

PROFESSIONAL RESPONSIBILITY
LAW7750-01, FALL 2026

Instructor: Adria E. Quintela

Class Periods: W/Th 1:40-3:05pm

Office Hours: E-mail me to schedule

E-mail: aquintela@law.fsu.edu

Text/Materials

Ethical Problems in the Practice of Law by Lisa G. Lerman, Philip G. Schrag, and Robert Robinson 6th Edition, Aspen Publishing
ISBN: 978-1-5438-4621-8

We will also read the ABA *Model Rules of Professional Conduct*. Instead of having you purchase a copy of the rules, I suggest that you access the rules here:

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/

Learning Objectives

At the completion of this course, students will be able to:

- Identify ethical issues that arise in the practice of law.
- Develop an understanding of professionalism ideals in the practice of law.
- Utilize and apply the ABA Model Rules of Professional Responsibility.

Course Description

This course addresses the law regulating lawyers' conduct and the operation of the legal profession. Our central goal is to understand how professional regulation shapes both conceptions of legal professionalism and conditions of legal practice. Drawing on case materials and problems, our emphasis will be on how lawyers define and resolve ethical problems in the real world of legal practice.

Assignments and Grading

You are expected to read all assigned material. Any assignment or exam completed is expected to be the product of the individual student under the FSU College of Law Academic Rules & Policy on our website, unless you are directed to participate in a group project. Students should not discuss any of the assignments with each other before or during the actual assignments and/or exams, unless directed to do so.

The final grade for the class will be based on a written, in-class quiz at about week 4 of the semester as well as a written, in-class final examination.

All of the material covered in class, some of which is not in the textbook, can be tested on the final exam.

Syllabus Change Policy

This syllabus is a guide for the course and is subject to change. Dates listed on this syllabus for discussion of each topic are approximate. I will do my best to maintain the schedule. At times, however, it may be necessary to deviate from the published schedule, depending on the progress of the class. If we are off schedule, I will let you know as we proceed through the semester. As a reminder, please review each problem assigned, BEFORE the time it is scheduled for class discussion as this will greatly enhance our discussions.

University Attendance Policy:

Excused absences include documented illness, deaths in the family, and other documented crises, call to active military duty or jury duty, religious holy days, and official University activities. These absences will be accommodated in a way that does not arbitrarily penalize students who have a valid written excuse. Consideration will also be given to students whose dependent children experience serious illness.

Academic Honor Policy:

The Florida State University Academic Honor Policy outlines the University's expectations for the integrity of student's academic work, the procedures for resolving alleged violations of those expectations, and the rights and responsibilities of students and faculty members throughout the process. Students are responsible for reading the Academic Honor Policy and for living up to their pledge to "... be honest and truthful and ... [to] strive for personal and institutional integrity at Florida State University." (Florida State University Academic Honor Policy, found at <http://fda.fsu.edu/academic-resources/academic-integrity-and-grievances/academic-honor-policy>)

Americans With Disabilities Act:

FSU is committed to providing reasonable accommodation for all persons with disabilities in a manner that is consistent with the academic standards of the course while empowering the student to meet the integral requirements of the course. Students with disabilities needing academic accommodation should: (1) register with and provide documentation to the Office of Accessibility Services; and (2) request a letter from the Office of Accessibility Services to be sent to Student Advancement indicating the need for accommodation and what type. Following initial registration with the Office of Accessibility Services and submission of eligibility letters to Student Advancement, each student will meet with Student Advancement to review approved accommodations. Please note that instructors are not allowed to provide classroom accommodations to a student until appropriate verification from the Office of Accessibility Services has been provided. This syllabus and other class materials are available in an alternative format upon request. For the latest version of this statement and more information about services available to FSU students with disabilities, contact the:

Office of Accessibility Services
874 Traditions Way
108 Student Services Building
Florida State University
Tallahassee, FL 32306-4167
(850) 644-9566 (voice)
(850) 644-8504 (TDD)

oas@fsu.edu
<https://dsst.fsu.edu/oas>

Academic Success:

Your academic success is a top priority for Florida State University. University resources to help you succeed include tutoring centers, computer labs, counseling and health services, and services for designated groups, such as veterans and students with disabilities. The following information is not exhaustive, so please check with your advisor or the Department of Student Support and Transitions to learn more.

