Introduction to Researching Legal Ethics

March 23, 2010
Professor Fox

Overview

• Review of Methodology
• Treatises and Journals
• Restatement of the Law
• Annotated Model Rules and State Rules
• Ethics Opinions
• ABA Center for Professional Responsibility
• Don’t Forget Books!
• Research Guides and Blogs
The Role of Legal Research

- Survey of 2L/3L Law Students Summer Research Experience, 2005-2009

<table>
<thead>
<tr>
<th>How much of your time was spent performing legal research? (431 responses)</th>
<th></th>
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<tbody>
<tr>
<td>100% of time</td>
<td>6%</td>
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<tr>
<td>75% of time</td>
<td>33%</td>
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<tr>
<td>50% of time</td>
<td>27%</td>
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<tr>
<td>25% of time</td>
<td>29%</td>
</tr>
<tr>
<td>No time</td>
<td>4%</td>
</tr>
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</table>


- “A new associate at a law firm can expect to spend 80% of his time researching, drafting, and writing documents.”

- “Between the 2nd and 4th years, 70% of a typical associate’s time is spent on research.”

- “First year associates are ineffective because they general start with an online keyword search, racking up unnecessary billings and online charges, while not understanding the context of the results they have retrieved.”
ABA Legal Technology Survey Report

- How much time do you spend conducting research (all levels of experience, all practice areas)? On average, one full day per week.

### Online Versus Print Research

What mix of print materials (books / journals / looseleafs) and online resources (Lexis / Westlaw) did you use on the job?

<p>| | | | | | | |</p>
<table>
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<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Solo</td>
<td>2-9</td>
<td>10-49</td>
<td>50-99</td>
<td>100 or more</td>
</tr>
<tr>
<td>Mean</td>
<td>20.8%</td>
<td>18.9%</td>
<td>22.5%</td>
<td>21.0%</td>
<td>22.2%</td>
<td>20.1%</td>
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<td>Percentile 25</td>
<td>10.0%</td>
<td>10.0%</td>
<td>10.0%</td>
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<td>Median</td>
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<tr>
<td>Percentile 75</td>
<td>30.0%</td>
<td>25.0%</td>
<td>30.0%</td>
<td>30.0%</td>
<td>30.0%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Count</td>
<td>649</td>
<td>118</td>
<td>165</td>
<td>117</td>
<td>61</td>
<td>185</td>
</tr>
</tbody>
</table>

- Only Online Resources: 27%
- Mostly Online Resources: 56%
- Equal Mix of Print and Online Resources: 14%
- Mostly Print Resources: 3%
- Only Print Resources: 0%
The Most Heavily Used Resources

| Which of the following legal research tools did you use on the job? (2005-2009) |
|---------------------------------|------------------|
| Westlaw                         | 83%              |
| OSCN                            | 74%              |
| Google                          | 58%              |
| Print Statutes                  | 41%              |
| LexisNexis                      | 39%              |
| Other Print Resource            | 20%              |
| Print Treatise                  | 20%              |
| Print Reporter                  | 16%              |
| Print Digest                    | 15%              |
| Firm Case Mgmt System           | 14%              |

Two Ways to Begin Researching

• Do you have any leads?
  – Annotations: If you have a Model Rules section, you can find case annotations and other secondary sources in the Annotated Rules.
  – KeyCite: You can KeyCite any article, case, or statute to see what treatises and journal articles have discussed that source.
  – Digest: Got a case? Use the digest to find other cases that talk about the same issue.

• No leads? See next slide.
Fact Scenario

- You practice in the corporate law area. Your top client asks you to handle his divorce case for him. You have never handled a family law case, but you took family law in law school. You take the case as a favor to your client. You are concerned about whether you’ll be able to handle the case well.

