PROFESSIONAL RESPONSIBILITY IN THE UNITED STATES
LAWG 2026 -13
Summer 2016

COURSE SYLLABUS

Monday - Wednesday - Friday 10:00 am – 1:15 pm

McDonough Hall, Room 203

Professor Michael S. Frisch

Office Hours: Monday 9:30-10:00 am
Wednesday 9 – 10 am
or by appointment

TEXTS: American Bar Association Model Rules of Professional Conduct
and materials from Articleworks (“Handouts”).

This course addresses the ethical requirements that govern admission to the bar and the practice of law in the United States. The issues that we will explore are subject to specific (although often vague) rules that govern attorney behavior.

Our focus is on the American Bar Association Model Rules of Professional Conduct, a version of which has been adopted in virtually every State. In practice, an attorney’s ethical conduct is governed by the rules of each court that admits the attorney to practice. Class preparation will include review of the rule or rules and comments to the rules assigned for class. You should also review the assigned handouts for class as set forth below.

It is of crucial importance for each student to understand some foundational aspects of the American legal system. It is an adversary system in which the primary (but not sole) obligations are owed to the attorney’s clients. These obligations are set forth in Rules 1.1 through 1.16. Attorneys also owe obligations to courts, opposing and third parties and to the system of justice itself. The Rules that we will study from 3.1 to 8.5 will address these obligations.

It is also of crucial importance to understand that there are separate State and Federal Courts in the American judicial system. An attorney’s initial admission to practice is before the highest court of a State. The attorney may then be admitted to practice before the courts of other States and individual Federal courts.
Each court that admits an attorney to practice has the authority to impose discipline for violation of the ethical rules that we will study.

Attorneys also may be subject to civil liability for professional lapses and criminal liability for violation of the law.

August 1      Introduction to course

Preamble: A Lawyer’s Responsibilities and Scope to ABA Model Rules

Rules 1.1, 1.2, 1.3, 1.4, 1.5

Handout materials pages 7-25; 331-336

August 3       Rule 1.6

Handouts pages 26-47

August 8     Rules 1.7, 1.9, 1.10, 1.11

Handouts pages 48-76; 88-97

August 10      Rules 1.8, 1.13, 1.14, 1.15

Handouts pages 77-87, 104-120

August 12         Rules 3.1, 3.2, 3.3, 4.1, 1.16

Handouts pages 129-163

August 15        Rules 3.4, 3.7, 4.2, 4.3, 4.4

Handouts 164-201

August 17      Rules 8.1, 8.3, 8.4, 8.5

Handouts 205-227, 235-273, 290-294

August 19      Rules 7.1, 7.2, 7.3, 3.6

Handouts pages 295-330

August 20      Examination (take home)