexis or Westlaw. All other materials referenced below are posted on the Canvas class website, which provides links to each of the readings for each class. For some class sessions, I have assigned reported cases, including cases upon which certain casebook problems are based. Please read the casebook first, think about the problems, and then look over any supplemental cases and materials. It will be more interesting for you to get your own reaction to a problem before you see how it played out in the real life case.

PowerPoint slide shows used occasionally during class sessions will be posted soon thereafter on the Canvas website in a folder marked “PowerPoint slides.” Class handouts will also appear on the website under “Handouts.”

Model Rules to Consider for Each Class: At the beginning of most class segments in this syllabus, I have indicated the Model Rules that you should review for that segment. It is very important that you take the time to read those specific rules and the associated comments. After you have read them, watch the Panopto rule summary that I have prepared (see immediately below).

Panopto Rule Summaries: For most class sessions I will record short (3-6 minute) introductions to the specific Model Rules or the Washington RPCs that we will discuss. It is very important that you log on to Panopto via the syllabus posted on the UW Canvas course website (or click on the “Panopto” file on the left hand side of the website). Watch each of the introductory summaries before the relevant class. I have indicated, at the beginning of the first segment for any relevant class, whether there is a Panopto rule summary available. That summary may include discussion of the rules pertaining to all of the segments for that particularly class day. Just click the “Panopto” tab on the UW Canvas page for this course, and it will take you straight to the Panopto page for this course. You’ll find the Panopto Rule Summaries organized by class numbers matching the class numbers in the syllabus (i.e., Class 1, Class 2, etc.)

“Focus” Problems, and Items to “Skim” in Lerman & Schrag: I have indicated by the word “Focus” that we will concentrate on certain case-study problems in Lerman & Schrag. Please read and think about these problems with extra care. Sometimes we will break up into small groups to discuss them. In other instances I indicate that you should read through certain additional problems and note that we will discuss them briefly. But there are far too many problems in the book for us to cover every one, so if I don’t mention a problem at all you do not have to read it—just skip it and move on to the rest of the day’s reading. In addition, it will save you a tremendous amount of time because I have indicated which reading items to focus on and which items to skim.

Computer Use Policy

You may use laptop computers in class solely for the purpose of taking notes and accessing materials directly related to the course. As a courtesy to your classmates, please refrain from checking, composing, or transmitting emails or other electronic communications (or playing Solitaire) during class time, whether on a laptop, smart phone, or tablet.
Also, please do not access the internet during class time unless I ask you to (accessing the course website and materials during class is of course permitted.

**Course Grading**

This class is graded based on quizzes, a final exam, and class participation. Your final grade will be based on the total number of points you accumulate in the following three categories:

- **CLASS PARTICIPATION (up to 20 points possible).** I will routinely assess your participation in the learning process through a short warm-up exercise at the start of many class sessions. Many of the questions will be similar to the types of multiple-choice questions found on the Multistate Professional Responsibility Exam (MPRE). You will earn one class participation point for each class session where you are present and complete the exercise. There will be about a dozen class sessions in which we will complete a warm-up exercise, which means you can earn 12 points just by attending class and participating. The other potential 7 points will be earned by active participation both in small group discussions and in class sessions generally. I will also exercise my discretion to award additional points when particular students participate in an especially engaged manner during class.

- **CLOSED BOOK EXAM (up to 75 points possible).** The date and time of the exam will be posted on the general exam schedule for the quarter. (Please check the official schedule.) If you need to reschedule, contact Academic Services. The exam will last 2 or 3 hours and will consist of some multiple-choice questions in the style of the Multistate Professional Responsibility Exam, along with other short-essay questions. There may be one traditional “hypothetical” exam question. We will practice in class to prepare you for the MPRE format. The questions are very straightforward and will test whether you know the black-letter content of the rules and are prepared to handle the type of questions you will face on the bar exam. This exam will be graded anonymously, and you will receive grading numbers from Academic Services.

