

PROFESSIONAL RESPONSIBILITY

LAW 620 / SECTION 3

FALL 2019

M/W; 1:00-1:50; ROOM #212

PROFESSOR SPEARIT

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THE PROFESSOR

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OFFICE LOCATION: 236N

OFFICE HOURS: MW 2-4; F 12-2, and by appointment

NOTE ON OFFICE HOURS:

Please note—aside from regular office hours I maintain an “open door” policy by which you can stop by my office anytime my door is opened/cracked. If my door is completely shut, it means that I am preparing for class or working on school-related business—so unless it is an emergency, please stop by at another time or schedule a time to meet.

COURSE BOOKS & MATERIAL

1. Ethical Problems in the Practice of Law (2017 & 2018 ed.) by Lerman, Schrag, Gupta. You need not buy this particular book, but the rules are outlined well and its Table of Contents is extremely useful for working problems. The main point is that you have a hardcopy of the current ABA Model Rules of Professional Conduct (MR) and Code of Judicial Conduct (CJC). I will provide electronic copies of both, which can be printed. Otherwise any rulebook from 2015 on will be sufficient.
2. I will forward you a working outline for the law of lawyering. Feel free to use it and supplement it for your own study purposes, but do not share or make any proprietary use of the outline. You will need to be ready to attack problems in class, so be prepared with the rules and course materials for each class.
3. I will post weekly required readings and problem sets on TSU Blackboard.

COURSE DESCRIPTION & OBJECTIVE

DESCRIPTION:

This 2-credit, PR-credit-satisfying course will explore the black letter "law of lawyering," including the judicial ethics rules, and will apply that law in a variety of practice settings. The weekly topics are outlined below on page 10. The course is a problem-oriented approach to mastering the Model Rules of Professional Conduct and the Code of Judicial conduct. Moreover, the course is an introduction to developing one's professional identity as a lawyer and understanding the prominent ethical traps for beginning lawyers. Classes will involve *discussions of problem sets* devoted to a particular topic (e.g., confidentiality, loyalty, etc.). The course is based on the premise that repetition and practice are pathways to mastering the rules. Hence, the course is designed around opportunities for students to review the rules constantly in the process of studying multiple choice and essay exams.

OBJECTIVE:

The primary focus of the course is to understand the basics concepts of ethical conduct for lawyers and to develop students' identity as a lawyer. Secondly is to prepare students to take the MPRE and prepare students to draft essay responses to PR-based practical skills questions. Hence the course is committed to honing student test-taking skills and to examination preparation with ongoing assessment from the instructor throughout the semester.

STUDENT LEARNING OUTCOMES

Students will become competent in determining ethical violations and permissible conduct for lawyers and judges in a variety of practical situations. Most critically, students will understand lawyer liabilities that include malpractice liability, discipline by the state bar, and being the subject of ineffective assistance of counsel claims. Students will also have the opportunity to develop issue spotting and essay writing skills, including practice quizzes and a graded essay assessment. By the end of the semester, students will master basic lawyering skills of professional responsibility, will become competent in identifying paradigmatic question structures on the MPRE, and develop problem-solving and issue-spotting strategies. As assessments are administered throughout the semester, students will be afforded the opportunity for multiple formative assessments sustained feedback on areas of weakness and improvement.

GRADING

30% Final Exam (MPRE style multiple choice; 60 questions/2hr)

30% Midterm Exam (Multiple choice exam covering all of the model rules)

20% Issue Spotter Essay Quiz (One hour in-class essay)

20% Pop Quiz (multiple choice, short answer)

2019 MPRE TEST DATE, REGISTRATION DEADLINE & FEES		
Test Date	Regular Registration Deadline (\$125)	Late Registration Deadline (\$220)
Sat., November 9, 2019	September 19, 2019	September 26, 2019

ACCOMMODATIONS

If you require special accommodations, please fill out the necessary forms with the Dean's office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you, as soon as it has been made aware of your situation.

Also, please contact Dean Mouton (Student Affairs) if you require any special accommodations regarding any of the assignments, including but not limited to, extensions, note-takers, etc. You must contact Dean Mouton before the related assignment is due.

