

NOTICE TO STUDENTS WITH DISABILITIES: The information contained in this document is available in alternative formats upon request. If you anticipate barriers related to the format or requirements of this course, if you have emergency medical information to share, or if you need to make arrangements in case the building must be evacuated, please let Registrar Denise Boessen or Associate Dean Gely know as soon as possible.

If disability related accommodations are necessary (for example, a note taker, extended time on exams, captioning), please register with the Office of Disability Services (<http://disabilityservices.missouri.edu>), S5 Memorial Union, 573-882-4696, and then notify Dean Gely of your eligibility for reasonable accommodations. For other MU resources for students with disabilities, click on “Disability Resources” on the MU homepage.

PROFESSIONAL RESPONSIBILITY

Fall 2013

Professor Ben Trachtenberg

Class: Tuesday/ Thursday, 2:00 to 3:15 p.m., Room 5
Office Hours: Tuesday, 3:30-4:30 p.m. (or by appointment), Room 319

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FIRST WEEK'S ASSIGNMENT

Syllabus Is Forthcoming

A more detailed syllabus is forthcoming. This document is designed to allow students to prepare for the first week of classes. Assignments for the first week follow on the next page.

Course Materials

The textbook is Lisa G. Lerman & Philip G. Schrag, *Ethical Problems in the Practice of Law* (3d ed. 2012). The required supplement is Stephen Gillers et al., *Regulation of Lawyers: Statutes and Standards* (Concise Edition 2013). Students are allowed to buy an older edition of the supplement; used copies are available at discounted prices. If you choose to do this, you will be responsible for learning about any changes or updates made in the 2013 edition.¹ (Also, note that my Spring 2013 students used the same books—both the Lerman & Schrag casebook and the Gillers et al. concise supplement—so used copies should be available at a reasonable price.)

We will often make reference to (1) the Model Rules of Professional Conduct (“MRPC” or “Model Rules”) and (2) the Restatement (Third) of the Law Governing Lawyers (“Restatement”).

The Concise Gillers contains the Model Rules in full, as well as selected portions of the Restatement.

¹ Gillers et al. also produce a regular edition of their supplement (*i.e.*, not “concise”). I require only the concise version.

Class Assignments—First Three Class Meetings

The assignments below cover the first three classes. I will issue updated documents during the semester with additional assignments. For each and every assignment, please be sure to read the relevant section(s) of the Model Rules, as well any comments. Also be sure to read the “black letter law” portions of the relevant section(s) of the Restatement.² When an assignment refers to “Supp.,” the material is available in the Concise Gillers 2013 statutory supplement. Additional material will occasionally be posted to the course’s Westlaw TWEN site.

Much of our class discussion will concern the problems in the casebook. Please read the problems closely, consider the relevant law, and imagine how you would apply the law to the facts. Students should be prepared to discuss the problems in detail.

Class/Date	Topics	Assignment
Class 1 Tue., Aug. 20	Introduction to Professional Responsibility and Legal Ethics; Admission to Practice Problem 1-2 (“Weed”)	Casebook Pgs. 1-20, 52-68 Supp. Editors’ Introduction, Preamble, and Scope ³ Rule 8.1 Restatement §§ 1& 2 Recommend: Preface to the Casebook (pages xxxiii to xxxvii)
Class 2 Thu., Aug. 22	The Regulation of Lawyers; Mental Health of Bar Applicants <i>In re Mustafa</i> (“missing moot court money”) Problem 1-3 (“The Doctored Resume”)	Casebook Pgs. 23-51; 68-78
Class 3 Tue., Aug. 27	Introduction to Lawyer Liability; Professional Discipline Problem 2-1 (“I’m Not Driving”) <i>In re Peters</i> (“The Tactile Dean”)	Casebook Pgs. 79-100 Supp. Restatement § 5 TWEN: The Peters Case

² While students are welcome to examine the comments, Reporter’s Note, and other materials provided in a complete edition of the Restatement, such preparation is not necessary on a day-to-day basis.

³ The “Editor’s Introduction” is written by the authors of the supplement and begins at page 3 (I refer to the introduction to the Model Rules, not to the supplement itself).