- **QUIZZES and OTHER WRITTEN ASSIGNMENTS (up to 15 points).** These include MPRE-style quizzes, accurate answers in warm-up exercises, and possibly one or two short out-of-class writing assignments and/or group assignments. We will often have “warm-up” quizzes at the beginning of a class, possibly through a website quiz-site so that you can take the quizzes right on your computer or tablet.

**Attendance Policy**

The American Bar Association’s Accreditation Standard 304 requires “regular and punctual class attendance.” UW Law has adopted this policy. This is particularly important in a required course like this one. There will be a number of “warm-up” exercises. If you arrive too late to participate in a warm-up exercise but want some credit for attendance, come up after class with your completed warm-up exercise and I will award a one-half participation point.

**Disability Accommodations**

The UW is committed to ensuring that students with physical, mental, or sensory disabilities have equal access to its facilities and programs. To request academic accommodations due to a disability, please contact Disability Resources for Students (DRS), 448 Schmitz Hall, 206.543.8924 (V), 206.543.8925 (TTY). If you have a letter from DRS, please present the letter to me so we can discuss the accommodations you might need in or out of class. Work with Academic Services to obtain accommodations on the exam.
SCHEDULE OF TOPICS, READINGS, AND ASSIGNMENTS

1. Class 1:  Tuesday, September 29

The first class will focus on an overview of the rules. **Prior to the first class, please read through the ABA Model Rules of Professional Conduct and view my overview of the Rules on Panopto (“Class 1 Panopto Rule Summary”).** Become familiar with their structure and the various sections. You do not have to read all of the comments, but **do read the rules themselves.** Remember, in the MPRE you are tested on “national” rules of professional responsibility, *i.e.*, the ABA Model Rules.

Prior to the first class, take a look at Professor Tom Andrews’”’Blueline” (available on the UW Canvas course website). The Washington State Bar Association requires a short “state-specific” bar exam component that will likely test those areas where Washington’s Rules of Professional Conduct differ from the ABA’s Model Rules. We will cover some of those differences in class, and may test you on them in the final exam. If you plan to take the Bar Exam of another state, you may wish to compare that state’s provisions with the ABA Model Rules as we proceed through the course. For the first class, please read:

- Lerman & Schrag 1-51 (Chapter 1 Parts A and B)(this is not difficult reading)
- *Justinian on Lawyer Ethics* (Excerpts from the Sixth Century Emperor Justinian’s *Code*)(skim)
- Excerpts from James A. Brundage, *The Medieval Origins of the Legal Profession* (skim)
- Prof. Tom Andrews’ “Blueline” comparison of the ABA Rules and the Washington State RPCs

This is a fair amount of reading for the first class, but we have to cover a great deal of material we need to get off to a good start. After you have a grasp of the structure of the rules, we will spend the rest of the quarter getting into the details and discussing how these rules operate in practice. We will work through the various topics, using the *Lerman and Schrag* text, which summarizes the rules and then focuses on what happens when those rules are applied to real-life situations. What we learn in the bulk of the course deals with (1) questions and situations that are not expressly addressed or easily answered by the rules, and (2) how are practitioners forced to fill in the gaps.

2. Class 2:  Thursday, October 1

**Admission to Practice**

*Rule 8.1 (Bar admission and disciplinary matters)*

- See the Class 2 Panopto Rule Summary
- Lerman & Schrag 52-78 (Chapter 1 Part C)
- *Skim* Washington Admission to Practice Rules
- *Skim* Washington Application for Bar Examination
- Focus particularly on Problem 1-2, p. 64 (“Weed”)

**Professionalism and Self-Regulation**

- *Skim* materials for Professionalism Discussion (Washington State Bar Association)
  (We will have guests from the WSBA’s Professionalism Committee)
3. Class 3: Tuesday, October 6

**Admission to Practice (cont.)**
- Focus particularly on *In re Mustafa* pp.71-76; and Problem 1-3, p. 77 (“The Doctored Resume”)

