

## **Legal Profession**

This course takes a comprehensive look at the organization, operation, and ideology of the legal profession. The course has three major objectives. First, through materials and simulations, the course seeks to convince students that in the practice of law they will often be asked to make difficult ethical decisions. Particular attention will be focused on the ethical problems encountered in civil litigation and the manner in which recent developments in the law regarding class actions, fee shifting, prepaid legal services, and multi-city law firms impact on these problems.

Students will be encouraged to identify and critically examine the theoretical justification for various alternative responses to these problems, as well as to understand the practical ramifications of particular actions. Emphasis will be placed on the special problems and opportunities of young lawyers, women, and minorities.

Second, the course will examine the larger questions of professional structure and ideology. Here, we will discuss the theoretical and functional implications of the changing way in which legal services are delivered. Recent trends in the organization and operation of large corporate law firms, legal services offices, public interest practice, corporate legal departments, and legal clinics will be analyzed in terms of their effect on services delivered and the working lives of lawyers. We will also examine the character, organization, and ideology of the profession itself. Issues relating to deprofessionalization, professional autonomy, commercialism, alternative mechanisms of regulations and control (state, market, common law, and court-imposed), and the increasing numbers of women and minorities will be examined in terms of their potential impact on the profession and their relationship to larger themes such as civic republicanism, feminism, and law and economics. These broader themes in turn will be related to trends in other professions and other legal systems. Finally, the course will encourage students to look seriously at the image of lawyers both inside and outside the profession. How does the image portrayed in the media differ from the way lawyers perceive themselves? What do these differences teach us about competing conceptions of the professional role? Through these and other similar questions, the course will challenge students to reflect critically on the profession they are about to enter and the role they wish to play in it.

Enrollment is limited to sixty students.

Text: Kaufman and Wilkins, *Problems in Professional Responsibility for a Changing Profession* (4th ed.), and current edition of *Rules of Professional Responsibility*.

Students are expected to attend classes and to participate in class discussions.

Students who are absent frequently without the consent of the instructor will be dropped from the class.

The classroom components of certain clinical courses satisfy the Law School's professional responsibility requirement. Students may enroll in a second clinical course with a professional responsibility component, but the course taken second will be reduced by one classroom credit. Students are not allowed to enroll in two non-clinical courses with professional responsibility components and should check with the Registrar's Office if questions arise.