- What is do the rules of professional conduct require of you in relation to providing “competent” representation?
Secondary Sources

Treatises and Journal Articles

Key Treatises

- **ABA/BNA Lawyers’ Manual on Professional Conduct**
  - Available on BNA Online, Westlaw, LexisNexis, Print

- **Mallen, Legal Malpractice**
  - KF 313 .M253 and available on Westlaw

- **Hazard and Hodes, The Law of Lawyering, 3rd Edition**
  - KF 306 .H33

- **Rotunda and Dzienkowski, Legal Ethics - The Lawyer’s Deskbook on Professional Responsibility**
  - KF 306 .Z9 and available on Westlaw

- Complete list in **Legal Ethics: A Research Guide** by Peoples.
BNA products are consistently ranked as the most valuable subscription by law firms.
Second Circuit Rejects Some N.Y. Ad Rules, Upholds Waiting Period

The U.S. Court of Appeals for the Second Circuit decided that several absolute bans on certain forms of advertising in New York’s lawyer conduct rules violate the First Amendment, but it upheld a 30-day moratorium on targeted marketing following accidents or disasters. More »

California Bar Approves More Rules, but Disapproves Conflicts Screening

The California State Bar’s board of governors approves a dozen more new or amended professional conduct rules for the supreme court’s consideration. A rule to allow ethics screens fails, however. More »

Supreme Court Affirms Bankruptcy Law’s Speech Limits, Disclosure Rules
Practice Guides: [By content] (1 document)  •  Show results: by relevance  •  in any order

1. Lawyer-Client Relationship
   1. Competence

Results in: Practice Guides (1)

Results for: HEADINGS (competence)

Competence

PRACTICE GUIDE

LAWYERS HAVE AN OBLIGATION TO PROVIDE COMPETENT REPRESENTATION TO THEIR CLIENTS. THIS MEANS THEY MUST EMPLOY THE DEGREE OF LEGAL KNOWLEDGE, SKILL, THROUGHNESS AND PREPARATION NECESSARY FOR THE REPRESENTATION. (MODEL RULE 1.1).

LAWYERS MAY SATISFY THESE REQUIREMENTS THROUGH NECESSARY STUDY OR BY ASSOCIATING WITH COMPETENT COURSEWORK.

BACKGROUND

Model Rule

"RULE 1.1: COMPETENCE"

"A LAWYER SHALL PROVIDE COMPETENT REPRESENTATION FOR A CLIENT. COMPETENT REPRESENTATION REQUIRES THE LEGAL KNOWLEDGE, SKILL, THROUGHNESS AND PREPARATION REASONABLY NEEDED FOR THE REPRESENTATION."

Model Code
3/24/2010

Model Rule

**RULE 1.1 COMPETENCE**

"A lawyer shall provide competent representation for a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

**Model Code**

"DR 1-101 C. Failing to Act Competently."

"(A) A lawyer shall not:

(1) handle a legal matter which he knows or should know that he is not competent to handle, without associating with him a lawyer who is competent to handle it;

(2) handle a legal matter without preparation adequate in the circumstances;

(3) neglect a legal matter entrusted to him."

**State Rules**

Most jurisdictions have adopted **Model Rule 1.1** verbatim. The exceptions are these:

- **Alaska** adds a provision allowing a lawyer in an emergency situation to give limited legal advice or assistance in a matter in which the lawyer does not have the necessary skill or knowledge, so long as the client is advised of the lawyer's limited competence in the field.

- **California** Rule 3-112 requires that a lawyer "not intentionally, recklessly, or repeatedly fail in performance of legal services with competence." It defines "competence" as "legal knowledge, judgment, skill, and diligence required by the nature and circumstances of the matter to be performed, the lawyer's experience, education and training, and the standards of practice in the field of law." If a lawyer is not competent to perform the work, the lawyer "must not accept the representation unless he has secured competent assistance or withdraws from the representation."

- **District of Columbia** has a requirement that a lawyer "serve a client with skill and care commensurate with that generally afforded to clients by other lawyers in similar matters."

- **Georgia** requires that a lawyer "not handle a matter which the lawyer knows or should know to be beyond the lawyer's level of competence without associating another lawyer who is reasonably competent to handle the matter in question."

- **Illinois** adds provisions prohibiting lawyers from accepting representation in matters in which they know or reasonably should know that they are not competent to provide legal services "without the association of another lawyer who is competent to provide such services and form, maintain, and supervise a partnership or other organization for the limited purpose of providing such services."
Substantive Law

A lawyer is expected to be familiar with well-settled principles of law as they relate to the lawyer's area, E.g., Kurland v. Kurland, 607 F.2d 955 (Ct. App. 1979) (lawyer disciplined under Rule 3.1(f) for allowing probate estate even though all of decedent's assets were directed in joint tenancy with survivorship clauses). Florida Bar v. Lawyer, 670 So. 2d 1284 (Fla. 1998) (failure to name insurance company as additional defendant to lawsuit within statutory time limit violated Florida's 'right to settlement' rule and attorney discipline was appropriate). Violation of Rule 3.1 is a 'clear violation' if the lawyer acts in bad faith and violates the Rule for an improper purpose. 

