

## SUBJECT DETAILS

Data on the subject	
Name	Legal Ethics and Legal Privilege in an International Context
Degree	Postgraduate in Master in International and European Business Law
Year	2018-2019
Nature	Spring
ECTS Credits	1
Department	Law
Area	Law
Teaching staff	Ignacio Ramos Villar

Data on the teaching staff	
Teaching staff	Ignacio Ramos Villar
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Office	N/A
Tutoring Schedule	Upon request from students

## THEMATIC AREA AND CONTENT

AREA 1: THE ETHICS OF LAWYERS
<b>Theme 1: Introduction to Legal Ethics</b>
<p>1.1 Ethics, Deontology, Law and Professional Responsibility</p> <p>1.2 The Regulation of Lawyers and Legal Assistants: Codes, Statutes, Guidelines, Professional Discipline of Lawyers.</p> <p>1.3 Moral traditions, Ethical Principles and Moral Values.</p> <p>1.4 Other Questions: corruption, job, vocation and lawyers.</p>
<b>Theme 2: Lawyers and clients</b>
<p>2.1 Lawyer-client relationship: beginning and ending the relationship. Duty to Take Some Kinds of Cases. Mandatory Withdrawal.</p> <p>2.2 Legal Privilege</p> <p>2.3 Competence, diligence, and Unauthorized Practice</p> <p>2.4 The Role of Lawyers: advocates, counsellors, forensics. The adversary system.</p>

<b>Theme 3: Lawyers and Society</b>
3.1 Advertising and Solicitation 3.2 Attorney Fees and Fiduciary Duties. Legal Services for the Poor. Market Regulation. 3.3 Conflicts of Interest: Lawyer, clients and third parties 3.4 The Need for a Lawyer. The Right to Practice Law. Law Firms. Legal Education.
<b>AREA 2: FAIRNESS IN LITIGATION</b>
<b>Theme 1: Fairness in Litigation</b>
1.1 Fairness Toward Jurors and Witnesses 1.2 Fairness Toward the Adversary and the Court
<b>Theme 2: Judicial Conduct</b>
2.1 Integrity, Independence, Administration. 2.2 Outside Activities. Judges and Politics

## BIBLIOGRAPHY AND RESOURCES

<b>Basic Bibliography</b>
<b>Text books</b>
<p>Charles W. Wolfram, <i>Modern Legal Ethics</i>, West Publishing Co., St Paul, Minn., 1986.</p> <p>Jonathan S. Lynton and Terri Mick Lyndan, <i>Legal Ethics and Professional Responsibility</i>, Lawyers Cooperative Publishing-Delmar Publishers Inc, Albany, NY, 1994</p> <p>Therese A. Cannon, <i>Ethics and Professional Responsibility for Legal Assistants</i>, Aspen Law &amp; Business, New York, 1999.</p> <p>Javier de la Torre, <i>Ética y deontología jurídica</i>, Dykinson, Madrid, 2000</p> <p>Javier de la Torre, <i>Deontología de abogados, jueces y fiscales</i>, Comillas, Madrid, 2008</p>
<b>Chapters of books</b>
N/A
<b>Articles</b>
<p>Richard Wasserstrom (1975), 'Lawyers as Professionals: Some Moral Issues', <i>Human Rights</i>, 5, pp. 1-24.</p> <p>Gerald J. Postema (1980), 'Moral Responsibility in Professional Ethics', <i>New York University Law Review</i>, 55, pp. 63-89.</p> <p>Stephen L. Pepper (1986), 'The Lawyer's Amoral Ethical Role: A Defense, A Problem, and Some Possibilities', <i>American Bar Foundation Research Journal</i>, 1986, pp. 613-635.</p> <p>Edward A. Dauer and Arthur Allen Left (1977), 'Correspondence: The Lawyer as Friend', <i>Yale Law Journal</i>, 86, pp. 1060-1089.</p> <p>Mark Osiel (1990), 'Lawyers as Monopolist, Aristocrats, and Entrepreneurs', <i>Harvard Law Review</i>, 103, pp. 2009-2066.</p>
<b>Websites</b>
<p>International Bar Association - Professional ethics committee:  <a href="http://www.ibanet.org/PPID/Constituent/Professional_Ethics_Committee/Default.aspx">http://www.ibanet.org/PPID/Constituent/Professional_Ethics_Committee/Default.aspx</a></p> <p>American Bar Association – Legal Ethics: <a href="http://www.abajournal.com/topic/legal+ethics/">http://www.abajournal.com/topic/legal+ethics/</a></p>

<b>Notes</b>
N/A
<b>Other material</b>
Código Deontológico de los Abogados de la Comunidad Europea Código Deontológico de la Abogacía Española American Bar Association Model Code of Professional Responsibility

<b>Competencies</b>
<b>General Competencies</b>
GC 2: Ability to communicate orally and in writing GC 4: Problem-solving skills GC 5: Decision-making skills GC 6: Team work skills GC 9: Awareness of the importance of ethical commitment GC 12: Ability to apply theoretical knowledge into practice
<b>Specific Competencies</b>
SC 13 - Mastering the ethical and professional standards applicable in an international environment, especially in terms of confidentiality and professional secrecy

## TEACHING METHODOLOGY

General methodological aspects of the subject
Contact hours methodology: Activities
Lecture (4 hours) Practical cases and debate (4,5 hour) Student´s presentations (1,5 hours)
Independent study methodology: Activities
Reading: article

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of class hours	Number of independent study hours	Total number of hours
Lecture	4	10	14
Practical class	2		2
Debate	1,5		1,5
In class presentation	1,5	3	4,5
Individual work		2	2
Work in collaboration			
Evaluation: one minute paper			
Evaluation: class test			
Evaluation: exam	1		1
Evaluation: exam review			
Others			
<b>ECTS Credits:</b>	<b>10</b>	<b>15</b>	<b>25</b>

### GRADE EVALUATION AND CRITERIA

Evaluation Activities	Generic Competences	Indicators – To be discussed further in class.	Evaluation Weighting
Debate:	GC 2: Ability to communicate orally and in writing GC 4: Problem-solving skills GC 5: Decision-making skills GC 9: Awareness of the importance of ethical commitment GC 12: Ability to apply theoretical knowledge into practice	Contribution to the group debate on each of the real life scenarios provided	<b>20%</b>
Class presentation (PPT)	GC 2: Ability to communicate orally and in writing GC 4: Problem-solving skills GC 5: Decision-making skills GC 6: Team work skills GC 9: Awareness of the importance of ethical commitment GC 12: Ability to apply theoretical knowledge into practice	Class presentation, supported by a PPT	<b>20%</b>
Evaluation: exam (final)	GC 2: Ability to communicate orally and in writing GC 4: Problem-solving skills GC 5: Decision-making skills GC 6: Team work skills	Short essay on a topic related to the ethic issues discussed in class. Understanding of the material; comprehensive analysis from an ethics perspective	<b>50%</b>

	GC 9: Awareness of the importance of ethical commitment GC 12: Ability to apply theoretical knowledge into practice		
Attendance			<b>10%</b>