**Professional Discipline**
Rules 8.3 and 8.4 (misconduct)
- See the Class 3 Panopto Rule Summary
- Lerman & Schrag 79-111 (Chapter 2 Part A)
- Restatement § 5 in Martyn or other source
- Skim Turn-of-the-Century Disciplinary Notices
- Skim Washington State Rules for Enforcement of Lawyer Conduct
- Skim 2013 WSBA Lawyer Discipline System Annual Report
- Focus on the description of Stanley Protokowicz on p. 90 and *In re Peters* on p. 99

4. Class 4: Thursday, October 8

**Professional Discipline (cont.) - Reporting Misconduct; Duties of Supervising and Junior Lawyers**
Rules 5.1-5.3 (supervisors)
- Lerman & Schrag 111-134 (Chapter 2 Part A, cont.)
- Focus on Problem 2-3 on p. 117 (“The Little Hearing”)
- *In Re Christopher*, 153 Wn.2d 669, 105 P.3d 976 (2005)

**Civil, Criminal, and Other Liability of Lawyers**
- Lerman & Schrag 135-148 (skim), 154-155 (Chapter 2 Parts B-E)

5. Class 5: Tuesday, October 13

**Basic Principle of Confidentiality**
Rule 1.6 (confidentiality)
- See the Class 5 Panopto Rule Summary
- Lerman & Schrag 159-170 (Chapter 3 Part A)
- Focus on Problems 3-1 and 3-2, pp. 163-165 (“Dinner with Anna”)
- Restatement §§ 59, 60, 66 in Martyn or other source
- Pillow Talk – The Obligation of PRC 1.6 Wash. State Bar News, November, 2012

**Confidentiality and its Exceptions**
Rules 1.0(f) (“knowingly”), 1.2(d) (counseling criminal conduct), 1.6(b) (confidentiality exceptions), 1.16(a) and (b) (withdrawal from representation), 3.3 (counsel to tribunal), 4.1 (truthfulness), 8.4(c) (dishonesty)
- Lerman & Schrag 170-198 (Chapter 3 Parts B1 and B2)
- Focus on Problems 3-3 through 3-5, pp. 174, 179, 184 (“The Missing Persons”)
6. Class 6: Thursday, October 15

Confidentiality and its Exceptions (Continued)

- Lerman & Schrag 198-228 (Chapter 3 Part B3 through Part D)
- Focus on Problem 3-7 on p. 199 (“Dinner with Anna” continued)
- In re Schafer, 149 Wn.2d 148, 66 P.3d 1036 (2003) (skim)
- In re Boelter, 139 Wn.2d 81, 985 P.2d 328 (1999) (skim)
- Focus on Problem 3-9, p. 218 (Reese’s Leases)

The Attorney-Client Privilege

- Lerman & Schrag 229-249, 265-277 (Chapter 4 Parts A-D, H)
- Focus on the Upjohn case pp. 265-271
- Restatement §§ 68–73
- Wright v. Group Health Hospital, 103 Wn.2d 192, 691 P.2d 564 (1984)

7. Class 7: Tuesday, October 20

Exceptions to the Attorney-Client Privilege: Crime-Fraud, and Death; Work Product Doctrine; Corporate Privilege

- Lerman & Schrag 249-264 (Chapter 4 Parts E-G)

Forming the Attorney-Client Relationship,

Rules 1.1 (competence), 1.2 (scope of representation), 1.3 (diligence), 1.4 (communication), 6.2 (accepting appointments)
- See the Class 7 Panopto Rule Summary
- Lerman & Schrag 279-296, 326-334 (Chapter 5 Parts A-B, and C(6)-(8))
- Susan Martyn, Accidental Clients, 33 Hofstra L. Rev. 913 (2005) (skim)
- Focus on the Togstad case (p.286)

Terminating the Attorney-Client Relationship

Rule 1.16 (declining or termination representation)
- Lerman & Schrag 370-377 (Chapter 5 Part E)