Procedure

Additionally, a lawyer is expected to know and comply with the rules of the courts before which the lawyer practices. See, e.g., In re DeMuro, 633 F. Supp. 908 (N.D. Cal. 1988) (lawyer disbarred from practice in federal district court where, among other things, he 'failed to notice motions in accordance with local rules, attempted to subpoena witnesses in an improper manner, and consistently made improper or untenable objections'). Florida Bar v. Yanez, 679 So. 2d 744 (Fla. 1996) (immigration lawyer disciplined under Rule 3.1 for representing a client who had an improper attorney-client relationship).
What else can I do with the BNA Lawyers’ Manual?

News, Cases, Rules
Full-text of ethics opinions are not available on the ABA web site. Must use Westlaw, Lexis or BNA.
Other Treatises

Mallen, Legal Malpractice

How do you find treatises on Westlaw?

Welcome to Westlaw - Mozilla Firefox

JUDGMENTS on Westlaw: Access state and federal case law in a single location.

Find this document by citation:

Search for a database:

Recent Databases
Favorite Databases
View Westlaw Directory
Find a Database Wizard

Have you checked:

ALL CASES on Westlaw: Access state and federal case law in a single location.

Find this document by citation:

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Favorite Databases
View Westlaw Directory
Find a Database Wizard

How do you find treatises on Westlaw?
Read "I" notes and check table of contents to understand the scope of each treatise.
Always check the scope note online to determine how current the treatise is. You’ll need to find cases from the past 3 months another way.
Searching for a specific term of art in the title of each section of a treatise is a good way to find relevant sections.
§ 20.3. The parameters of competence

The formulation of the standard of care requires delineation of both the skill and knowledge and the degree that attorneys must apply in representing a client. The duties are the qualitative standards that must be possessed, whereas the degree must be quantified.

The parameters that determine competence. Courts have long recognized these parameters.

The text is not clearly visible in the image provided. It appears to be a legal document discussing the formulation of the standard of care for attorneys.
Finding Ethics Journals

LEGAL RESEARCH PROCESS

STEP 1: Frame Your Issue
Identify your issue and accompanying terms. Type your keywords into the search box and hit enter to search for articles containing your keywords and terms.

STEP 2: Increase Your Understanding
Read one or more of the analytical sources below. Analyze all sides of the issue via on-point cases, statutes, and regulations. If your search for legal information yields a result that does not address the issue at hand, visit the Legal Research Center to find additional resources.

STEP 3: Verify "Good Law"
To verify the accuracy of the law, check your sources against a reliable legal database. Use the Westlaw® database to search for current statutes, regulations, and case law. Check your sources against a reliable legal database to ensure the accuracy of your research.

STEP 4: Track Potential Changes
Use the Westlaw® database to track changes in the law. Track regulatory changes in a case or a set of cases. Follow a problem-solving process to identify potential changes in the law. Westlaw® can help you track changes in the law by providing up-to-date case law and statutes.
Restatement of the Law Third: The Law Governing Lawyers

Available on Westlaw and in Print
Treatises on several different topics here, including criminal defense, securities, business law, etc. Others on LexisNexis.
What are Restatements?

- Restatements are secondary sources that seek to “restate” the legal rules that constitute the common law in a particular area into a series of principles or “black letter” rules.
- They are prepared by the American Law Institute (ALI), an organization formed in 1923 consisting of prominent judges, lawyers and teachers.
- The ALI’s purpose is to distill the “black letter law” from cases, to indicate a trend in common law and, occasionally, to recommend what a rule should be.
3/24/2010

Results: 29 Documents


... manner reasonably calculated to advance a client's lawful objectives, as defined by the client after consultation; (2) act with reasonable competence and diligence; (3) comply with obligations concerning the client's confidences and secrets, avoid impermissible conflicting interests, deal honestly with the...

