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■ A Contemporary Approach ■

Russell G. Pearce
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FORDHAM UNIVERSITY SCHOOL OF LAW

Daniel J. Capra

PHILIP D. REED PROFESSOR OF LAW
FORDHAM UNIVERSITY SCHOOL OF LAW

and

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Preface

We believe that Professional Responsibility is the most important course in law school. We also recognize that many law professors and law students may not agree. Accordingly, we have written a textbook that reflects both our passion for the subject and our efforts to make the course both challenging and fun to those who may not – at least initially – share our passion.

Unlike traditional law books, this text provides the resources of both a traditional casebook and of the internet, including access to Westlaw and TWEN. The casebook's features include:

- Coverage of the major topics in the field, employing the Model Rules of Professional Conduct, the Restatement (Third) of the Law of Governing Lawyers, and relevant cases, ethics opinions, and statutes, together with links to the full texts of these materials.
- Cases, examples, and issues that will engage students, such as the Torture Memos and the Lynne Stewart case, the Buried Bodies and OPM cases, the payment of attorney's fees with equity, entertaining lawyer advertisements, and a film featuring R.E.M. songs that explores the connection between the lawyer's role, political philosophy, and moral counseling.
- Multiple-choice questions that introduce each section. Answering the questions requires the students to read the text materials closely and critically. Many of the questions are old or model MPRE questions. In the acknowledgments, we identify which questions these are and we thank the National Conference of Bar Examiners for granting us permission to use them. All of the questions will help you focus your reading of the texts.
- Text boxes that raise provocative questions, make connections to supplementary materials, and link to stimulating audio, video, photographic, and text content.
- For those who wish to go beyond doctrinal mastery, challenging materials regarding professionalism, the justifications for lawyers' privileges and

responsibilities, the competing visions of the lawyer's role, and strategies for promoting access to justice.

In the spirit of the interactive series, we intend to create a community of users of this text. We welcome comments and suggestions, including ideas for links that we should include in the next edition. To facilitate the creation of this community, we are establishing a blog under the title "Professional Responsibility: A Contemporary Approach." The blog will allow us to share comments and suggestions with all users of the book, as well as to provide current updates.

We owe a great debt to West and, in particular, to Editor in Chief Louis Higgins for his vision for the interactive casebook series, as well as his constant and unflagging confidence and encouragement. While we are grateful to many colleagues at West, we would like to mention in particular, Heidi Boe, Senior Product Developer, for her outstanding contributions. Thanks to Holly Saari, our editor at Red Line Editorial, for accommodating our demanding requests and for her excellent work and that of her team.

This book would not have been possible without the extraordinary contributions of the team of law students and law graduates who helped us. Thanks to David Snyder for his outstanding work on Chapter 5. We would like to thank the following team of extraordinary research assistants for their work on all the chapters in the book: Nadine Etienne, Lisa J. Gray, Michael A. Kitson, Elisia Klinka, Sinna Bryce Nasser, and Shlomo Pill. While each of these research assistants made an invaluable contribution, Sinna was the leader of the team that created the first draft and Elisia took the lead in finishing numerous edits of the entire book.

RUSSELL G. PEARCE

DANIEL J. CAPRA

BRUCE A. GREEN

October 2010

Features of this Casebook

Throughout the book you will find various text boxes on either side of the page. These boxes provide information that will help you to understand a case or cause you to think more deeply about an issue.



For More Information These boxes point you to resources to consult for more information on a subject.



Food for Thought These boxes pose questions that prompt you to think about issues raised by the material.



Take Note Here you will be prompted to take special notice of something that deserves further thought or attention.



FYI A self-explanatory category that shares useful or simply interesting information relevant to material in the text.



See It These boxes point you to visual information that is relevant to the material in the text.



Go Online If there are relevant online resources that are worth consulting in relation to any matter being discussed, these boxes will direct you to them.



Make the Connection When concepts or discussions that pertain to information covered in other law school courses appear in a case or elsewhere in

this text, often you will find this text box to indicate the course in which you can study those topics. Here you may also be prompted to connect information in the current case to material that you have covered elsewhere in this course.



It's Latin to Me The law is fond of Latin terms and phrases; when you encounter these for the first time, this box will explain their meaning.



Practice Pointers Here you will find advice relevant to legal practice typically inspired by the actions (or inactions) of legal counsel in the cases or simply prompted by an important issue being discussed.



What's That? These boxes explain the meaning of special legal terms that appear in the main text. *Black's Law Dictionary* definitions may be accessed by clicking on the hyperlinked term in the text.

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Ch. 2: p. 39, Question 4; p. 40, Question 5; p. 40, Question 6; p. 57, Question 5; p. 79, Question 3; p. 88, Question 3; p. 88, Question 4; p. 90, Question 5; p. 98, Question 7; p. 103, Question 9; p. 106, Question 11; Ch. 3: p. 200, Question 1;* p. 201, Question 2; p. 212, Question 4; p. 214, Question 6; p. 231, Question 8; p. 232, Question 1; p. 264, Question 9; p. 269, Question 10; p. 275, Question 16; p. 277, Question 17; p. 278, Question 18; p. 278, Question 19; Ch. 4: p. 356, Question 11; Ch. 5: p. 416, Question 9; p. 417, Question 10; p. 436, Question 12; p. 437, Question 13; p. 440, Question 14; p. 454, Question 17; p. 469, Question 21; p. 487, Question 24; Ch. 6: p. 515, Question 2; p. 516, Question 3; p. 518, Question 4; p. 520, Question 11;* p. 529, Question 8; p. 531, Question 10; p. 532, Question 11; p. 533, Question 12; p. 551, Question 15; p. 552, Question 16; p. 573, Question 1; p. 575, Question 3; p. 577, Question 4; p. 578, Question 5; p. 583, Question 6; p. 616, Question 1; p. 617, Question 2; Ch. 7: p. 720, Question 1; p. 720, Question 2; p. 764, Question 6.

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Ch. 2: p. 77, Question 2; p. 85, Question 5; p. 86, Question 1; p. 87, Question 2; p. 87, Question 4;* p. 91, Question 6; p. 104, Question 10; p. 155, Question 7; p. 140, Question 2;* p. 157, Question 8; p. 157, Question 9; Ch. 3: page 181, Question 1; p. 211, Question 3; p. 213, Question 5;* p. 248, Question 7; p. 272, Question 11; p. 273, Question 13;* p. 273, Question 14; p. 274, Question 15; Ch. 4: p. 369, Question

14; p. 372, Question 13; Ch. 5: p. 401, Question 3; p. 404, Question 7; p. 451, Question 16; p. 454, Question 18;* p. 461, Question 20; Ch. 6: p. 513, Question 1; p. 528, Question 7; p. 530, Question 9; p. 534, Question 13; p. 534, Question 14; p. 584, Question 7; p. 619, Question 4; Ch. 7: p. 722, Question 3; p. 745, Question 4; p. 745, Question 5.

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Table of Cases

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