

ETHICS (LAW) (EHGL)

EHGL 0203. PROFESSIONAL RESPONSIBILITY. (3 Credits)

Professional Responsibility explores the rules and law governing lawyers, the way lawyers find meaning in their work, and the role of lawyers in society. This course covers the major doctrinal topics in the field, including the unauthorized practice of law, the lawyer-client relationship, finding and billing clients, confidentiality, conflicts of interest, and duties to the legal system, the profession, and non-clients. The course also introduces students to professionalism, the debate regarding the proper role of the lawyer, and the question of why lawyers have special privileges and responsibilities. The course uses old MPRE questions and other multiple choice questions to focus the readings and the class discussions.

Attributes: CEED, CETH, JD, LLM, LWPR.

EHGL 0208. PROF RESP.CORP COUNSEL. (3 Credits)

Professional responsibility for corporate counsel is a course designed for students who will likely represent public companies, either as outside counsel or as inside counsel. The ethics issues facing such lawyers are very daunting and are growing ever more complex. And the risks to such lawyers include not just violating the ethics rules governing lawyers, but also exposure to sanctions by a myriad of regulators, as well as exposure to money damage law suits. In many circumstances there are no easy answers, as different jurisdictions approach a number of situations differently. As such, law students about to join the profession need to be aware of these problems and how best to address them.

Attributes: CEED, CETH, LAWB, LLM, LWPR.

EHGL 0209. PROFESSIONAL RESPONSIBILITY: CRIMINAL ADVOCACY. (3 Credits)

This seminar focuses on the ethical responsibilities of prosecutors and criminal defense lawyers. Topics include the allocation of decision-making authority, the duty of confidentiality and its limits, conflicts of interests, and ethical responsibilities in the investigation and trial of criminal cases. While focusing on the codified standards of professional conduct and other aspects of the law of lawyering, the seminar will also explore the relationship between the Constitution and professional conduct rules as well as how problems left unresolved by those rules ought to be addressed. A paper will be required. Enrollment is limited. Notes/Miscellaneous: This course satisfies the Professional Responsibility Requirement but may NOT be used to satisfy the Writing Requirement.

Attributes: CEED, CETH, INLJ, LIDR, LWPR.

EHGL 0213. PROF RSP: CIV LIT. (3 Credits)

This is a seminar on professional responsibility with a particular emphasis on ethical problems of interest to civil litigators. The text is Morgan, Rotunda & Dzienkowski, Professional Responsibility: Problems and Materials, Twelfth Edition (Foundation Press). We will use the ABA Model Rules of Professional Conduct, and supplemented by reference to the New York Rules of Professional Conduct. Our class discussions will examine the fundamentals of the attorney-client relationship; basic duties to the client of competence, confidentiality, and loyalty; and conflicts of interest. We will also discuss the legal profession and what it means to be a professional. Specific litigation issues will include the ethical dimensions of settlement negotiations, discovery and evidence gathering and especially e-discovery (e.g., inadvertent disclosure of confidential information), ethical standards in commencing litigation, litigation tactics, and client and witness perjury, interviewing and coaching. We will review the evolving ethical issues arising out of attorney's use of social media. We expect to have guest speakers from time-to-time. This is a collaborative seminar, not a lecture course, and active course participation is expected. This is a three credit course.

Attributes: CEED, CETH, LIDR, LWPR.

EHGL 0226. INTRODUCTION TO THE U.S. LEGAL PROFESSION. (2 or 3 Credits)

This course is about the professional responsibility of U.S. lawyers and is specifically tailored for International LL.M. students. As such, the course is meant to provide a holistic introduction to some of the key professional responsibility aspects that a foreign law-trained lawyer should expect to consider when working in the U.S. or dealing with U.S. lawyers from abroad. Using a textbook, the ABA Model Rules of Professional Conduct, and the NY Rules of Professional Conduct, supplemented by pertinent cases and other materials, this course will examine the fundamental notions that govern the conduct of lawyers in relation to their clients, third parties and the courts. There will be an in-class, open-book exam.

Attributes: LLM, LWPR.

EHGL 0299. PROFESSIONAL RESPONSIBILITY: LAWYERS & JUSTICE. (3 Credits)

This course uses the specific ethical dilemmas confronting public interest and civil government lawyers as the primary resource for investigating the legal ethics rules, the role of the lawyer in society, the connections between legal ethics and political philosophy, and the influence of race, gender, and identity on the legal system. The students and the teacher work collaboratively on developing the specific curriculum for the semester. <p> Students are required to submit a 10 page paper and, as part of a group, to develop a lesson plan and lead one class. The topic of the class and the paper can be the same. The course also requires regular class participation, although disability accommodation is available. For some class sessions, students may be asked to provide brief – one or two page – response papers. <p> Satisfies the Professional Responsibility requirement. Attendance at the first class is mandatory.

Attributes: CEED, CETH, INLJ, LWPR.

EHGL 0349. PROF RES: ALTER DISP RES ETHIC. (3 Credits)

This course involves the study of the Model Rules of Professional Responsibility and the New York Rules of Professional Conduct with an emphasis on alternative dispute resolution (ADR). During the past 35 plus years, an ADR ethical infrastructure has both developed and undergone rapid and irregular growth. Critical and complex ethical and professional responsibility issues relating to various aspects of ADR processes are challenging the legal profession and policymakers because such issues do not fit neatly into pre-existing structures. Such issues include counseling and decision making, duty of candor, confidentiality, conflicts of interests, unauthorized practice of law, fees, advertising and others. This course will also discuss the ethical issues impacting ADR providers and non-legal neutrals.

Attributes: LIDR, LWPR.

EHGL 0371. PUBLIC INTEREST LAWYER ADV SEM. (2 or 4 Credits)

This seminar examines issues of law, practice and theory relating to the work of lawyers in public interest settings. The principal work of the seminar is fieldwork: Students in the seminar work in small groups with other seminar students on projects in conjunction with public interest organizations, with supervision from the seminar faculty and from attorneys at those organizations. Projects have included the development of: know-your-rights guides and trainings for members of the public reports and proposals for legislative or institutional reform pro bono manuals for attorneys and litigation strategy for briefs or campaigns. Seminar requirements include development of and collaboration on a project with classmates, ongoing presentations regarding the project, a final product for the organization, and an analytic paper based on the project. The seminar requires a substantial time commitment and a willingness to work in conjunction with other students and lawyers.

Attributes: EXP, JD, PIE.

EHGL 0372. PUBLIC INTEREST LAWYERING ADVANCED CASEWORK. (2 Credits)

EHGL 0708. PEER-TO-PEER MENTORSHIP. (1 Credit)

This course, open to 3rd year students (3Ls) and 4th year evening students (4Es), will challenge the perceptions of what makes a successful leader while teaching the tangible skills necessary for success in the legal profession and beyond. In addition to the one-hour weekly class with Dean Sugin, enrolled students will act as mentors to 2nd year students. Mentor/mentee groups will have a meeting budget to spend together. Students who have experienced challenges in law school are encouraged to enroll and be mentors. This course is just for mentors. Mentees will sign up for the program separately.