... difficult or undesirable for that other person to supervise closely the performance of the fiduciary. Assurances of the lawyer's competence, diligence, and loyalty are therefore vital. Lawyers often deal with matters most confidential and vital to the client. A lawyer's...

... of lawyers who act against their clients' interests (see § 51.06). Requiring lawyers to protect their clients' interests with competence, diligence, and loyalty furthers those goals. A lawyer is not required to accept a client, to undertake representation without pay...

... goals through means that the lawyer considers lawful but repugnant (see § 22.02). A lawyer must use reasonable care (see § 52.01); see also Restatement Second...

... with a certain emotion or state of feeling, negotiating, or counseling. For legal purposes, the term encompasses the duties of competence and diligence, e.g., duties of loyalty. The responsibilities entailed in creating the objectives of the client may be broadly classified...

...
Comment:
1. The Section presupposes that a client-lawyer relationship has come into existence (see 65, 14, 16) and has not been terminated (see 66). The duties summarized here may be enforced by appropriate remedies, including disciplinary proceedings (see 54) and suits by the client for damages, restitution, or injunctive relief (see 54). Lawyers also owe duties described by general law. A lawyer, for example, may not defame a client (see 55). Other, more specific duties are specified elsewhere, for example, the duty to communicate with a client (see 56).
2. paragraphs. A lawyer is a fiduciary, that is, a person to whom another person's affairs are entrusted in circumstances that often make it difficult or inadequate for that other person to supervise closely the performance of the fiduciary. Assurances of the lawyer's competence, diligence, and loyalty are therefore vital. Lawyers often deal with matters most confidential and vital to the client. A lawyer's work is sometimes complex and technical, often performed in the client's absence, and often cannot properly be evaluated simply by observing the results. Special safeguards are therefore necessary.

Correlatively, adequate representation is often essential to secure persons their legal rights. Persons are often unable to know or to secure their rights without a lawyer's help. The law encourages clients to consult lawyers and limits the liability to third persons of lawyers who act as agents for their clients (see 56, 57). Because lawyers must contract with their clients, it is often advisable for their clients to obtain the advice of a lawyer before entering into a contract.

Research References
Primary Sources

ABA Model Rules of Professional Conduct and State Rules

Annotated Model Rules of Professional Conduct

Available on Westlaw and in Print
Results: 31 Documents


   **Rule 1.1 Competency** Copyright © 2007 by the American Bar Association

   A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

   FOR EDUCATIONAL USE ONLY

   American Bar Association
   Annotated Model Rules of Professional Conduct, Sixth Edition

   Rules 1.1 Competency

   Copyright © 2007 by the American Bar Association

   A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.
INTRODUCTION

Competence is a duty imposed not only as a matter of professional ethics, but also as a matter of the common law of negligence and fiduciary relation. See generally infra, Lawyer Error: Malpractice, Fiduciary Breach, or Disciplinable Offense, 29 W. St. U. L. Rev. 214 (2002). The profession did not explicitly require lawyer competence as an ethical matter until after 1970, when jurisdiction began enforcing version of the ABA Model Code of Professional Responsibility, Model Code DR 6-10(A) (Failing to Act Competently). But although the Code required competence, it did not define it. Therefore, disciplinary agencies assessing adequacy of representation relied principally on DR 6-10(A)(2) (breaching neglect) and, to a much lesser extent, DR 6-10(A)(2) (requiring adequate preparation). See In re Cohn, 500 N.Y.S.2d 501 (App. Div., Dec. 1985) (neglect may be considered a species of failure to act competently, applying Code). The duties of diligence and promptness that had been implicit in the Code's prohibition on neglect are now explicitly and separately imposed by Model Rule 1.3, Diligence (requiring diligence and promptness).
State Rules of Professional Conduct

Oklahoma Statutes on OSCN
A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

Legal Knowledge and Skill.

