

Thursday, November 11, 2021 (classes 21 of 30!!)

Happy Veterans' Day!! ☺

Today:

Session I—1101: Ethics & prof'l responsibility, *then* Quiz #3!!

Session II—Advisement & registration *with* Peer Mentor Oliver!

For next class (Tu. Nov. 16):

- 1101: Read the rest of M&M ch. 4 (Ethics, on BB).
- 1103: Read C&W ch. 9 (Venue, on BB); answer Qs for S&C assignment posted on OL—due by email **8am!**

For Th. Nov. 18: Prepare a first draft summons for Mr. Proprietor's case! *Details on OL.*

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1101: Ethics and professional responsibility!

Some hypotheticals!!

Legal Assistant Luis brings Witness Wanda into his office for an interview. On Luis' desk is a deposition transcript and several letters from the case of one of the firm's clients, Client Coleman. While interviewing Witness Wanda, Luis stops to take a phone call. While Luis talks on the phone, Witness Wanda gets bored, so she picks up the transcript and letters from Client Coleman's case and reads them. **Has Luis done anything wrong? Yes!!** Luis has violated the **duty of confidentiality.** ☹

Client Carolyn asks Paralegal Peter to lie in a court document that Peter is preparing for Carolyn's case. **Peter should:**

- (A) do what Carolyn says because the client is always right.
- (B) **inform his supervising attorney of Carolyn's request, and tell Carolyn he will not lie in the document.**
- (C) pretend he didn't hear Carolyn, draft the document truthfully, and tell no one about the incident.
- (D) draft the document with the lies, because no one will ever know except Carolyn and Peter.

?? What does (do?) **"Ethics and Professional Responsibility" mean?!**

ethics = basic concepts and fundamental principles of decent human conduct

professional responsibility = legal and moral duty of a professional to apply her/his professional knowledge in ways that benefit the client, and the wider society

Source: business-dictionary.com.

Paralegal ethical duties!! *Honesty, plus . . . the "3 C's"!*

- **Competence** → *be good!* Be knowledgeable and thorough in performing your job.
- **Confidentiality** → *be quiet!* Includes attorney-client privilege.
- **Conflicts of interest** → *be careful!* Conflicts arise when an attorney's representation of one client can injure the interests of another client.

Plus . . . **AVOID** Unauthorized **P**ractice of **L**aw!! ☹