



ACADEMIC COURSE SYLLABUS

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| COURSE TITLE: | PROFESSIONAL RESPONSIBILITY |
| COURSE NUMBER: | LAW R505 |
| UNITS: | 2 |
| COURSE TYPE: | Required |
| PROFESSOR(S) NAME: | Robert L. Jackson, Esq. |
| PROFESSOR CONTACT INFO: | Assistant City Attorney City of Santa Rosa 100 Santa Rosa Avenue, Room 8 Santa Rosa, CA 95404 (707) 543-3040 |
| SCHEDULE: | Spring 2014 – Tuesdays, 7:30-9:30, Room # 103 |
| PREREQUISITES: | Requires completion of 2 nd year coursework. |
| COREQUISITES: | None |
| TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.) | <i>California Legal Ethics, 8th Edition</i> ; Wydick, Perschbacher, and Bassett, West Group, ISBN # 9780314280428 <i>Dzienkowski's Professional Responsibility: Standards, Rules, and Statutes</i> ; West Group; 2013/2014, abridged edition ISBN # 9780314288196 |
| COURSE DESCRIPTION: | Application of the California Rules of Professional Conduct, the ABA Model Rules of Professional Conduct and relevant case materials; examination of disciplinary system; relationship between disciplinary and legal malpractice liability; duties of attorneys with respect to clients, the courts, opposing parties and the public; problems arising from conflicts of interest. |
| COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.) | <ul style="list-style-type: none"> • Students must demonstrate the minimum level of competency for an attorney in CA in the subject matter of Professional Responsibility • Students must demonstrate they possess a minimum level of knowledge to pass a CA State Bar Examination question involving the subject matter of Professional Responsibility • Prepare students to take the MPRE exam. • To acquire the skills to identify issues of legal ethics and professional responsibility, to evaluate and decide upon options consistent with one's professional obligations to his client, the court, and the profession. |
| FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.) | Course material will be presented in a lecture-discussion and Socratic method format. Students should be prepared to discuss all reading materials and address fact patterns not in the reading, but presented by the instructor. |
| EXAMS: | Students must (or should) register for and take the MPRE Exam. |

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| | This course will have Multiple question exam during the final exam period as published in the Law School Exam Schedule. |
| GRADING / ASSESSMENT CRITERIA: | <p>A student must receive no less than sixty-five percent of all points possible, once all calculations have been made, to receive credit for the course.</p> <p>Empire College uses the following grading system: <u>Numerically graded classes:</u> 90 – 100 A Outstanding 80 - 89 B Superior 70 - 79 C Satisfactory 65 - 69 D Unsatisfactory 64 and Below Failing/No Credit</p> <p>Only numeric grades in Required courses are used to calculate grade point average.</p> <p>Final examination [65% of the class grade] Class participation and attendance [35%].</p> |
| ATTENDANCE: | Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% (30 hours — 12 of 15 classes) of the class sessions during each semester. Roll will be taken at each class. |
| ASSIGNMENTS: SPRING 2014 | These assignments are premised on an earlier edition of the textbook and will be updated the first night of class to reflect the new text. |
| Week 1: 1/7/14 | <p>Introduction to Legal Ethics (Optional) Wydick, Perschbacher & Bassett, Chapter 1, pp. 1-26</p> <p>Sources and Applications of Legal Ethic Rules Wydick, Perschbacher & Bassett, Chapter 2, pp.27-66</p> <p>ABA Model Rules Preamble, Scope and Terminology Rules 5.5, 8.1 through 8.5</p> <p>CRPC 1-100 through 1-300 Calif. B&P Code §§6067-6068, 6076-6077, 6100-6117, 6125-6126 Calif. CCP §1282.4</p> |
| Week 2: 1/14/14 | <p>Beginning and Ending the Lawyer Client Relationship Wydick, Perschbacher & Bassett, Chapter 3, pp.67-97</p> <p>ABA Model Rules Rules 1.16, 1.18, 3.1, 6.1 through 6.2</p> <p>CRPC 3-200, 3-700, 4-199(A)(2) Calif B&P §6068(c)(d)(g) and (h) Calif CCP §128.5 and 128.7</p> |
| Week 3: 1/21/14 | <p>Advertising and Solicitation Wydick, Perschbacher & Bassett, Chapter 4, pp.98-126</p> |