Please see:

http://tmsl.tsu.edu/student_affairs/docs/accomodations-handbook.pdf

POLICIES & PROCEDURES

- To enhance the learning experience you will have opportunity to learn through class participation and rigorous questioning. Students should read all materials assigned for each class and be fully prepared for class discussion, which means that the rules and reading materials should be with you at all times in class.
- Attendance is mandatory; school of law policy, informed by the ABA accreditation standards, requires regular and punctual attendance. Excessive absences ***will affect your grade and you may be dropped from the course.***
- You will need access to TSU blackboard. I will be posting assignments and communicating with you on that platform.
- No texts other than the rules & course supplements are allowed in class or in exams.
- No computers, cell phones, tablets or such electronic devices are allowed in class.
- Outstanding class participation can raise your grade by **3 percentage points**.
- Any student who takes and passes the November MPRE will earn **3 percentage points** toward the final course grade.



TEXAS SOUTHERN UNIVERSITY THURGOOD MARSHALL SCHOOL
OF LAW

*******TENTATIVE*******ACADEMIC CALENDAR 2019–2020

FALL SEMESTER ACCELERATED (TURBO) COURSE

First Day of Accelerated Summer	Monday	August 5, 2019
Last Day to Add/Drop Classes	Monday	August 5, 2019
Last Day of Classes	Friday	August 16, 2019

FALL SEMESTER 2019 (SEVENTY-ONE DAYS OF CLASSES)

Orientation	Monday–Friday	August 12–16, 2019
First Day of Class	Monday	August 19, 2019
Last Day to ADD/DROP	Wednesday	August 21, 2019
Labor Day (NO CLASSES)	Monday	September 2, 2019
<i>Purge of all unpaid course selections</i>	Wednesday	September 18, 2019
Mid Term Examinations	Monday–Friday	October 14–18, 2019
Last Day to Drop a Class	Friday	November 8, 2019
Last Day of Classes	Tuesday	November 26, 2019
First Year Professors' Grades due	Tuesday	November 26, 2019
Reading Period (NO CLASS)	Wednesday	November 27, 2019
Thanksgiving Holiday	Thursday–Friday	November 28–29, 2019
Reading Period (NO CLASS)	Saturday–Sunday	November 30–Dec. 1, 2019
Final Examinations	Monday–Friday	December 2–13, 2019
Commencement Exercises	Saturday	December 14, 2019

SPRING SEMESTER 2020 (SEVENTY DAYS OF CLASSES)

School Opens	Thursday	January 2, 2020
First Day of Class	Monday	January 13, 2020
Last Day to ADD/DROP	Wednesday	January 15, 2020
M L K Holiday (No Classes)	Monday	January 20, 2020
<i>Purge of all unpaid course selections</i>	Friday	February 7, 2020
Mid Term Examinations	Monday–Friday	March 9–13, 2020
Spring Break	Monday–Friday	March 16–20, 2020
Spring Break (University Closed)	Wednesday–Friday	March 18–20, 2020
Last Day to Drop a Class	Thursday	April 9, 2020
Good Friday (No Classes)	Friday	April 10, 2020
Last Day of Classes	Tuesday	April 28, 2020
First Year Professors' Grades due	Tuesday	April 28, 2020
Reading Period (No Classes)	Wednesday–Sunday	April 29–May 3, 2020
Final Examinations	Monday–Friday	May 4–May 15, 2020
Hooding Ceremony	Friday	May 15, 2020
Commencement Exercises	Saturday	May 16, 2020

Please note that the calendar events and /or dates are subject to change.

Updated July 2019

READING ASSIGNMENTS

Week 1 (8/19, 8/21)

The Attorney Client Relationship Lifecycle & Client Identity

Week 2 (8/26, 8/28)

The Attorney Client Relationship Lifecycle & Client Identity (cont'd)

Week 3 (9/2-holiday, 9/4)

Abide, Consult, Communicate

Week 4 (9/9, 9/11)

Competence & Diligence

Week 5 (9/16, 9/18)

Confidentiality & Privilege

Week 6 (9/23, 9/25)

Confidentiality/Loyalty I (Conflicts)

Week 7 (9/30, 10/2)

Loyalty II (Conflicts)

Week 8 (10/7, 10/9)

Loyalty III

Week 9 (10/14, 10/16)

Midterm Review / **Midterm on 10/16**

Week 10 (10/21, 10/23)

Civil Litigation

Week 11 (10/28, 10/30)

Code of Judicial Conduct

Week 12 (11/4, 11/6)

Fees

Week 13 (11/11, 11/13) (Issue Spotter Quiz)

Criminal Litigation

Week 14 **(11/18, 11/20)**
Transactional & Negotiation

Week 15 **(11/25)**
Supervisor/Subordinate

End of Classes