COURSE GUIDELINES & SYLLABUS

PROFESSIONAL RESPONSIBILITY
SECTION 2
SPRING 2022

PROFESSOR ERICKA KELSAW
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THE PROFESSOR

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LOCATION: Office Hours on Zoom
OFFICE HOURS: TBA

Class Meeting Times
This class meets on Mondays from 5:00-6:40 p.m. in Room 210.

Zoom Information

Topic: Professor Ericka Kelsaw's Zoom PR Class
Time: This is a recurring meeting Meet anytime

Join Zoom Meeting
https://us02web.zoom.us/j/89431893203?pwd=UENMQzVkJy9iTnlIa0xPVFRZTzErdz09

Meeting ID: 894 3189 3203
Passcode: 778769
One tap mobile
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Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)

Meeting ID: 894 3189 3203
Passcode: 778769

Find your local number: https://us02web.zoom.us/u/kfQvCv5
NOTE FROM THE PROFESSOR:

Welcome! I look forward to working with you this semester. Before beginning Professional Responsibility, I want to inform you of the course’s overall goals and how it will attempt to achieve those goals. Knowing the course’s goals and methodology will help you understand the purpose behind the assignments you will receive during this semester.

As future attorneys, you all will be held to a higher ethical standard than many of those who choose other professions. Before going any further, please read the Texas Oath of Attorney below. Those of you who plan to practice in Texas will recite this oath at your swearing in ceremony.

Texas Oath of Attorney

I, ___________________________________________, do solemnly swear that I will support the Constitutions of the United States, and of this State; that I will honestly demean myself in the practice of law; that I will discharge my duties to my clients to the best of my ability; and that I will conduct myself with integrity and civility in dealing and communicating with the court and all parties. So help me God.

Tex. Gov’t Code § 82.037.
COURSE BOOKS & MATERIALS

The required textbooks or resources for this course are available in the Texas Southern University Bookstore and online and they are as follows:


   Please see the link below to purchase the model rules:

   ISBN: 978-1-64020-891-9

4. Free electronic access to the ABA Model Code of Judicial Conduct (2020 Edition), which can be found here:
   http://www.americanbar.org/groups/professional_responsibility/publications/model_code_of_judicial_conduct.html. Or, you can opt to purchase the book at the following link:

5. Free electronic access to the ABA Standards for Criminal Justice: Prosecution Function and Defense Standards (2017, 4th Edition), which can be accessed here:

Please bookmark all of the sites on which the texts and resources listed above can be found (for easy access). Whether in hard copy or e-book format, bring the required texts to class or make sure you have electronic access to the texts. As mentioned, the required Professional Responsibility textbook (above) is available at the Texas Southern University’s Bookstore in the Student Life Center. You may also choose to purchase the e-book version of the text from https://www.westacademic.com/. If you have not done so already, you should purchase the text right away, as we will begin to use it immediately.

The required Professional Responsibility textbook for this course includes numerous questions and examples that will help you understand and easily recall the rules of professional responsibility. We will cover these questions in class, as we discuss the related material. You will need to have the required texts in class (or have access to them) to fully participate. In addition, at the beginning of each chapter of the textbook, there is a reference chart to help guide your study. The chart includes an outline of the topics addressed in each chapter, the rules that correspond with each topic, and a reference to the targeted questions to test your knowledge of each concept.
Please also be sure to sign up for the TWEN page, as additional course materials will be posted to the TWEN page throughout the semester.

The highly recommended resources for this course are:

1. Leah Christensen, *The Weekend MPRE: Complete Preparation for the MPRE in Only a Weekend’s Time*, 2nd Edition
   ISBN: 978-1-64020-623-6

2. Cali Lessons: Professional Responsibility
   [http://www.cali.org/category/2l-3l-upper-level-lesson-topics/professional-responsibility](http://www.cali.org/category/2l-3l-upper-level-lesson-topics/professional-responsibility)

3. Free MPRE review courses with multiple-choice topical questions are provided here:
   [https://www.barbri.com/mpre-review/](https://www.barbri.com/mpre-review/)
   [http://www.kaptest.com/bar-exam/courses/mpre-online-course](http://www.kaptest.com/bar-exam/courses/mpre-online-course)

Please do your best to take advantage of all the resources provided, as they will not only thoroughly prepare you for success in this course, but ultimately for success on the Multistate Professional Responsibility Exam (“MPRE”).
COURSE DESCRIPTION & OBJECTIVES

DESCRIPTION:

The primary goal of this course is to prepare you for the ethical practice of law. Although you may be inclined to use your moral compass to make important ethical decisions during your legal career, it is important to understand that many of the rules of ethics are counterintuitive. Additionally, a violation of a number of the rules can jeopardize the very law license you are working so hard to obtain. For this reason, this class is one of the most important classes you will take in your legal career.

