**Professional Responsibility**

**Professor Carrillo**

**University of La Verne College of Law**

**Summer 2019**

 **2 Units**

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**Professor**

Carrillo

Office:

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**Class Time and Place**

Meeting days: Tuesday

Meeting time: 6:30-10:20pm

Location: Room 207

**Office Hours**

Friday 2-4pm

**Course Description**

The Professional Responsibility course is an introduction to the legal profession. The subjects covered include:

1. The rules that govern lawyer conduct;
2. Laws, both civil and criminal, that impact lawyers and the practice of law;
3. The role of the lawyer in society and the business community;
4. Practical aspects of law practice
5. The rules governing the conduct of judges

**Basis of Grade**

100% of your grade will be determined by the course final.

**Required and Suggested Materials**

Martyn Fox, Traversing the ethical minefield 4th Edition;

Bradley Wendel, Professional Responsibility Examples & Explanations 5th Edition

Vincent Johnson, A Concise Restatement of the Law Governing Lawyers

**ABA Standard 310**

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of in-class time, students spend two hours preparing for class (reading or completing class assignments or assessments), for a 15 week course or the equivalent amount of work over a different period of time. Please note that this is a 8-week course.

**Course Objectives**

1. Knowledge of the statutes, rules and court decisions on professional conduct.
2. The ability to recognize situations in which issues of professional responsibility arise.
3. The ability to make appropriate decisions in such situations.
4. Familiarity with the customs and practices of the legal profession.
5. The ability to research the sources of law affecting the legal profession and the practice of law.
6. Their individual moral compass, as it applies to legal situations.

**Disability Accommodations Statement**

Students with disabilities should refer to the policies described at the University of La Verne Disabled Student Services Handbook [as of September 13, 2017 located at https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/, which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/>) or at their office. Temporary accommodations are offered on a case by case basis. All required documentation must be submitted by the student before any formal accommodations and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, Akita Mungaray by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office # 107. You can also contact Cynthia Denne at the University of La Verne Disabled Student Services office at (909) 448-4441. The office is located at the La Verne campus Health Center. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at https://sites.laverne.edu/disabled-student-services/.

**Academic Integrity Policy**

TBA.

**Course-Specific Policies**

Attendance and class participation:

Class attendance is mandatory, and you will receive no credit for this course if you miss more than 20% of the class sessions; also, I reserve the right to mark you absent if you are late or unprepared for any class. You are responsible for finding out about announcements made in class and material covered during the class you missed. As a professional student, you are expected to come to class prepared (with the required texts and handouts), having completed the assigned readings for the class session, and prepared to perform the required skills lesson.

Lateness to Class / Leaving Early / Use of Cellphones / Internet Surfing / Instant Messaging / Recording:

 None of the above listed conduct is acceptable in this class. On these issues, students are held to the same standards as lawyers in the courtroom.

 Cell phone ringers must be turned off during class. Students are not permitted to surf the internet, instant message, text, email, record this class or make other unauthorized use of technology during class.

Electronics use policy: During class, you may not use laptops or any other electronic device, including but not limited to such things as phones, ipads, and other recording devices unless I expressly permit it.

**Attendance/Professionalism/Other Expectations:**

Please read the College of Law policy regarding attendance. There are no “excused” absences. I expect students to come to class on time, prepared, and willing to add to class discussions. I require that class discussions reflect tolerance for, and respect of, others’ perspectives and views.

**Academic dishonesty:**

Academic dishonesty, plagiarism or cheating on any assignment, exam or project will result in a grade of F for the entire course. You will receive a 0.0 / F grade for the course if the Professor determines that you have engaged in academic dishonesty, plagiarism or cheating on any assignment, project or exam related to this course.

**Assignments**

**Assignments will be announced during class for the following week.**

Week 1: Introduction to California Rules of Professional Conduct. Lawyer Client Relationship Control, Communication

Assigned reading for week 1: Traversing the Ethical Minefield (TEM) p. 1-123

(Togstad, Miller, Engagement Letters)

Week 2: Lawyer Client Relationship: Competence, Confidentiality

Assigned reading for week 2: TEM p. 125-228

Week 3: Conflicts of Interest

Assigned reading for week 3: TEM p.229-330; E&E p.307-441

Week 4: Attorney Client Privilege and Work Product Doctrine

Assigned reading for week 3: E&E p.169-204

Week 5: Organization and regulation of the legal profession

Assigned reading for week 5: E&E p. 449-517

Week 6: Judicial Ethics

Assigned reading for week 6: E&E p. 523-553

Week 7: Misc rules; course recap

Week 8: Final class. Final exam handed out.