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| | <p>ABA Model Rules 7.1 through 7.6 CRPC 1-320(B)-(C); 1-400; California Standards for Attorney Communications (printed after CRPC 1-400) Skim Calif B&P §§6150-54;p 6157-6159.2</p> |
| Week 4: 1/28/14 | <p>Attorneys Fees and Fiduciary Duties Wydick, Perschbacher & Bassett, Chapter 5, pp.127-159</p> <p>ABA Model Rules 1.5, 1.8(e) and 1.15 CRPC 2-200, 4-100, 4-200, and 4-210 Calif B&P Code §6146-6149.5, 6210-6212</p> |
| Week 5: 2/4/14 | <p>Competence, Diligence and Unauthorized Practice Wydick, Perschbacher & Bassett, Chapter 6, pp.160-182</p> <p>ABA Model Rules Preamble, A Lawyers Responsibilities, note 7 Rules 1.1 through 1.4, 1.8(h), 1.18, and 5.3 through 5.5 CRPC 1-200, 1-300 through 1-320, 3-110, 3-400, 3-500 and 3-510 Calif B&P Code §§6105, 6125–6126</p> |
| Week 6: 2/11/14 | <p>Confidential Information Wydick, Perschbacher & Bassett, Chapter 7, pp.183-203</p> <p>ABA Model Rules 1.2(d), 1.6, 1.8(b), 1.9(b), 3.3, 3.4(a) and 4.1 Calif B&P Code §6068(e) Calif Evid.. Code §§950–962</p> |
| Tuesday, February 4, 2014 | Deadline for receipt of MPRE exam application |
| Week 7: 2/18/14 | President Holiday – no school |
| Week 8: 2/25/14 | <p>Candor in Litigation Wydick, Perschbacher & Bassett, Chapter 8, pp.204-225</p> <p>ABA Model Rules 1.6, 3.3 and 4.1</p> |
| Thursday, February 20, 2014 | DEADLINE FOR RECEIPT OF LATE MPRE APPLICATIONS!!! |
| Week 9: 3/4/14 | <p>Fairness in Litigation Wydick, Perschbacher & Bassett, Chapter 9, pp.226-249</p> <p>ABA Model Rules Rules 3.1 through 3.9 and 4.4 CJC 3(B)(7) and (9) and 4(D)(5) CRPC 2-100, 3-210, 5-100, 5-200, 5-220, 5-300, 5-310 and 5-320 Calif B&P Code §§ 6068(b),(c), (d), (f) and (g); 6103 and 6128(a)</p> |
| Week 10: 3/11/14 | <p>Bias in (and Out of) The Courtroom Wydick, Perschbacher & Bassett, Chapter 10, pp.250-277</p> |

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| | <p>Review ABA Model Rules 3.4, 3.5, 4.4 and 8.4 CRPC 2-400 and 3-120 ABA Model Code of Judicial Conduct Canon 3B(5) and 3B(6)</p> |
| Week 11: 3/18/14 | <p>Conflicts of Interest–Lawyers, Clients and Third Parties Wydick, Perschbacher & Bassett, Chapter 11, pp.278-304 ABA Model Rules Rules 1.2, 1.7, 1.8, 1.10, 1.13, 1.14, 1.18, 2.1, 3.7 and 5.4(c) CRPC 1-600, 3-120, 3-300, 3-310, 3-320,, 3-600, 4-210, 4-300, 4-400, and 5-210 Calif B&P Code §6106.8</p> |
| Week 12: 3/25/14 | <p>Conflicts of Interest–Conflicts Between Two Clients Wydick, Perschbacher & Bassett, Chapter 12, pp.305--339 ABA Model Rules , Rules 1.7, 1.8(b),(g) and (i), 1.9 through 1.12, 1.18 and 6.3 CRPC 1-120 and 3-310 Calif B&P Code §6068(e)</p> |
| Week 13: 4/1/14 | <p>Lawyers in Law Firms and Specialized Practice Areas Wydick, Perschbacher & Bassett, Chapter 13, pp.340-368 ABA Model Rules rules 1.0(c) (definition of “firm”), 1.10, 1.17, 2.3, 2.4, 5.1 through 5.7 CRPC 1-100(B), 1-300, 1-310, 1-320, 1-500 and 2-400 Calif B&P Code §6125-6127</p> |
| Saturday, March 29, 2014 | MPRE EXAM |
| Week 14: 4/8/13 | <p>Judicial Conduct Wydick, Perschbacher & Bassett, Chapter 14, pp.369-396 ABA Model Code of Judicial Conduct (2007) ABA Model Rules, Rules 1.12, 3.5, 8.3(b) and 8.4(f) CRPC 1-700, 1-710 and 5-300</p> |
| Week 15: Final Exam –date TBD | See Law School exam schedule for final exam date. Exam will consist of 50 multiple choice questions similar to the MPRE. |