OBJECTIVES:

Upon completion of this course, students will be able to:

(1) Identify ethical issues as they arise in practice.

(2) Engage in critical analysis of the ABA Model Rules and compare them to state rules when applicable.

(3) Correctly apply the Model Rules to MPRE-like questions to solve ethical dilemmas that members of the judiciary often face.

(4) Explain the various duties that lawyers and judges have to the profession, clients, each other, and third parties.

Ultimately, your knowledge of the rules of professional responsibility will be tested on the Multistate Professional Responsibility Exam (“MPRE”). The MPRE is a national exam, administered three times per year, the purpose of which is to measure your knowledge and understanding of established standards related to rules of professional conduct governing this profession. You must receive a passing score on the MPRE before being admitted to practice law in all but two jurisdictions (Wisconsin and Puerto Rico). What constitutes a passing score varies depending on the jurisdiction. In Texas, a passing score is 85 or higher. The actual exam consists of 60 multiple-choice questions. Of those 60 questions, only 50 of them are graded; the remaining 10 are unscored “pre-test” questions.

Given the importance of the MPRE, you are expected to take responsibility for your individual preparation. Again, there are a great deal of free resources available to you to prepare you for this exam. Take advantage of them!

Below is the subject matter outline for the MPRE, which will give you an idea of the course subject matter:

I. Regulation of the Legal Profession (6-12%)
   A. Powers of courts and other bodies to regulate lawyers
   B. Admission to the Profession
   C. Regulation after Admission—Lawyer Discipline
   D. Mandatory and Permissive Reporting of Professional Misconduct
   E. Unauthorized Practice of Law—by Lawyers and Non-Lawyers
   F. Multijurisdictional Practice
   G. Fee Division with a Non-Lawyer
   H. Law Firm and Other Forms of Practice
   I. Responsibilities of Partners, Managers, Supervisory
II. The Client-Lawyer Relationship (10-16 %)
A. Formation of the Client-Lawyer Relationship
B. Scope, Objective, and Means of the Representation
C. Decision-making Authority—Actual and Apparent
D. Counsel and Assistance with the Bounds of the Law
E. Termination of the Client-Lawyer Relationship
F. Client-Lawyer Contracts
G. Communications with the Client
H. Fees

III. Client Confidentiality (6-12 %)
A. Attorney-Client Privilege
B. Work-Product Doctrine
C. Professional Obligation of Confidentiality—General Rule
D. Disclosures Expressly or Impliedly Authorized by Client
E. Other Exceptions to the Confidentiality Rule

IV. Conflicts of Interest (12-18 %)
A. Current Client Conflicts—Multiple Clients and Joint Representation
B. Current Client Conflicts—Lawyer’s Personal Interest or Duties
C. Former Client Conflicts
D. Prospective Clients
E. Imputed Clients
F. Acquiring and Interest in Litigation
G. Business Transactions with Clients
H. Third-Party Compensation and Influence
I. Lawyers Currently or Formerly in Government Service
J. Former Judge, Arbitrator, Mediator, or Other Third-Party Neutral

V. Competence, Legal Malpractice, and Other Civil Liability (6-12 %)
A. Maintaining Competence
B. Competence Necessary to Undertake Representation
C. Exercising Diligence and Care
D. Civil Liability to Non- Clients
E. Civil Liability to Client, Including Malpractice
F. Limiting Liability for Malpractice
G. Malpractice Insurance and Risk Prevention

VI. Litigation and Other Forms of Advocacy (10-16 %)
A. Meritorious Claims and Contentions
B. Expediting Litigation
C. Candor to the Tribunal
D. Fairness to Opposing Party and Counsel
E. Impartiality and Decorum of the Tribunal
F. Trial Publicity
G. Lawyer as Witness

VII. Transactions and Communications With Persons Other than Clients (2-8 %)
A. Truthfulness in Statements to Others
B. Communications with Represented Persons
C. Communications with Unrepresented Persons
D. Respect for Rights of Third Persons

