

**Lawyers' Ethics**  
**Fall 2008**

Larry Marshall  
[lmmarshall@stanford.edu](mailto:lmmarshall@stanford.edu)  
650-723-7572

Law 371

Welcome to Lawyers' Ethics for clinical students. I am excited about this offering and look forward to working with all of you in making the course meaningful. This course is quite different than most others you have taken in Law School. Let me explain why.

First, most of the problems which we will be analyzing involve actual ethical issues one of the clinics is currently facing or has recently faced. We will be functioning as the Ethics Committee for the Legal Clinic. For this reason, the course is open only to students enrolled in the clinic, and all of the obligations of confidentiality that apply to clinical work apply to confidences you learn through this course.

Second, we will be working in a very different way than most courses do. Instead of assigning a casebook with canned readings, I will be asking you to tackle ethical issues in the manner that lawyers do. You will be given information about a problem and then asked to come to class having done the appropriate research that informs the resolution of the problem. This is, of course, in keeping with the clinical method.

Logistically, here is how it will all work:

### **Weeks One through Three**

The first three weeks of class will serve as an introduction to the Model Rules of Professional Conduct. Each student will be assigned to prepare a short oral presentation on two rules for presentation during these weeks. Each of these presentations should take between three and five minutes. These assignments will be made during the first class.

### **Weeks Four through Nine**

Beginning with week four we will start addressing problems that are confronting the clinics. We will be working with six problems during the semester during weeks four through nine.

In working with these problems, the class will be divided into two groups: A & B. Each student in Group A will be assigned responsibility to prepare for discussions of three of the problems (i.e., three of the weeks). The students in Group B will be responsible for the other three.



EDUCATING  
TOMORROW'S  
LAWYERS®

This resource was downloaded from <http://etl.du.edu>

IAALS

INSTITUTE *for the* ADVANCEMENT  
*of the* AMERICAN LEGAL SYSTEM

The problems will be posted approximately two weeks before the class in which they will be discussed. (The time may be shorter in instances in which emergency ethical problems arise). During a week in which your group is responsible, each of you must submit a 2-3 page outline to me by 9:00 AM of Tuesday prior to the class. The outline will provide information about the sources of authority and general direction you have taken to address the problem. I have posted some examples on the Courseworks site. Feel free to follow these patterns or develop your own style. You are encouraged to work with a partner in preparing for these three classes.

On Tuesday evenings I will post a document that incorporates the various outlines that have been submitted for the week's problem. All students—in Group A and Group B—are expected to read these outlines before class on Thursday.

We will then discuss the problem in class on Thursday. The students in the group that was not responsible for the research that week are each responsible for attending class and participating in the conversations.

### **Weeks Ten through Twelve**

During the final three weeks of the semester I will meet each week with small groups (5-6 students each) in my office to discuss some perspective readings that will be assigned. These meetings will be scheduled in a manner that allows each student to take part during each of these three weeks.

### **Final Paper**

Finally, each of you will submit one short paper (approximately ten-pages) discussing some aspect of one of the problems we addressed or some other issue related to professional responsibility. This paper is due on the law school's paper deadline.

### **Summary of Obligations**

In sum, then, by the end of the semester each of you will have

- (A) made a brief oral presentation on two rules;
- (B) prepped and submitted outlines for three problems; and
- (C) written one ten-page paper.

### **Readings**

Problems and readings will be posted in the Courseworks site.



EDUCATING  
TOMORROW'S  
LAWYERS®

This resource was downloaded from <http://etl.du.edu>



INSTITUTE *for the* ADVANCEMENT  
*of the* AMERICAN LEGAL SYSTEM

## Grading

The Course is mandatory Pass/Fail. Whether you pass will be assessed by the following criteria:

Rules Presentation	10%
Outlines on Problems	50%
Paper	20%
Class Participation	20%

Obviously, I do not anticipate anyone failing the course. Please know, though, that repeated (more than two) unexcused absences will result in failing the course, regardless of performance. If these are bona fide reasons you must miss more than two classes, you must consult with me beforehand.



This resource was downloaded from <http://etl.du.edu>

EDUCATING  
TOMORROW'S  
LAWYERS®

IAALS

INSTITUTE *for the* ADVANCEMENT  
*of the* AMERICAN LEGAL SYSTEM