Syllabus – Legal Ethics
Summer 2007

By the end of the first week of class, you are expected to have read all of the black letter rules in the Model Rules of Professional Conduct and the comments for each rule. This will give you a good overview of the Rules. Often in class, we will refer to rules that have not been specifically assigned for (or before) that class and may not be separately assigned at all.

Please note that this class has been compacted to accommodate the summer schedule. For this reason, each day of class will cover the amount of material that would typically be covered in two classes. Please read and prepare for discussion on all of the material listed under each day.

IMPORTANT: Read the comments for each Model Rule assigned. Specific comments indicated are those which you should emphasize in your reading.

1. Tuesday, July 10 - [Read all materials listed before each class]
   Read:
   - Model Rules (MR) pp. 8-13 -- Preamble, MR 1.1 & 1.6, and comments to all
   - Gillers -- pp. 1-13, 17-31, 45-56
     o Problem: "My Client is HIV Positive" -- p. 23
     o Problem: "All's Not Well" -- pp. 23-24

2. Wednesday, July 11
   Read:
   - MR 1.2, 1.3, 1.4, 4.1(a), 4.1(b), and comments to all
   - Gillers -- pp. 56-71
     o Problem: "In a Box" -- p. 70
   - Gillers -- pp. 71-88
     o Problem: "Ms. Nice Person" -- p. 72
     o Problem: "I Don't Bargain" -- p. 73
     o Problem: "I'd Rather Die" -- p. 79
     o Problem: "Accept the Offer" -- pp. 79-80
3. Thursday, July 12
   No Reading
   Guest Speakers:
   - Norm Brownstein and Steve Farber
     Senior partners in a 175+ person law firm
     Brownstein, Farber, Hyatt and Shreck
     "How We Did It"

4. Friday, July 13
   Read:
   - MR 1.1, 1.6, 1.16, 3.3, 4.1 (a) & (b), 8.4(c), and comments to all
   - Gillers -- pp. 423-426, 357-58
   In Class:
   - Video: Lancer Tape

5. Monday, July 16
   Read:
   - MR 1.6, 4.2, 4.3, and comments to all
   - Gillers -- pp. 89-118
     o Problem: "Something You Should Know" -- p. 111-112
   - MR 1.6, 1.7, 1.8(f), 4.4, and comments to all
   - Gillers -- pp. 185-209
     o Problem: "May the Lawyer Be Our Client" -- pp. 190-191
     o Problem: "The Client Says We Messed Up." -- p. 204-206
     o Problem: "Karen's Horowitz's Dilemma" -- pp. 206-208
     o Problem: "How Roger Baldwin Picked a Lawyer" -- p. 208-209

6. Tuesday, July 17
   Read:
   - Gillers -- pp. 315-360
   Guest Speaker:
   - Chief Judge Larry Naves
     Denver District Court
     "How a Lawyer Should Behave in Court"

7. Wednesday, July 18
   Read:
   - MR 1.1, 1.4, 1.5, 1.6, 1.7, 1.8, and comments to all
   In Class:
   - Video: Matt's Case
8. Thursday, July 19
Read:
- MR 1.7 and comment
- Gillers -- pp. 209-231
  - Problem: "Murder One, Murder Two" -- pp. 209-210
  - Problem: "Murder at the Ballgame" -- pp. 218-219
- Gillers -- pp. 238-259
  - Problem: "May We Do Both Cases" -- pp. 238-239

9. Friday, July 20
Read:
- MR 1.9, 1.10, and comments to both
- Gillers -- pp. 275-292
  - Problem: "You Don't Know Anything?" -- p. 275
  - Problem: "Do I Still Owe the Record Store?" -- p.281
  - Problem: "Divorce and Default" -- pp. 281-282

10. Monday, July 23
Read:
- MR 1.9, 1.10, 1.11, and comments to all
- Gillers -- pp. 292-312
  - Problem: "Can We Hire the Guy?" -- pp. 292-293
  - Problem: "Investigating Landlords" -- pp. 304-305

11. Tuesday, July 24
Read:
- MR 1.6, 3.1, 3.3, 3.4, 4.2, 4.3, 5.1, 5.2, and comments to all
- C.R.S. 18-8-610
- Handouts:
  - Tampering with Evidence
  - ABA formal opinion op. 93-376
In Class:
- Video: Morgantown

12. Wednesday, July 25
Read:
- MR 3.1, 3.2, 3.3, and comments to all
- Gillers -- pp. 315-360
  - Problem: "Carl's Story" -- pp. 335-336
  - Problem: "The Lecture" -- pp. 353-354
- Gillers -- pp. 360-383
  - Problem: "The Eyewitness" -- Part 1, p. 375
  - Problem: "The Eyewitness" -- Part 2, p. 376
13. Thursday, July 26  
**Read:**  
- Gillers -- pp. 401-420  
**Guest Speakers:**  
- Senior Federal Judge John L. Kane  
  "Rhetoric and Civility"  
- Harold A. Haddon  
  Criminal Defense Lawyer for Kobe Bryant, Qwest, Rockwell Int'l  
  "Ethical Issues: Dealing with the Press in Criminal Cases"

14. Friday, July 27  
**Read:**  
- MR 1.3, 1.4, 1.6, 1.7, 1.9, 1.13, 3.4, and comments to all  
- Gillers -- pp. 449-492  
  - Problem: "Contraindications" -- pp. 449-450  
**In Class:**  
- Video: Upper Black Eddy

15. Monday, July 30  
**Read:**  
- MR 1.3, 1.6, 1.7, 1.9, 3.4, and comments to all  
**In Class:**  
- Video: Upper Black Eddy continued

16. Tuesday, July 31  
**Read:**  
- MR 1.2(d) and comments (9-13)  
- Gillers -- pp.421-448  
  - Problem: "The Bad Builder's Good Lawyer" -- pp. 421-422  
  - Problem: "The Case of the Complex Formula" -- pp. 422-423

17. Wednesday, August 1  
**No Reading**  
**Guest Speaker:**  
- John Gleason  
  Regulatory Counsel for Colorado Supreme Court  
  "Explanation of the Disciplinary Process"
18. Thursday, August 2
   No Reading
   Guest Speakers:
   - Judge William Lucero
     Presiding Disciplinary Judge
     "Prosecutor's Ethics"
   - Nancy Cohen
     Deputy Attorney Regulation Counsel
     "How to Practice and Stay Out of Trouble"

19. Friday, August 3
   Three Hour Closed Book Final Exam
Grades: Final grades will be determined by your score on a three hour closed book final exam coupled with any points lost for failure to attend class. Because this class is compacted, attendance at each class is mandatory and you must be prepared. I will excuse persons before class for exceptional reasons only. I expect all assignments to be read so that you will be able to make meaningful contributions to class discussion. Extra points may be awarded for consistent, thoughtful comments during class discussion. These will be awarded at my discretion.

Your final grade will then be curved according to the law school rules (misc. rule 32). Consistent with those rules, the median score of the class will be an 85.

Office Hours: I will be available at the law school in an office (to be designated) after class everyday. Please call or email me first to make an appointment. Email: michael.bender@judicial.state.co.us or Phone: 303-837-3741.