VIII. Different Roles of Lawyers (4-10 %)
A. Lawyer as Advisor
B. Lawyer as Evaluator
C. Lawyer as Negotiator
D. Lawyer as Arbitrator, Mediator, or Other Third-Party Neutral
E. Prosecutors and other Government Lawyers
F. Lawyer Appearing in Nonadjudicative Proceeding
G. Lawyer Representing an Entity or Organization

IX. Safekeeping Funds and Other Property (2-8 %)
A. Establishing and Maintaining Client Trust Accounts
B. Safekeeping Funds and Other Property of Clients
C. Safekeeping Funds and Other Property of Third Persons
D. Disputed Claims

X. Communications about Legal Services (4-10 %)
A. Advertising and other Public Communications about Legal Services
B. Solicitation—Direct Contact with Prospective Clients
C. Group Legal Services
D. Referrals
E. Communications Regarding Fields of Practice and Specialization

XI. Lawyers’ Duties to the Public and the Legal System (2-4 %)
A. Voluntary Pro Bono Service
B. Accepting Appointments
C. Serving in Legal Services Organizations
D. Law Reform Activities Affecting Client Interests
E. Criticism of Judges and Adjudicating Officials
F. Political Contributions to Obtain Engagements or Appointments
G. Improper Influence on Government Officials
H. Assisting Judicial Misconduct

XII. Judicial Conduct (2-8 %)
A. Maintaining the Independence and Impartiality of the Judiciary
B. Performing the Duties of the Judicial Office Impartially, Competently, and Diligently
C. Ex Parte Communications
D. Disqualification
E. Extrajudicial Activities
GRADING

Your final grade will be based on the following:

- Midterm Examination 20%
- PPA on daily problems 10%
- Quizzes (7 quizzes at 10 pts each) 7%
- Attorney Interview 10%
- Current Event Summary 3%
- Case Studies (5 studies at 20 pts each) 10%
- Final Examination 40%

100%

Examinations: The format for your examinations will be predominantly multiple-choice. The questions will be designed to prepare you for the MPRE and, as such, will follow a similar format. You should prepare for these exams by reviewing the questions in your Professional Responsibility textbook, your MPRE question resources, and lecture notes. There may be a few short answer questions on your examinations.

PPA: Please see the section below on “Participation, Professionalism, and Attendance.”

Attorney Interview: For this assignment, you will interview a licensed attorney and inquire about his/her practice, any ethical issues encountered, and how these issues were resolved. Be creative in selecting the discussion topics but make sure you discuss professional responsibility and ethics in law practice. During the interview, you also should take the opportunity to learn more about the attorney’s practice area in general and receive advice for your future practice. The interview need not be formal but should be conducted in a professional manner. To that end, you will be required to submit sample interview questions (at least 10 questions) during the fifth week of class (see the Syllabus). For the final Attorney Interview assignment, you will submit a written summary of your interview (questions and responses) and what you learned from the meeting. Make it easy for your prospective attorney interviewee. Of course, meet with the attorney as his/her schedule permits. Suggest a meeting at the attorney’s office or at a coffee shop nearby. Feel free to send the questions in advance of your meeting so the attorney can reflect on the discussion topics. This is a networking opportunity as well. Reach out to someone whom you would like to know.
Current Event Summary: For this assignment, you will submit a written summary of a current event that involves an ethical dilemma faced by an attorney or a judge. In your summary, you should: (1) describe the ethical issue, (2) identify the professional responsibility rule(s) involved, (3) provide the outcome, and (4) if no outcome has been reached or discussed, predict the likely outcome given the facts and rules involved. You can find many interesting articles on legal ethics in the Texas Lawyer publication and state bar publications, such as the Texas Bar Journal.

Case Study Law Firms: You will complete the Case Study Supplement in class teams. These assignments will be added to the Syllabus.

Optional Bonus Exercise: This assignment is optional and worth 20 extra credit points. For this assignment, you will draft or create a sample multiple-choice exam question. This assignment will help you review and prepare for the mid-term exam. Your submitted multiple-choice exam question must address one of the topics we have covered to date and should be structured similar to the fact-pattern questions we have covered in class. It MUST be an original question and should have at least 4 answer choices with one correct answer. Again, the question must address a fact pattern or hypothetical. In addition to the question, you should submit an answer key, indicating (1) which answer choice is correct and why and (2) why the other answer choices are incorrect. Be sure to identify the rule(s) on which you are relying. Designing a good multiple-choice question is no easy task, but it WILL help you to review and make sure you have the concepts down. And, as an extra incentive, your question may be selected for the mid-term or the final exam (with any needed revisions). This bonus exercise is worth 20 points. For comparison, the mid-term examination is worth 200 points or 20%. Again, the bonus exercise is optional but, if completed, will definitely help you to prepare for the course exams and MPRE.