8. Class 8: Thursday, October 22

Competence, Candor and Diligence

Rules 1.1 (competence), 1.0(d) (“fraud”), 1.3 (diligence), 1.4 (communications) 2.1 (advisor), 8.4(c) (misconduct through fraud)
- See the Class 8 Panopto Rule Summary
- Lerman & Schrag 296-325, (Chapter 5 Parts C(1) through C(5))
- Focus on Strickland v. Washington (p. 303)
- Focus on Problem 5.3, p. 323 (“Torture”)

Control of Representation

Rules 1.2 (scope), 1.3 (diligence), 1.4 (communication), 2.1 (advisor), 8.4(c) (misconduct)
- Lerman & Schrag 334-346 (Chapter 5 Part D(1))
- Goldmark v. McKenna, 172 Wn.2d 568, 259 P.3d 1095 (2011) (skim)
- Kelley, A Liar for a Client (skim)
Clients with Diminished Capacity
Rules 1.2 (scope), 1.4 (communication), 1.14 (client with diminished capacity), 1.16 (terminating representation)
- Lerman & Schrag 346-370 (Chapter 5 Part D(2))
- Focus on Problem 5-4, p. 348 (“The Package Bomber”)

9. Class 9: Tuesday, October 27

Clients with Diminished Capacity (cont.)
- Focus on Problem 5-5, p. 357 (“Vinyl Windows”)

Concurrent Conflicts of Interest
Rules 1.7 (concurrent conflicts), 1.8 (specific conflict rules), 1.10 (imputation of conflicts to others in a firm), 1.18 (prospective clients)
- See the Class 9 Panopto Rule Summary
- Lerman & Schrag 379-404 (Chapter 6 Parts A-B)
- Restatement §§ 121–122
- We will briefly discuss Problem 6-1, p.403 (“The Injured Passengers, Scene 1”)

Concurrent Conflicts in Civil Litigation
- Lerman & Schrag 404-421 (Chapter 6 Parts C-D)
- Focus on Problem 6-2, p. 406 (“I Thought you were My Lawyer!”)
- We will briefly discuss Problem 6-3, p. 411 (“The Injured Passengers, Scene 2”)

10. Class 10: Monday, October 29

Concurrent Conflicts in Civil Litigation (cont.)
- Focus on Problem 6-4, p. 413 (“The Prisoners’ Dilemma”)
- We will briefly discuss Problem 6-6, p. 420 (“The Secret Affair”)

Concurrent Conflicts in Different Settings
Rules 1.7 (concurrent conflicts), 1.13 (organizational clients), 1.8(f)and(g)(multiple clients)
- See the Class 10 Panopto Rule Summary
- Lerman & Schrag 423-469 (Chapter 7)
- Focus on Problem 7-2, p. 438 (“My Client’s Subsidiary”)

11. Class 11: Tuesday, November 3

Concurrent Conflicts in Different Settings (cont.)
- Focus on Problem 7-3, Scenes 1, 2 and 3), pp. 447-450 (“Police Brutality”)
- Skim United States v. Schwarz, 283 F.3d 76 (2d Cir. 2002) (through p. 105)
- Wayne Witkowski, Who is the Client of an Elected Attorney General? Read only 1-14

Conflicts Involving Former Clients
Rules 1.7 (concurrent conflicts), 1.9 (former clients)
- See the Class 11 Panopto Rule Summary
- Lerman & Schrag 471-519 (Chapter 8)
- Focus on Problem 8-1, p. 494 (“Keeping in Touch”) and Problem 8-2, p. 496 (“The District Attorney”)
- Focus on “The Toy Chest” hypotheticals on pp. 499 and 510
12. Class 12: Thursday, November 5

