I. Course Description

This is an advanced course in the law and ethics of lawyering. Topical coverage varies each semester to focus on current issues at the forefront of the modern legal profession, including traditional restrictions on the unauthorized practice of law, and innovations in the delivery of legal service and forms of practice, both within the United States and around the world. At present, the prevailing uncertainty and debates relate to economic competition and technological innovations in delivery of legal services. Many of the hot issues confronting the legal profession are issues of economic competition from both lawyers and non-lawyers in providing related services (multidisciplinary practice and ancillary businesses); multijurisdictional practices; lawyering on the Internet, outsourcing of legal work; civility; judicial independence and impartiality.

Practical questions are considered throughout. Reading materials, guest speakers and class discussion will expose students to key resources and issues in the organized legal profession, malpractice insurance and civil liability, and the political realities of ethics rule-making.

II. Required Course Materials

Assigned readings will be posted on the College of Law website on the course webpage, http://jay.law.ou.edu/faculty/Jmaute/Lawyering_21st_Century/ Assignments may direct you to readings available through Westlaw, Lexis or the Internet. There is no assigned text or other material to be purchased.

III. Grades

90% of Grade: Elect paper Option A (Graduation Writing Requirement) or B (3 short papers. Must make election by noon, Friday, February 3, due date of first short paper) 10% of Grade: Attendance and Class Participation

Grading Option A. Substantial Paper, grade of B- or better may satisfy Graduation Writing Requirement. This option is available to a limited number of students.

Students electing this option must 1) submit topic proposal for approval by 12:00 P.M., Tuesday February 21 (email and hard copy); 2) confer with me to refine the topic and develop a research plan at least two weeks before the scheduled presentation; 3) distribute first draft by
email to the class and myself at least 72 hours (i.e., 3 full days) before the scheduled presentation; 4) present the paper to the class and help facilitate class discussion; 5) submit final paper to me electronically in Word or WordPerfect and in hard copy three weeks after the presentation.

To receive credit for Graduation Writing Requirement, the first draft and final paper must be original work authored by the student, with proper attribution of all quotations and sources in footnotes in substantial compliance with the bluebook. Both the draft and final paper are fully subject to the College of Law Code of Academic Responsibility.

Final paper must be at least 25 pages, of publishable quality. The student author will present to the class sometime between February 27 and April 23. To the extent possible, presentations will be scheduled to fit within other topical coverage. Students electing this component will participate on two critique panels for others writing substantial papers under this option.

Topic Proposal. 1-2 page paper topic proposal due February 21 in both hard copy and email to me and Dawn Tomlins, dtomlins@ou.edu. It should include: 1) preliminary thesis statement; 2) preliminary outline of your intended research and analysis; 3) three preferred presentation dates, in order of preference. I am available to meet individually with students to define a topic and develop a thesis.

First draft. First draft must be submitted by 4:00 P.M. three business days before the scheduled presentation, by email distribution to the entire class, and a hard copy and electronic transmission (Word format) delivered to me and Dawn Tomlins. For presentations on a Monday, draft is due on Thursday; presentations on a Tuesday, draft is due on Friday. Failure to submit a respectable first draft in a timely fashion causes others a major inconvenience, lowers the quality of class discussion on the presentation topic and may result in a failing grade for the course. No one wants that to happen.

Length: 15-20 printed pages, including footnotes, 12 point font, double-spaced, one inch margins, page numbers inserted in bottom center, with quotations of fifty words or more indented and single-spaced.

Presentation. One traditional class hour (50 minutes) will be devoted to discussion of each student paper. Suggested format: 20 minutes author presentation; 10 ten minutes for Commentators to make observations, suggest future development; 20 minutes for general class discussion, facilitated by the author, Commentators and myself. Authors are strongly encouraged to develop 2 or 3 discussion questions in the email that distributes the draft to the class. That way all can be thinking of those questions while reading the draft. The time remaining in the class session (approximately 25 minutes) will be spent discussing other substantive material related to the student author’s paper topic.

Commentators. The draft paper will be read by the entire class. In addition, students assigned to serve as Commentators will prepare a brief memo (1-2 pages) giving diplomatic constructive criticism that will help the author improve the final product. It is helpful to include written
editorial comments on a hard copy of the draft. Commentators will deliver a copy of their written comments to me and to the student author on the date of the presentation. In addition to these written comments, Commentators will help facilitate class discussion of the papers which they read.

Final draft. Minimum 25 pages, turned in both on hard copy and on by email (WordPerfect or Word). Due date: three weeks after presentation date; reasonable time extensions will be allowed for presentations made April 3 or later, to accommodate preparation for final exams.