**Appendix of Mission, Values and Learning Outcomes**

**University of La Verne Mission and Values**

It is the mission of the University of La Verne to provide opportunities for students to achieve their educational goals and become contributing citizens to the global community.

The University of La Verne shares four core values that promote a positive and rewarding life for its students through fostering a genuine appreciation and respect for:

1. Values Orientation. The University affirms a philosophy of life that actively supports peace with justice, the health of the planet and its people. Therefore, in light of this affirmation, it encourages students to become reflective about personal, professional, and societal values. It also encourages values-based ethical behavior.
2. Community and Diversity. The University promotes the goal of community within a context of diversity. Therefore, it encourages students to understand and appreciate the diversity of cultures that exists locally, nationally, and internationally. It also seeks to promote appreciation and preservation of biodiversity by helping students understand the impact/dependence of human beings on their environment.
3. Lifelong Learning. The University commits itself to promoting education that facilitates lifelong learning. Therefore, it teaches students how to learn, to think critically, to do constructive research, and to access and integrate information in order to prepare them for continued personal and career growth.
4. Community Service. The University believes that personal service is a primary goal of the educated person. Therefore, it encourages students to experience the responsibilities and rewards of serving the human and ecological community.

**University of La Verne College of Law Vision, Mission, and Values**

VISION

La Verne Law is an incubator for innovation in legal education, thought, and advocacy for individuals passionate about serving their communities and promoting access and justice.

MISSION

The mission of La Verne Law is to guide our students in the discovery of law and self as they prepare for the practice of law or other professional careers. Our faculty of scholars and teachers is committed to creating an innovative, collaborative learning environment designed to develop the knowledge and skills relevant to achieving individual and professional success.

Our mission encompasses educating, as well as enhancing the professional lives of, the members of the local, regional, national, and international communities we encounter – students, faculty, staff, administrators, alumni, members of the bench and bar, and others who pursue social justice.

Our mission is grounded in the core values of the University of La Verne – life-long learning, ethical reasoning and decision-making, diversity & inclusivity, and community & civic engagement.

Difference-making is our legacy.

CORE VALUES

**University Values:** As a College within the University of La Verne we adopt and endorse the University core values of Lifelong Learning, Diversity and Inclusivity, Community Engagement, and Ethical Reasoning.

**College of Law Core Principles and Values:** As an institution dedicated to teaching and training the next generation of lawyers and leaders, we operate institutionally and individually on the principles of professionalism, innovation, ethics, student centeredness and community enhancement. In our actions and interactions, we are and seek to be affirming, respectful, humble, accountable, committed, inclusive, empathetic, responsive, passionate, and positive.

**University of La Verne College of Law Program Objectives**

A. Upon completion of the program of legal education, students will possess the skills and knowledge to enable them to pass any bar examination of their choosing.

B. Upon completion of the program of legal education, students will possess those skills to participate as respected members of the legal profession.

C. Upon completion of the program of legal education, students will model ethical, responsible, and professional behavior.

D. Upon completion of the program of legal education, students will embrace cultural differences and civic and community engagement.

**American Bar Association Standard 302: LEARNING OUTCOMES**

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

(a) Knowledge and understanding of substantive and procedural law;

(b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;

(c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and

(d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

In compliance with ABA Standard 302, the University of La Verne College of Law has established the following.

**University of La Verne College of Law Program Learning Outcomes**

1. Students shall demonstrate knowledge and understanding of substantive and procedural law.

2. Students shall demonstrate competence in legal analysis and reasoning.

3. Students shall demonstrate competence in conducting legal research.

4. Students shall demonstrate competence in problem-solving.

5. Students shall demonstrate competence in written and oral communication.

6. Students shall be able and motivated to exercise proper professional and ethical responsibilities to clients, the legal system, and the wider community.

7. Students shall demonstrate competent litigation skills.

8. Students shall demonstrate competent transactional skills.

9. Students shall apply cultural competency while exercising their legal skills.