**Taking the MPRE**
- Tips for taking the MPRE
- Zitrin’s Spiffy Exam Cram

**Conflicts Issues for Government Lawyers, Judges and Other Adjudicators**
Rules 1.9 (former clients), 1.10 (imputation), 1.11 (former government employees), 1.12 (former judges), 1.13 Comment [9](organizational clients), 2.4 (third-party neutrals)
- See the Class 12 Panopto Rule Summary
- Lerman & Schrag 607-642 (Chapter 10)
- Focus on Problem 10-1 (“A Lawyer for Libya”)
- Skim Washington State Code of Judicial Conduct
- Read Model Rule of Judicial Conduct, Canon 4 and its rules (in Martyn p. 313 or other source)
- We will briefly discuss Problem 10-3, p. 638 (“The Judge’s Former Professor”)
- New York Times Article: Judge’s Speech at Abortion Rally (3/22/97)
- In re Disciplinary Proceedings Against Richard Sanders, 135 Wn.2d 175, 955 P.2d 369 (1998)

13. Class 13: Tuesday, November 10

**Quiz!** MPRE in-class quiz. Be sure to come on time.

**Legal Fees; Trust Accounts**
Rules 1.4 (communication), 1.5 (fees), 1.8(a) (business with clients), 1.8(d) (media rights), 1.8(e) (advances), 1.8(f) (payments from others), 1.8(b) (limiting lawyer liability), 1.8(i) (investments in causes of action), 1.16(d)(financial details upon termination), 5.4 (professional independence)
- See the Class 13 Panopto Rule Summary
- Lerman & Schrag 521-593 (Just skim 545-566) (Chapter 9 Parts A-B)
- Focus on the Brobeck case on p. 530 and the Fordham matter starting on p. 531
- We will briefly discuss Problem 9-1 on p. 541 (“An Unreasonable Fee?”) and Problem 9-2 on p. 542 (“Rising Prices”)
- State ex rel. Stiner v. Yelle, 174 Wash. 402, 411, 25 P.2d 91 (1933) (p. 411 only)
- Skim Hugh Spitzer, *Why Lawyers Have Often Worn Strange Clothes, Claimed to Work for Free, and Been Hated*

14. Class 14: Thursday, November 12

**Transactions Between Lawyer and Client**
Rules 1.4, 1.5, 1.8(a),(d),(e),(f),(h)and(i), 1.16(d), 5.4 (professional independence), 7.1 (communications), 8.3 (reporting professional misconduct), 8.4 (misconduct)
- Lerman & Schrag 593-605 (Chapter 9 Part C)
- In re Halverson, 140 Wn.2d 475, 998 P.2d 833 (2000)
- Theresa Olson Jail-Sex News Stories
- In re Olson, Washington Supreme Court lawyer disciplinary order, WSBA No. 16402 (2005)
**Candor to the Tribunal**
Rules 1.2 (scope of representation), 1.16 (declining or terminating representation), 3.1 (meritorious claims), 3.3 (candor), 8.4(c) (misrepresentations)

- See the Class 14 Panopto Rule Summary
- Lerman & Schrag 643-679 (Chapter 11 Parts A-C(4))
- We will briefly discuss Problem 11-1, - p. 654 (“Your Visit from Paula Jones”)
- Focus on Problems 11-2 and 11-3, pp. 665, 671 (“Flight From Sudan – Scenes 1 and 2”)
- We will briefly discuss Problem 11-4, p. 677 (“The Drug Test”)
- Paul Ceglia Facebook Scam (skim two news articles)
- Paul Ceglia Arrested (skim news article)

15. Class 15: Tuesday, November 17

**False Impressions and Coaching Witnesses**
Rules 3.3 (candor), 3.4(b) (coaching), 4.1 (truthfulness), 7.1 (false communications), 8.4(c) (dishonesty and misrepresentations)

- Lerman & Schrag 679-683 (Chapter 11 Part C(5))
- We will briefly discuss Problem 11-6, p. 682 (“Refreshing Recollection”)