Please refer to the 2021-2022 Student Rules and Regulations for additional information regarding the guidelines for Professional Responsibility.
ACCOMMODATIONS

Previously Approved Law Students

Law students who have been approved for accommodations in previous years by the Law School Student Affairs Office must complete the SASO Accommodation Request Form to request pre-approved accommodations for the Spring 2022 academic term. Students who have questions should contact SASO via email DisabilityServices@tsu.edu or phone 713-313-4210.


The procedure for law students who have not been previously approved for accommodations is as follows:

New Accommodation Requests
1. Students must have a diagnosed disability and authentic documentation to apply for services.
2. Once the applicant's disability information is received, SASO will contact the student to schedule an Intake (virtual) appointment for the student to self-report any disability challenges/barriers associated with the condition that impact their functioning abilities in the learning environment.
3. SASO will next determine the student's eligibility status and accommodations plan based on the disability, historical documentation, and self-reporting data. SASO will send a notification letter indicating the applicant's service status. The notification letter requires the applicant's signature.
4. Upon receipt of the signed notification letter, SASO will forward a copy of the accommodations letter to the student, with instructions on how to complete the accommodations process.
5. Students must meet with each Instructor to discuss how accommodations will be implemented. The student and instructor must sign the accommodations letter. The student will return a copy of the signed accommodations letter to SASO electronically. The signed accommodations letter is used for advocacy purposes if accommodations concerns are reported.

COVID-Related Accommodations

TMSL is beginning online for the first two weeks of the Spring 2022 academic term. As of January 24, 2022, the school will completely re-open for synchronous (in-person) courses. COVID-related protocols for the Spring 2022 academic term will support the quarantine time range for students who test positive or are exposed to COVID during the Spring 2022 semester. Documentation is required.

- COVID accommodations will be processed for those who report testing positive or exposure to COVID. Documentation is required.
- Students will quarantine for 10 days.
- Students must submit Release of Care documentation from a licensed health care professional to Student Accessibility Services Office (SASO), return to class, and discuss missed assignment/exam make up plans with instructors. Students will not engage in class activities during the quarantine period.
- Students must communicate if more time is needed. Documentation is required to support additional time needs.

Instructors are not to re-teach the course for excessive absences. Students are encouraged to seek assistance from the instructor and pursue tutoring. It is anticipated that students will engage in self-study during the absence time.
Accommodations services are not to fundamentally alter course/program formats, requirements, standards, and/or guidelines.

Students who have questions should contact SASO via email DisabilityServices@tsu.edu or phone 713-313-4210.
PARTICIPATION, PROFESSIONALISM, & ATTENDANCE

PARTICIPATION:

Class participation will be considered in determining your final course grade. You must be prepared for all classes. You will need to actively participate in class discussion and exercises to earn “Participation, Professionalism, and Attendance” points (“PPA points”). You must prepare all assignments to the very best of your ability even if they are not submitted for a grade or feedback. In addition, if you fail to bring all relevant materials with you to class or do not have these materials open and ready for use in class, you will lose PPA points. You will need to have the required texts in class (or access to them) to fully participate in the discussion. Lastly, as you know, you must be on time for class.

ATTENDANCE:

Class attendance is mandatory. Attendance will be taken at the beginning of each class. Per Section 9 of the Student Rules and Regulations, for this two-hour course, you will be permitted three (3) absences. Tardiness will be considered an absence, as will dismissal from class for misconduct or lack of proper preparation. Please see the Student Rules and Regulations for information on grade reduction and further details on absences. The class attendance rule is strictly enforced.

PROFESSIONALISM:

A. Electronic Devices: Laptop computers, tablets, or mobile devices may be used for accessing your e-textbook and for class-related note taking and reference. During class, however, it is inappropriate to use these devices for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate web sites, or to instant message others). Use of a laptop, tablet, or mobile device in class is a privilege. In addition to any other sanction, I will rescind use of these devices, individually or collectively, if it is abused. Cell phones, blackberries, and similar devices must have the ringer turned off (or the volume muted).