Confidential campus resources:

Various centers and programs are available to assist students with navigating stressors that might impact academic success. These include the following:

Victim Advocate Program

University Center A, Rm. 4100
(850) 644-7161
Available 24/7/365
Office Hours: M-F 8-5
<https://dsst.fsu.edu/vap>

Counseling and Psychological Services (CAPS)

Florida State University's Counseling and Psychological Services (CAPS) primary mission is to address psychological needs and personal concerns, which may interfere with students' academic progress, social development, and emotional well-being. The following in-person and virtual (tele-mental health) services are available to all enrolled students residing in the state of Florida:

1. Individual therapy
 2. Group therapy
 3. Crisis Intervention
 4. Psychoeducational and outreach programming
 5. After hours crisis-hotline
 6. Access to community providers for specialized treatment
- Call 850-644-TALK (8255) for more information on how to initiate services.

Counseling and Psychological Services
250 Askew Student Life Center
942 Learning Way
(850) 644-TALK (8255)
Walk-in and Appointment Hours:
M-F 8 am – 4 pm
<https://counseling.fsu.edu/>

Services at UHS are available to all enrolled students residing in Florida:

The mission of University Health Services (UHS) is to promote and improve the overall health and well-being of FSU students. UHS provides a coordinated continuum of care through prevention, intervention, and treatment. Services include general medical care, priority care, gynecological services, physicals, allergy injection clinic, immunizations, diagnostic imaging, physical therapy, and a medical response unit. The Center for Health Advocacy and Wellness (CHAW) assists students in their academic success through individual, group, and population-

based health and wellness initiatives. Topics include wellness, alcohol and other drugs, hazing prevention, nutrition and body image, sexual health, and power based personal violence prevention. For more information, go to uhs.fsu.edu.

University Health Services
Health and Wellness Center
960 Learning Way
Tallahassee, FL 32306
Hours: M-F, 8 am – 4 pm
(850) 644-6230
<https://uhs.fsu.edu/>

SCHEDULE OF TOPICS

Date	Topics problems and cases to be discussed in lectures	Textbook pages assigned
Introduction and Welcome!		
8/26	Getting to know each other 😊	None!
Chapter 1: Bar Admission, History & Diversity		
8/27	Admission to practice The character and fitness inquiry 1-1 Adderall 1-2 The Doctored Resume	Text pg. 17-61
Chapter 2: Regulation of Lawyers, Discipline & Liability		
9/2	Institutions that regulate lawyers/Civil and Criminal Liability	63-84, 121-136
9/3	Disciplinary System and Professional Discipline cases	84-105
9/9	Reporting misconduct by other lawyers 2-2 Exculpatory Evidence Lawyers' responsibility for ethical misconduct by superiors and colleagues 2-3 The Little Hearing Legal protections for subordinate lawyers	105-121
Chapter 3: Relationships Between Lawyers and Clients		
9/10	Formation of the lawyer-client relationship Togstad v. Vesely, Otto, Miller & Keefe "You have no case." Lawyers' responsibilities as agents Lawyers' duties of competence, diligence, honesty, and communication 3-1 The Washing Machine	137-155
9/16	Competence in criminal cases Strickland v. Washington "Capital case, not enough mitigating evidence" 3-2 A Desire to Investigate	155-167
9/17	Quiz	
Chapter 4: The Duty to Protect Client Confidences		
9/23	Diligence, Competence, Honesty & Communication Who calls the shots? The competent adult client Jones v. Barnes "Who decides what to argue on appeal?" Clients with diminished capacity Terminating a lawyer-client relationship	168-213