**Grading Option B. Three Short Papers**

To receive a passing grade in the course, every student electing Option B must write three original papers: 1. Journal (two segments, named Part 1 and Part 2); 2. Research paper on topic related to team presentation; and Final paper on topic of your choice, fitting within one of the categories described in paragraph 3, below.

Format: Typed, 12 point font, double-spaced, numbered pages, 1” margins (top, bottom, right & left), submitted by email to me at jmaute@ou.edu and Dawn Tomlins, dtomlins@ou.edu and in hard copy (preferably double-sided to conserve paper).

1. **Journal**

   **Part A:** 3 pages, due by 2:00 P.M. Thursday, February 2.
   This short paper will discuss your subjective reaction to a question of professional responsibility that you saw in the news, in the media, in a legal workplace, or experienced in a legal encounter involving you, your family or a friend. It might relate to something a lawyer did or said, something the lawyer was asked to do or something you observed another person in the legal system doing, or something that about the operation of the legal system. Write your entries so as to preserve client confidences. Use hypothetical names as necessary. Describe how you think the matter should have been resolved by the lawyers, or the question presented, including any "practical" or "ethical" factors you considered relevant.

   ***Unless you specifically request that your paper be preserved as confidential, it will be distributed for small group discussion, with the themes presented for discussion by the entire class. I will sort the journals in to clusters, using the following categories: 1) Positive examples of ethical atmosphere; 2) Quality of justice issues; 3) Client-lawyer relationship (competence, diligence, client autonomy); 4) Confidentiality; 5) Conflict of interest and 6) Economic issues (fees, innovations in delivery of legal services). By Friday, February 3, Dawn will distribute those journals to everyone the designated cluster group.

   Class discussion on February 6 will be devoted to discussion of the subjective, emotional, professionalism issues raised in the journals and to identifying research sources and strategies for the Journal Part B assignment.
Part B: 5 page follow-up legal memoranda reflecting legal research and analysis of one or more of ethical issues raised in Part A. Submit to those in your cluster group, and to me and Dawn Tomlins by email in Word format by 9:00 A.M., Monday, February 20. The legal issues will be discussed in class on Tuesday, February 21.

2. Research papers: 8 pages, individually prepared, on a subject related to topics covered between February 27 – April 23. Together with others in a law firm of your choosing (preferably 3-4 persons), do class presentation on the material covered by your firm, which will also facilitate class discussion. This syllabus leaves open to class choice topical coverage throughout the semester.

3. Your choice, 8 page paper, due by end of semester, on one of the following:

a. Attend a disciplinary, reinstatement or court hearing on law governing lawyers issue, and write a paper that addresses legal, ethical or procedural issues that caught your attention, and your observations or perceptions of what you saw.

   N.B. Scheduled disciplinary or reinstatement hearings at the Oklahoma Bar Center, at 1901 N. Lincoln Boulevard, Oklahoma City, are frequently continued, resolved without a hearing or closed to public under RGDP Rule 10, as late as 5:00 on the day before. At present, reinstatement hearings are scheduled for February 7, March 16 and March 21. I do not know whether any of these will be contested by the bar and thus provide an interesting learning opportunity. They begin at 9:30 A.M. and vary in duration. You may contact Ms. Dieadra Goss, who is charge of scheduling in the Office of the General Counsel, at 416-7007, or by email at dieadrag@okbar.org.

b. Interview a lawyer about ethics issues encountered in that lawyer’s practice. It could be a family member, friend, acquaintance, or someone who practices in a field of interest in which you might like to practice. After conducting appropriate legal research, your paper should identify and analyze one or two issues you find significant. This could be a great opportunity to connect on a different level with someone you care about, or to seek out a mentoring relationship.

c. Memorandum to a relevant Committee or Commission or Foundation of the American Bar Association, Oklahoma Bar Association (OBA), or another jurisdiction on a matter of interest to you concerning the law or ethics governing lawyers or judges. At present, there are many issues under consideration by the ABA Ethics 20/20 Commission and other professional groups around the world. See http://www.abanet.org/ethics2020/. This year the OBA Rules of Professional Conduct Committee is considering possible changes to Rules 3.8 and 1.10 based on recent ABA revisions to the Model Rules. Additionally, General Counsel Gina Hendryx may welcome student research papers on other topics.

d. Amicus brief on issue concerning the law governing lawyers that is now pending before some state or federal appellate court (page length based on text, not including space for usual caption or signature, certificate of service pages).
e. Select a movie, television show, book, short story or similar material from popular culture involving lawyers, judges or the legal system and discuss the ethical issues presented by that depiction.