B. Classroom Conduct: Also, at all times, you must respect me and your fellow colleagues. Please refrain from excessive side conversations or other distracting conduct during class. You should be on time for class and remain seated during class instruction (unless you have an emergency). Any conduct that displays a lack of professionalism will result in a loss of PPA points.
Procedures & Policies

ASSIGNMENTS IN GENERAL:
If you have any questions regarding these guidelines or the guidelines on any individual assignments, please ask me. Unless otherwise specified, each piece of written work that you submit in this course must meet the following format requirements:

- All documents must be typed using Microsoft Word.
- All documents must be typed in Times New Roman font and submitted on plain white, 8-1/2 x 11 inch paper (using one side only).
- The font size must be no smaller than 12-point font and footnotes (if any) may be no smaller than 10-point font.
- Papers must have at least one-inch margins on both sides and at the top and bottom.
- Text must be double-spaced. Footnotes should be single-spaced.
- Each assignment must be consecutively paginated at the bottom of each page (centered).

Lastly, all pages of each assignment must be stapled together (in the upper left-hand corner). These guidelines should be followed when drafting your Attorney Interview Summary, the Current Event Summary, and the Real World Case Studies. They are designed to further prepare you for the level of professionalism required in law practice.

When directed to do so, you must use an EXAM NUMBER when submitting your assignments. If you are instructed to use an exam number, DO NOT put your name on the assignment, as preservation of your anonymity during grading is mandatory. **If you put your name on your assignment, your work will not be graded, and you will receive a zero for the assignment.** If you use the wrong exam number, you will lose PPA points. Furthermore, you must submit these assignments on time. Lastly, if you submit your assignment on TWEN more than once, I will review and grade only the most recent submission (the last submission). **Please note that you will be required to submit a hard copy of your assignment (in class) in addition to your TWEN submission.**

A. **Syllabus, Reading Assignments, and the MPRF**

This is a syllabus, not a contract. Set forth on the following pages is a tentative schedule for our meetings, but additional required reading materials may be posted on TWEN and reading assignments may change as we make our way through the course. The class will generally follow the order of the textbook. If you are absent from class, please see me about any missed material and required preparation for the next class. **Also, please note that when the ABA Model Rules of Professional Conduct are referenced in the textbook, you are responsible**
for looking up and reading the entire Rule as well as the corresponding Comments. In addition, as you begin to prepare for the course exams, I believe you will find that the reading assignments list and the class Power Point slides serve as helpful guides for outlining.

The reading assignments and discussion exercises are listed in the course syllabus under the day of the class for which they should be prepared. Any written assignments are listed under the day they are assigned and a separate due date will be listed, sometimes repeatedly as a reminder. **It is your responsibility to follow the syllabus and be prepared for class. Review the syllabus periodically and be sure to note relevant due dates and times. You must submit all assignments on time.** Modifications, including additions or deletions to the syllabus, will be announced in class, via e-mail, and/or posted on the course page on Westlaw’s TWEN.

Our goal will be to complete Chapters 1-4 before the MPRE Exam on March 23/24, 2022. Chapters 2-7 cover topics on the MPRE. Please note we will not be able to discuss every professional responsibility rule in class; you will need to set aside additional time to study those topics that have not been covered in full. And, although by the end of the course we will cover most of the subjects on the MPRE exam, **this is not an MPRE review course.** Before you take the MPRE, I strongly encourage you to take a review course in addition to this class. More information can be found at [http://www.ncbex.org/exams/mpre/preparing/](http://www.ncbex.org/exams/mpre/preparing/).

**B. Consequences for Late Assignments**

i. **Late Submission of Assignments:** You will be generally required to submit your assignments online using Westlaw’s TWEN. If an assignment is to be submitted online using Westlaw’s TWEN, then that assignment is due on the date and at the time indicated on the assignment, in the syllabus, and/or by me. Be sure to review the assignment and the course syllabus carefully. If you submit an assignment after the relevant due date and time, but within one hour after the stated deadline, you will receive a 25% reduction in your grade. If you turn in your assignment more than one hour late, your grade on that assignment will be reduced by an additional 15% for each “day” that the assignment is late, up to two days. **You will not receive any credit for a writing assignment that is submitted more than two days after the relevant due date.** Your TWEN submission provides the time-stamp for grading purposes, not your hard copy submission. Moreover, if you upload your assignment on TWEN multiple times, I will review only the most recent submission for time and grading purposes.

