

Welcome to my Professional Responsibilities class. For the first class on Thursday, September 5, please do the following:

1. Read the attached syllabus. It contains important information about class policies.
2. Read Chapter One of the course textbook, Professional Responsibility; A Contemporary Approach, Pearce Knake et. al. (Third Edition).
3. Sign up for the class TWEN site - this is the ONLY place where future assignments will be posted and I will communicate with the class through TWEN.

I look forward to meeting you.

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Syllabus
Professional Responsibilities 850-001—Three Credits
University of Wisconsin Law School – Fall 2019
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Course Overview

I very much look forward to meeting you and learning with you in our Professional Responsibility class. Even though this is a large class, I value your participation and hope to engage in dialogue regarding the ethics rules, the lawyer's role, and the legal profession's contribution to society. More than any other class you will take during your time in law school, this course is about you and your future. The course is designed to acquaint you with the lawyer's obligations—both individual and as a member of the legal profession—to the world in which they live.

My regular, full-time job is as Ethics Counsel at the State Bar of Wisconsin and I have practiced professional responsibility law exclusively since 1997. Because I am an adjunct professor and do not have an office at the law school, I do not have regular office hours. You may contact me as noted above, and if you wish, we can make arrangements to meet in person.

Organization of the Course

Syllabus. Please take the time to read this syllabus carefully. It contains important information about the organization of the course, the requirements, and your grade.

Objectives. This class is designed to meet the following objectives;

- a) Students should become familiar with the basics of the different areas of professional responsibility law (disciplinary rules, statutorily based sanctions, malpractice, statutes regulating lawyer conduct and common law) and how they relate to each other.
- b) Students should become familiar with the ABA Model Rules and understand how to apply them to factual situations. Students should also understand how to research state based variations in disciplinary rules.
- c) Students should learn to apply the important concepts in the law of professional responsibility to problems that arise in the day to day practice of law. This includes understanding what body of law applies in a specific situation and understanding how different bodies of professional responsibility law relate to each other in specific situations.
- d) Students should reflect upon how to integrate conceptions of professionalism and the lawyer's role into their careers and recognize the trends that will influence the future of lawyers' work.

Class Meetings. This course meets for two 80-minute class periods each week over the Spring semester and carries the expectation that students will work on course learning activities (reading, assignments, studying, etc.) for about 3 hours out of classroom for every class period. Our class meets twice a week for in-person lectures on Mondays and Wednesdays in Room 2211 from 10:30 – 11:50 a.m.

Required Materials.

(1) RUSSELL G. PEARCE, RENEE NEWMAN KNAKE, BRUCE A. GREEN, PETER A. JOY, SUNG HUI KIM, M. ELLEN MURPHY & LAUREL S. TERRY, PROFESSIONAL RESPONSIBILITY: A CONTEMPORARY APPROACH (West 3rd ed. 2017). You should register your textbook with West Academic CasebookPlus to gain access to important online features, including answers and explanations for the quiz questions. Understanding the answers to the quiz questions is important exam preparation.

(2) ABA MODEL RULES OF PROFESSIONAL CONDUCT (2019 Edition). The textbook refers to the Delaware, as well as other states', Rules of Professional Conduct, however we will study the ABA Model Rules. So when you see a Rule referenced in the text, you should read the ABA Model Rule. You can also find the rules at http://www.abanet.org/cpr/mrpc/mrpc_toc.html,. You will be tested on the Rules as contained in the Rules booklet. You will be allowed to bring the ABA Model Rules booklet,

annotated as you wish, into the exam, but no other materials. You may not bring a printed out a copy of the Model Rules into the exam, you may ONLY bring the ABA Rules booklet.

When you see a Rule referenced in the assigned reading, you are required to read the entire Rule and Comment. Reading the entirety of cited and assigned Rules and Comments is extremely important for the exam.

Most states, including Wisconsin, base their disciplinary rules on the Model Rules and it is useful for you to become aware of state based variations on the Rules regardless of where you end up practicing. Therefore, I will inform you of the differences between Wisconsin's Rules and the Model Rules as we progress through the semester. You will, however, be tested on the Model Rules, not the Wisconsin Rules.

You are also required to register for the course on TWEN. I will communicate with the class through TWEN and assigned readings for each class will be posted on the class calendar. You will also have access to class slides through the class TWEN site.

Attendance. This is a class about your responsibilities as a professional. I expect you to fulfill those responsibilities by attending every class unless you have an excuse. We also will cover a lot of material, and class attendance is vital to your understanding of that material. I will trust you to be on your honor for your excuses. To obtain an excused absence, you must email no later than 5:00 pm the day before class for an anticipated absence, such as a job interview, and no later than 3:00 p.m. on the day of class for an unanticipated absence, such as a sudden illness. **Attendance will be taken at each class. Unexcused absences normally will negatively affect your grade.**

Reading Assignments

We will cover most of the first six chapters of the textbook and possibly some of Chapter 7 as well. There will be some additional required reading materials that will be posted on TWEN. I will post the official reading assignments for each week on the class calendar on TWEN. You are responsible for all of the reading listed as "required" whether we discuss it in class or not. Also, please note that when the ABA Model Rules of Professional Conduct are referenced in the casebook, you are responsible for reading the entire Rule as well as the corresponding Comments.

Quizzes. Each section of assigned reading contains quiz questions which we will use for class discussion. You will have access to all the quiz questions and explanations for the answers through Casebook Plus. You will also have access to additional review questions through Casebook Plus. We will not discuss all of these questions in class but you should work through these review questions as a way to assess your understanding of the materials and prepare for the exam.

Class Participation. I expect students to arrive at each class prepared to answer the quiz questions in the assigned materials (giving both an answer and the reason for the answer) and prepared to discuss other assigned materials. I will make my best effort to call upon all students equally. Voluntary and active participation in class and demonstrated mastery of the materials may (and likely will) raise your grade.

Written Assignments: You will be required to complete 3 brief written assignments during the semester. The assignments may not exceed two pages in length and you will have approximately 7 days to complete the assignment. The assignments will not receive a letter grade, but you will receive a grade of 1, 2 or 3. 1 means that the assignment did not meet expectations, 2 means that the assignment met expectations and 3 means that the assignment exceeded expectations. **FAILURE TO TURN IN ONE OR MORE ASSIGNMENTS WILL NEGATIVELY AFFECT YOUR GRADE.**

Final Exam. The final exam will consist of approximately 60 multiple choice and true/false questions. It is not an open book exam, but you may bring your Model Rules booklet, annotated as you wish, into the exam room - no other materials will be permitted for the exam. You will not have access to computers during the exam. The best way to prepare for the exam is to read the assigned materials, attend every class and pay attention to class discussion. I will schedule a voluntary review session late in the semester.

Final Grade. Your grade is based primarily on the final exam and written assignments, though participation in class discussion and attendance will affect your grade as discussed in this syllabus.