**Concealing Evidence and Documents**
Rules 3.3 (candor), 3.4 (fairness to opposing party/counsel, concealing or messing with evidence), 4.1 (truthfulness), 4.4(b) (returning misdirected documents), 8.4(c) (dishonesty and deceit)

- See the Class 15 Panopto Rule Summary
- Lerman & Schrag 684-703 (Chapter 11 Part D)
- Focus on Problem 11-8, p. 700 (“The Damaging Documents”)
- We will briefly discuss Problems 11-7 (“Child Pornography”) and 11-9 (“A Letter to the Editor”)
- City Reassigns Prosecutor-Wife of Serial-Rape Suspect, Seattle Times, November 7, 2012

16. Class 16: Thursday, November 19

**Other Duties to Court, and Duties in Nonadjudicative Proceedings**
Rules 3.3(a)(2) (disclosing adverse legal authority), 3.3(d) (disclosure of all material facts in ex parte proceedings), 3.5 (ex parte communications with judges and jurors), 3.6 (trial publicity), 3.7 (lawyer as witness) 3.4(e) (fairness to opposing party and counsel), 3.9 (advocate in nonadjudicative proceedings)

- Lerman & Schrag 703-727 (Chapter 11 Parts E-H)

**Candor (and Comments) About the Tribunal**
- Skim Correspondence between former Justice Richard Sanders and former PA Gerald Horne

**Communication with Other Parties**
Rules 4.1 (truthfulness), 4.2 (represented persons), 4.3 (unrepresented persons), 4.4 (rights of third persons), 8.4(c) (misconduct), 3.3 (candor to tribunal), 8.2 (comments about judicial and legal officials)

- See the Class 16 Panopto Rule Summary
- Lerman & Schrag 730-766 (Chapter 12 Part A)
• We will briefly discuss Problem 12-1, p. 729 (“Emergency Food Stamps”), Problem 12A (on Canvas website) (“A Written Estimate”), Problem 12B (on Canvas website) (“Age Discrimination”) and Problem 12-2, p. 762 (“The Complaining Witness”)
• What Should a Voter Believe? (Can Lawyer-Politician Statements Be Misconduct?)
• In re Haley, 156 Wn.2d 324, 126 P.3d 1262 (2006)

17. Class 17: Tuesday, November 24

Duties of Prosecutors; Zeal (“Diligence” in Washington State)
Rules 3.8 (special duties of prosecutors), 4.1-4.4, 8.4 (misconduct)
• Lerman & Schrag 766-787 (Chapter 12 Part B)
• Focus on Problem 12-4, p. 772 (“The Prosecutor’s Masquerade”)
• We will briefly discuss Problem 12-5, p. 783 (“The Suggested Boycott”)

(We will have a guest panel including a prosecuting attorney and a criminal defense lawyer)

Note: There will be no class on November 26 because of the Thanksgiving Holiday

18. Class 18: Tuesday, December 1

Advertising and Solicitation
Rules 7.1 (communications about lawyer services), 7.2 (advertising), 7.3 (direct contact with prospective clients), 7.4 (communicating specialties)
• See the Class 18 Panopto Rule Summary
• Lerman & Schrag 906-918 (Chapter 15, Part B)
• Focus on Problem 15-2, p. 917 (“Do You Need a Lawyer?”)

Law Practice in the United States
• Lerman & Schrag 851-887 (Chapter 14, Parts A-D) (Skim 851-866, 873-882)
• Dial, Supreme Court Adopts Changes to Rules of Professional Conduct to Recognize LLLTs, NW Lawyer, June, 2015

19. Class 19: Thursday, December 4

Professionalism and the Changing Legal Profession
Rules 5.4 (lawyer’s independence), 5.5 (unauthorized practice)
• Lerman & Schrag 918-931, skim 939-948 (Chapter 15, Parts C and E)
• Rogers, Ban on Equity Investment in Law Firms is Upheld, Bloomberg BNA News, July 29, 2015

20. Class 20: Tuesday, December 8

Review Session

[9/1/15 Version]