For purposes of this section, a “day” ends at 5:00 p.m. For example, if an assignment is due using TWEN at 8:00 a.m. on a particular day and you submit the assignment at 8:59 a.m. on that day, you will lose 25% of the total available points. If you turn in the assignment at 11:00 a.m. on that day, you will lose 40% of the total available points for that assignment. If you turn in the assignment any time after 5:00 p.m. that day or any time before 5:00 p.m. the next day, you will lose 55% of the total available points for that assignment. If you turn in the assignment any time after 5:00 p.m. the second day after the due date, you will not receive any credit for the assignment. For purposes of this section, a “day” is further defined as a calendar day (including weekends and holidays), not a Texas Southern University or Thurgood Marshall School of Law business day. All calendar days, including weekends and holidays, will be counted in determining any grade reductions.

Also, please note that you will be required to turn in a hard copy of your assignment in class. **If you fail to bring a copy of your assignment to class, you will lose points on your
grade for that assignment. You will also lose points on your assignment if you turn in the hard copy late. It is very important that you adhere to all instructions and the rules for this course.

ii. Assignments Submitted in Class or by Email (and not on TWEN): If an assignment is to be submitted in class or by email (and not on TWEN) then that assignment is due at the beginning of class or on the relevant due date and time, respectively. If you submit the assignment after the beginning of class, but before the end of class, you will receive a 25% reduction in your grade. Assignments that are due in class may not be submitted after the class period concludes in which the assignment was due. If you do not turn in your assignment before the end of class in which the assignment was due, you will not receive any credit for the assignment. Also, be sure to bring an extra copy of your assignment for your use during class. If you are absent or will miss class, you must make arrangements to have your assignment submitted in a timely manner; otherwise, you may not receive credit for the assignment. If you submit an assignment by email late, you will receive a 25% reduction in your grade. If you turn in your assignment by email more than two hours late, you will not receive any credit for the assignment.

C. Laptop Misuse

As mentioned, laptop computers may be used to access your e-textbook and for class-related note taking and reference. During class, however, it is inappropriate to use laptops for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate web sites, or to instant message others). Laptop use in class is a privilege. In addition to any other sanction (such as a deduction of PPA points), I will rescind laptop use, individually or collectively, if it is abused. Cell phones, blackberries, and similar devices must be turned off.

D. Plagiarism

Plagiarism in any form is strictly prohibited. You may not plagiarize any other written work, including, but not limited to, any article or news report. Should an instance of plagiarism exist, the matter will be forwarded to the Dean for appropriate action.

E. Questions Sent by Email

I welcome your questions by email, provided you adhere to the following requirements. If you send me a question by email, you must (1) identify the steps you have taken to solve the problem or answer your specific question or issue and (2) include what you believe the solution or answer to be. In particular, you should identify the materials that you have read or sources that you have researched. Many times, the answer to a question (especially technical requirements for assignments) may be found in the Course Guidelines and Syllabus. Be sure to check this document first.

F. Campus Carry Policy

As you know, the State of Texas has passed legislation permitting you to carry a concealed firearm on campus if you have a concealed license permit recognized by the State of
Texas, subject to the rules and regulations of Texas Southern University’s (“TSU’s) Campus Carry Policy. Under TSU’s Campus Carry Policy, I have designated my office as a gun-free zone. Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. (Conforme a la sección 30.06 Del Código Penal (traspasar portando armas de fuego con licencia), personas con licencia bajo del sub-capítulo 411, Código Del Gobierno (ley de portar armas), no deben entrar a esta propiedad portando un arma de fuego oculta.). For a complete list of the gun-free zones on this campus and the rules governing campus carry at our institution, please visit Texas Southern University’s website at http://www.tsu.edu/. Please note that entering a gun-free zone on campus with a firearm, including inside my office, could not only lead to criminal prosecution but suspension or expulsion from school.
SYLLABUS FOR PROFESSIONAL RESPONSIBILITY

WEEK 1

MONDAY, JANUARY 10, 2022 (Class 1/2)

(Hour 1)
**Chapter 1: Introducing Professionalism and Legal Ethics**
**Read:** Jefferson Textbook, pp. ix-x, Chapter 1, pp. 1-10, including Global Perspectives pp. 4 & 6; Practice Pointer pp. 5 & 7, Food for Thought pp. 10, and Preamble and Scope of the ABA Model Rules of Professional Conduct