No case annotations here. Use Westlaw for annotations.
FOR EDUCATIONAL USE ONLY
T 3, Ch. 1, App. 3-A, Rule 1.1

Oklahoma Statutes Annotated
Title 5, Attorneys and State Bar
Chapter 1—Appendix 3-A, Rules of Professional Conduct (Rules & Annex)
Client-Lawyer Relationship
Rule 1.1 COMPETENCE

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

COMMENT
2000 Electronic Pocket Part Update
Legal Knowledge and Skill

LAW REVIEW AND JOURNAL COMMENTARIES
Deciphering the code of ethics. The relationship between an attorney’s ethical duties and network security. 4th Mayfield. 60 Okla. L. Rev. 547 (2007).

LIBRARY REFERENCES
2001 Main Volume
Attorneys and Client (p. 244)
Ethics Cases and Opinions

Case Law
ABA and State Bar Opinions
Using the Digest
Court Cases v. Ethics Opinions

• **Court Cases:** Appellate Court Opinions are mandatory authority.
  – Typically result from the appeal of a disciplinary proceeding to the courts.

• **Ethics opinions:** Written by the ABA Committee on Professional Responsibility and by the state bar associations. They are persuasive authority.
  – Written in response to questions from attorneys who want to know if conduct violates the rules.
You can see — advisory opinions are not issued very often.
Finding Ethics Cases

LEGAL RESEARCH PROCESS

STEP 1: Frame Your Issue
Identify your issue and accompanying terms. Use the Matchbox to narrow or expand your legal issue. To access, click on the ResearchLink at the top of every Westlaw page. Choose relevant ABA and ABA-ABA to help formulate your issue and terms.

STEP 2: Increase Your Understanding
Peruse one or more of the analytical sources below:
- Analyze all sides of issue via on-point case study
- Check expert commentary on your issue
- Obtain professional insight to draft on your issue's brief
- Select new information on your issue

STEP 3: Add Elements to a Cause of Action

STEP 4: Verify "Good Law"
To access, click on the "KeyCite" link found at the top of every Westlaw page. You can also access the citation by clicking on the KeyCite symbol while viewing a result (e.g. 1 or the specific citation in "KeyCite the Citation" in the browser pane to the left). In addition, check legal newspapers for analysis on recent court decisions and statutory changes that may impact your case (Lexis). Find current interpretations of new statutes, rules and regulations from CLE handbooks (LII).

STEP 5: Track Potential Changes
Use the "Westlaw Direct" feature to set up and manage alerts that notify you of relevant updates to cases, statutes, statutes, new and more. Click here to set up Alerts in the top right of every Westlaw page. Quickly check for alerts on pending cases in the hearings report (CLE handbooks), then QL "Add Search to "KeyCite" is a great feature by searching Docketa (OCC-ALL). Then click to track cases in a database of revised (OCC-ALL).
legal work for various attorneys since his release from prison, from the CLE seminars he....

12. Matter of Reinstatement of Floyd,

...Floyd's behalf and commented on his character and fitness to practice law. Three of the attorneys had employed Floyd for research and drafting projects and had ample opportunity to observe his legal competence. They testified as to particular projects and cases Floyd had worked on and the competence he exhibited. The Bar stipulated as to Floyd's competence and counsel for the Bar stated that we are satisfied from our investigation that he is [sic] indeed competent....

13. State ex rel. Oklahoma Bar Ass'n v. Heinsley,

...gravity of the offense or condone her callous neglect and disregard for the rights of the minor her. The more recent which Respondent was required as an attorney to engage was not peculiar to probate law and practice, a field in which Respondent had limited experience, but relates to her representation as an attorney to engage in the practice of law in any test of the law. Her unexplained failure to...
KeyCite shows all later Cases and articles which have cited to Hensley

The minimal research which Respondent was required as an attorney at law to engage was not capable to anticipate, and in good faith, the nature of the action, the issues involved, or the evidence to be adduced. The fact that Respondent was not an attorney of record in the action is a failure to act diligently and in good faith, and not a failure to act in accordance with the ordinary course of business of bar associations in this state.
Use topic and keynumbers to find similar cases in the Digest.
You do not need to enter any additional search terms unless you want to further narrow your results.
ABA Center for Professional Responsibility

www.abanet.org/cpr
LAWYER ETHICS AND PROFESSIONALISM

ABA Commission on Ethics 20/20

The ABA Commission on Ethics 20/20 was created in 2009 to address technology and global practice changes facing U.S. lawyers.