9/24	The basic principle of confidentiality 4-1 <i>Your Dinner with Anna</i> Exceptions to the duty to protect confidences Revelation of past criminal conduct 4-2, 4-3 and 4-4 <i>The Buried Bodies: People v. Belge</i>	215-257
Chapter 5: Attorney-Client Privilege and Work Product Doctrine		
9/30	Risk of future injury or death 4-5 <i>Rat Poison</i> Client frauds and crimes that cause financial harm 4-6 <i>Reese's Leases</i> Other exceptions to the duty to protect confidences 4-7 <i>An Investment Project</i> Use or disclosure of confidential information for personal gain or to benefit another client.	257-277
Chapter 6: Concurrent Conflicts of Interest: General Principles		
10/1	The attorney-client privilege 5-1 <i>Murder for Hire</i>	279-321
Chapter 7: Conflicts Involving Former Clients		
10/7	An introduction to conflicts of interest General principles in evaluating concurrent conflicts 6-1 <i>The Injured Passengers, Scene 1</i> Conflicts between current clients in civil litigation Suing a current client Cross-examining a current client Representation of co-plaintiffs or co-defendants in civil litigation 6-4 <i>The Injured Passengers, Scene 2</i> Positional conflicts: Taking inconsistent positions in litigation Conflicts involving prospective clients	323-363
10/8	The nature of conflicts between present and former clients Duties to former clients Distinguishing present and former clients Evaluating successive conflicts 7-1 <i>Keeping in Touch</i> Addressing former client conflicts in practice Conflicts between the interests of a present client and a client who was represented by a lawyer's former firm Imputation of former client conflicts to affiliated lawyers	365-417
Chapter 8: Concurrent Client Conflicts in Particular Practice Settings		
10/14	Representing both parties to a transaction Representing organizations 8-1 <i>My Client's Subsidiary</i> Representing criminal co-defendants 8-3 <i>Police Brutality, Scene 1</i> Representing criminal co-defendants 8-4 and 8-5 <i>Police Brutality, Scenes 2 and 3</i> Representing family members Representing insurance companies and insured persons	419-461

Chapter 9: Conflicts Between Lawyers and Clients		
10/15	Legal fees Lawyer-client fee contracts 9-1 An Unreasonable Fee? Regulation of hourly billing and billing for expenses Contingent fees	463-507
10/21	Continuation of Fee discussion	463-507
Chapter 10: Conflicts Issues for Government Lawyers and Judges		
10/22	Forbidden and restricted fee and expense arrangements 9-3 An Impoverished Client Fee disputes Dividing fees with other firms or with nonlawyers Payment of fees by a third party Lawyer as custodian of client property and documents Client trust accounts Responsibility for client property Administering estates and trusts Conflicts with lawyers' personal or business interests Business transactions between lawyer and clients Gifts from clients Sexual relationships with clients Intimate or family relationships with adverse lawyers Imputation of lawyer-client conflicts to other lawyers in a firm	507-538
Chapter 11: Lawyers' Duties to Courts		
10/28	Successive conflicts of former and present government lawyers Conflicts involving judges, arbitrators and mediators 10-1 The District Attorney	539-586
10/29	Being a good person in an adversary system 11-1 Your Visit from Paula Jones Truth and falsity in litigation The rules on candor to tribunals A lawyer's duties if a client or witness intends to give false testimony Nix v. Whiteside "He said he saw something metallic" A lawyer's "knowledge" of a client's intent to give false testimony A lawyer's duties if a client misleads the court without lying	587-613
Chapter 12: Lawyers' Duties to Adversaries and Third Persons		
11/4	Lawyers' duties to courts (continued) False impressions created by lawyers during litigation 11-4 The Drug Test Lawyers' duties of truthfulness in preparing witnesses to testify Concealment of physical evidence and documents Duties of criminal defense lawyers with respect to evidence of crimes Concealment of documents and evidence in civil and criminal cases The duty to disclose adverse legal authority Disclosures in ex parte proceedings Improper influences on judges and juries	613-671

	Lawyers' duties in non-adjudicative proceedings	
Chapter 13: Changing Landscape of Law		
11/5	Communication with lawyers and third persons 12-1 <i>Emergency Food Stamps</i>	673-736
Chapter 14: Access to Justice		
11/11	Holiday	
11/12	UPL and reciprocity UPL continued and advertising	737-791
11/18	The Provision of Legal Services The unmet need for legal services Sources of free legal services for those who cannot afford legal fees Restrictions on legal services 14-3 <i>Mandatory pro bono service</i>	793-833
11/19	Update on Florida	None
11/24	Review	None