Problems 1-1 to 1-11

(Hour 2)
**Chapter 1: Introducing Professionalism and Legal Ethics**
**Read:** Jefferson Textbook, Chapter 1, pp. 11-18, including Food for Thought pp. 13, 17, & 18

Problems 1-12 to 1-15
WEEK 2

MONDAY, JANUARY 17, 2022 (Class 3/4)

(Hour 1)
Chapter 2: The Basic Elements of Law Practice
   I. Introduction
   II. Defining the Practice of Law
Read: pp. 19-47

Problems 2-1 to 2-3

(Hour 2)
Chapter 2: The Basic Elements of Law Practice
   II. Defining the Practice of Law
Read: pp. 47-61

Problems 2-4 to 2-6

FRIDAY, JANUARY 21, 2022

**REGISTRATION DEADLINE for MPRE March 23/24, 2022 test date**
WEEK 3

MONDAY, JANUARY 24, 2022 (Class 5/6)

(Hour 1)
Chapter 2: The Basic Elements of Law Practice
III. Creating the Lawyer-Client Relationship
IV. Ending the Lawyer-Client Relationship
Read: pp. 61-88

Problems 2-7 to 2-11

(Hour 2)
Chapter 2: The Basic Elements of Law Practice
V. Competence
Read: pp. 88-117

Problems 2-12 to 2-19
WEEK 4

MONDAY, JANUARY 31, 2022 (Class 7/8)

(Hour 1)
Chapter 2: The Basic Elements of Law Practice
VI. Principles That Govern the Relationship Between Lawyers & Clients
Read: pp. 117-143

Problems 2-20 to 2-24

(Hour 2)
Chapter 2 Quiz & Review
WEEK 5

MONDAY, FEBRUARY 7, 2022 (Class 9/10)

(Hour 1)
Chapter 3: The Business, Technology, and Marketing of Legal Services
   I. Introduction
   II. Finding Clients
Read: pp. 145-189

Problems 3-1 to 3-5

(Hour 2)
Chapter 3: The Business, Technology, and Marketing of Legal Services
   III. Fees and Billing
Read: pp. 189-229

Problems 3-6 to 3-15
WEEK 6

MONDAY, FEBRUARY 14, 2022 (Class 11/12)

(Hour 1)
Real World Case Study Ch. 1 Due on TWEN by 12 PM
Real World Case Study Ch. 1 Group Discussions (bring hard copy to class)

(Hour 2)
Ch. 3 Quiz & Review
WEEK 7

MONDAY, FEBRUARY 21, 2022 (Class 13/14)

(Hour 1)

Chapter 4: Attorney-Client Privilege and the Lawyer’s Duty of Confidentiality
   I. Introduction
   II. The Relationship between Duty of Confidentiality and the Attorney-Client Privilege
   III. Basics of the Attorney-Client Privilege

Read: pp. 231-270

Problems 4-1 to 4-5

(Hour 2)

Chapter 4: Attorney-Client Privilege and the Lawyer’s Duty of Confidentiality
   III. Basics of the Attorney-Client Privilege
   IV. The Basics of the Duty of Confidentiality under Rule 1.6

Read: pp. 270-309

Problems 4-6 to 4-14

What’s Due: Please submit your tentative Attorney Interview questions via TWEN by 12:00 PM today. Bring a hard copy of your questions to class and submit them before the start of class.
WEEK 8

MONDAY, FEBRUARY 28, 2022 (Class 15/16)

(Hour 1)
Real World Case Study Ch. 3 Due on TWEN by 12 PM
Real World Case Study Ch. 3 Group Discussion (bring hard copy to class)

(Hour 2)
Ch. 4 Quiz & Review

What’s Due: Bonus Optional Exercise – Sample multiple-choice question and answer explanation (submit via TWEN by 8 a.m. and bring a hard copy to class)

End of coverage for Midterm Exam.
WEEK 9—TMSL MIDTERM WEEK

MONDAY, MARCH 7, 2022 (Class 17/18)

MID-TERM EXAM (Ch. 1 to 4)

WEEK 10—SPRING BREAK

MONDAY, MARCH 14, 2022

**NO CLASS**
WEEK 11

MONDAY, MARCH 21, 2022 (Class 19/20)

(Hour 1)

Chapter 5: Conflicts of Interest
   I. Introduction
   II. Simultaneous Representations of Multiple Clients

Read: pp. 311-339

Problems 5-1 to 5-9

(Hour 2)