Model Rules of Professional Conduct

The ABA Model Rules of Professional Conduct were adopted by the ABA House of Delegates in 1983.

- Access current rules, historical background and state adoption information online.
- Purchase a hard copy
- Russian Translation (2008)

ABA Formal Ethics Opinions

- Read abstracts and purchase (1986-current);
- ABA Members - download complimentary copies for one-year following their release;
- Center Members - download complimentary copies of all ethics opinions

Table of Contents

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- Commission on Evaluation of the Rules of Professional Conduct (“Ethics 2008”) Chair’s Introduction
- Preface and Scope

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- Rule 1.1 Competence
- Rule 1.2 Scope of Representation and Allocation of Authority Between Client and Lawyer
- Rule 1.3 Duty of Confidentiality
- Rule 1.4 Communications
- Rule 1.5 Fees
- Rule 1.6 Conflict of Interest
- Rule 1.7 Conflict of Interest: Current Clients
Model Rules of Professional Conduct

Client/Lawyer Relationship

Rule 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thorough preparation reasonably necessary for the representation.

Comment | Table of Contents | Next Rule
Finding Books on Legal Ethics
Completed in 2002, the Donald E. Pray Law Library is the largest public law library in the State of Oklahoma with more than 350,000 volumes and 50,000 square feet.

Wireless internet access is available to law students throughout the Law Library. More than 100 workstations furnish power outlets and network connections.

The Native Peoples Collection in the Law Library includes approximately 4,000 titles on law, politics, government, and history.

The Law Library strives to make a wide variety of electronic resources available. Major databases from Westlaw, LexisNexis, Bureau of National Affairs, Commerce Clearinghouse, and HeinOnline are available to all patrons.

The Law Library features a wide variety of study spaces. Large tables with power outlets accommodate laptops and books. Carrels provide quiet study spaces. Comfortable lounge seating and six group study rooms are also available.

On display, patrons will find Native American artwork, rare documents from U.S. and English legal history, and old photographs showing people and places related to Oklahoma’s legal history.

If you have any suggestions for improving our services or resources, please let us know by clicking here. We hope to see the library!

Donald E. Pray Law Library,
University of Oklahoma Law Center
333 Timberdell Road, Norman, OK 73019
(405) 325-4211
Legal Ethics Research Guides
Legal Ethics Research Guide

Introduction

When researching issues of legal ethics, you will need to consult sources beyond the familiar cases and statutes, such as codes of professional ethics and ethics opinions issued by state and national bar associations. To assist you with your research, there are numerous secondary sources that focus specifically on issues in legal ethics. These secondary sources, including books and journal articles, are designed to help you understand the issues and locate primary materials.

This guide will give you an overview of the materials available, both print and online, that you will need to conduct your research in legal ethics. 

Codes of Ethics

A. Model Rules of Professional Conduct

This is the current ethical code of the American Bar Association. It was promulgated in 1983 and has been adopted in some form by many states and the District of Columbia. Copies of the Model Rules are available in the sources listed below.

This will be on Reserve behind the Circulation Desk in the Library.
Current Awareness

Blogs, Journals, Newsletters
Social Networking Ethics Paper Published

Professor Hink’s paper on ethics and the Internet, which includes coverage of ethical issues created by use of social networking sites such as Facebook and Myspace, as well as linking by clients to lawyer webpages, and other issues, is available on-line here.

Comments: Comments Off

Florida: Judges can’t “Friend” lawyers who appear before them on Facebook

Not making this one up: the opinion is here. In a split decision, the majority reasoned that “Friending” a lawyer who appeared before the judge suggested improper influence.

If you see a judge today, don’t “Friend”!

Lawyer Who Heads Organ Match Service Suspended for Excessive Discovery

A Massachusetts lawyer has been suspended for four months for failing to restrain his overzealous client and allowing her wrongful termination case to become “mired in discovery” for more than three years.

I swear I’m not making this up. (4/21/10) For the discovery work, a fee that should have been submitted to arbitration, she requested by the statute of the now deceased client, according to the opinion by Justice Francis Spara of the Massachusetts Supreme Judicial Court. A four-month suspension is appropriate, Spara said.

Raftery recently became executive director of matchingdonors.com after using the service in an effort to find a live kidney donor for himself.

Boston Globe... full story...