Chapter 5: Conflicts of Interest
   II. Simultaneous Representations of Multiple Clients
   III. Conflicts Between Client’s Interests and Personal or Financial Interests of the Lawyer

Read: pp. 339-347

Problems 5-10 to 5-13

**MPRE TEST DATE: March 23/24, 2022**
WEEK 12

MONDAY, MARCH 28, 2022 (Class 21/22)

(Hour 1)
**Chapter 5: Conflicts of Interest**
- IV. Lawyer Advocate as Witness
- V. Representation Adverse to a Former Client
- VI. Lawyer as Third-Party Neutrals
- VII. Vicarious Disqualification Under Rule 1.10: Disqualification of an Entire Firm Because of a Tainted Lawyer
- VIII. Conflicts of Interest in Criminal Cases

**Read:** pp. 347-380

Problems 5-14 to 5-25

(Hour 2)
Real World Case Study Ch. 4 due on TWEN by 12 PM
Real World Case Study Ch. 4 Group Discussions (bring hard copy to class)
WEEK 13

MONDAY, APRIL 4, 2022 (Class 23/24)

(Hour 1)
Ch. 5 Quiz & Review

(Hour 2)
Chapter 6: The Lawyer’s Duties to the Legal System and Non-clients

Read: pp. 381-406

Problems 6-1 to 6-13

What’s Due: Current Event Summary submitted via TWEN by 12:00 PM and one hard copy submitted at the start of class.
WEEK 14

MONDAY, APRIL 11, 2022 (Class 25/26)

(Hour 1)

Chapter 6: The Lawyer’s Duties to the Legal System and Nonclients
   I. Duties to the Court and Other Tribunals
   II. Duties to Opposing Parties and Third Parties
   III. Duties Regarding the Law and the Legal Profession

Read: pp. 406-471

Problems 6-14 to 6-29

(Hour 2)

Real World Case Study Ch. 5 due on TWEN by 12 PM
Real World Case Study Ch. 5 Group Discussions (bring typed hard copy to class)
WEEK 15

MONDAY, APRIL 18, 2022 (Class 27/28)

(Hour 1)
Ch.6 Quiz & Review

Chapter 7: Special Ethical Rules: Prosecutors and Judges
I. Prosecutors
Read: pp. 473-518

Problems 7-1 to 7-5

(Hour 2)
Chapter 7: Special Ethical Rules: Prosecutors and Judges
II. Ethical Standards for Judges
Read: pp. 518-551

Problems 7-6 to 7-12

What’s Due: Attorney Interview summary submitted via TWEN by 12:00 PM and one hard copy submitted at the start of class.
WEEK 16

MONDAY, APRIL 27, 2022 (Class 29/30)

(Hour 1)
Real World Case Study Ch. 6 due on TWEN by 12 PM
Real World Case Study Ch. 6 Group Discussions (bring hard copy to class)

(Hour 2)
Ch. 7 Quiz & Review
**Words to Remember:**

The greatest ethical test that we're ever going to face is the treatment of those who are at our mercy.

-Lyn White

Face the complexity involved in making ethical choices.

-Linda Fisher Thornton

Educating the mind without educating the heart is no education at all.

-Aristotle

Education without values, as useful as it is, seems rather to make man a more clever devil.

-C.S. Lewis
Important Dates

ATTORNEY INTERVIEW

Tentative Questions Due  
MONDAY, February 21 at 12:00 p.m. via TWEN and hard copy in class

Attorney Interview Summary Due  
MONDAY, April 18 at 12:00 p.m. via TWEN and hard copy in class

BONUS EXERCISE DUE

Monday, February 28, 2022  
12:00 p.m. via TWEN and hard copy in class

MIDTERM EXAM

Monday, March 7, 2022  
5:00 p.m.  
Room 210

CURRENT EVENT SUMMARY DUE

Monday, April 4, 2022  
12:00 p.m. via TWEN and hard copy in class

2022 MPRE EXAM

<table>
<thead>
<tr>
<th>Test Date</th>
<th>Registration Deadline</th>
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<tbody>
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<td>March 23/24, 2022</td>
<td>January 21, 2022</td>
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Fee: $135

CASE STUDY SUBMISSIONS

Monday, February 14, 2022
Monday, February 28, 2022
Monday, March 28, 2022
Monday, April 11, 2022
Monday, April 27, 2022

FINAL EXAM

Tuesday, May 10, 2022, at 9 a.m. in Room 210