10% Attendance and Participation

1. The participation component is determined based on regular, quality contributions to class discussions over the course of the semester, including classes where leadership, presentation or commenting responsibilities are assigned. Participation will be evaluated based on quality, not quantity. Share the air time. If you tend to talk a lot, ration yourself to one or two comments per class. On the other hand, if you wish for invisibility and live in fear of getting called on, force yourself to speak up on occasion.

2. Faculty policy permits unexcused absences equal to the number of course hours. Because the Spring 2012 class meets twice a week for 1 ¼ hour sessions, this policy converts to allow absence from two class sessions. The grade of any student who misses or is unprepared for or more three or more class sessions may be reduced or the student may be dropped from the course. In determining the appropriate sanction, I will take into consideration reasons for absence or unpreparedness.

3. Procedure: Each day at the start of class I will distribute a daily sign-in sheet. Sign if you are both present and prepared to participate. If you attend but are NOT prepared or do not wish to be called on, put an asterisk (*) by your name and I will not call on you (or if I do, please remind me that you used the asterisk). This sheet must be signed, with appropriate designations, within the first five minutes of class. If you sign in without the asterisk designation on a day in which you were not, in fact, prepared, this will be deemed a misrepresentation of fact and may be reported as a violation of the Code of Academic Responsibility. Please keep track of your own absences & unprepareds by noting below.

4. For purposes of this policy, being unprepared, as marked by an asterisk, is treated the same as an absence. This policy recognizes that students can obtain benefits from attending class, even when they have not adequately studied that day's materials. By marking an asterisk, you have safe harbor from being called on. As a matter of consideration to me and to your classmates, if you are not prepared, you should refrain from participation on that day.

5. Unless there are extraordinary circumstances, such as a death or serious illness in the family, jury duty, emergency military service or your hospitalization, please do not ask me to consider an absence excused. Your presence in law school indicates that you are mature adults capable of making your own scheduling choices. You are free to choose how to spend your allowed absences.

MY RECORD OF ABSENCES/UNPREPAREDS:
IV. Other Housekeeping Rules

A. Computer & Internet Use in Class

1. You may use your laptops only for taking notes in class and to access the assigned reading posted on course webpage and other materials directly related to the topical coverage. This is a privilege, not a right. The advent of wireless Internet access in the law school presents students with unlimited potential distractions. Many law professors, judges and professional leaders are concerned that multi-tasking adversely affects both academic performance and professional competence. If any one student violates any of the rules set forth below, I reserve the right to terminate the privilege of allowing further computer use for the entire class.

2. For this class, the following rules are in effect, subject to the University of Oklahoma College of Law Code of Academic Responsibility.
   a. After the bell rings, the only permitted Internet use is to access assigned reading for the day. This means no email, instant messaging, shopping, gaming or any other Internet connection not expressly authorized by the professor.
   b. After the bell rings, computers may only be used in class for activities relating to the current assignment in class, i.e., reviewing the assigned material to enrich class discussion, or taking notes on the material then being discussed. This means no writing or editing of documents for any other class, extracurricular or employment activity.
   c. After the bell rings, all cell phones must be turned on silent during class time. No text messaging is permitted.

B. Disability Policy

The University of Oklahoma is committed to providing reasonable accommodation for all students with disabilities. Students with disabilities who require accommodations in this course are requested to speak with the professor as early in the semester as possible. Students with disabilities must be registered with the Office of Disability Services prior to receiving accommodations in this course. The Office of Disability Services is located in Goddard Health Center, Suite 166, phone 405/325-3852 or TDD only 405/325-4173.

C. Code of Academic Responsibility

All course work and conduct in law school is subject to the Code of Academic Responsibility. This includes all course work, drafts or final submissions and attendance records.

D. Confidentiality, Respect & Professionalism

This class is designed as a capstone course to facilitate transition into practice. At times we will be discussing sensitive issues. Full and candid discussion of those issues is possible only if students are confident that what they say in class will not be repeated outside of class, either to other students or to persons outside the law school community. Members of the legal profession are expected to treat all persons they encounter with dignity and respect, whether colleagues,
support staff, clients, opposing parties or their counsel, judges, litigants, witnesses and court personnel. The same principles apply to law students in their relationships with each other, the administration, faculty and staff.

E. Original Work Product

All written work must be original work prepared only for this class. Work for law review, moot court, other classes, outside employment or work prepared by others in any other capacity cannot be used without express permission of the professor. See me promptly if you have any questions about this. Work must be completely authored by the student, giving proper attribution for all quotations and ideas, with sources properly stated in footnotes in accordance with the Uniform Book of Citation ("bluebook").

Plagiarism is a serious honor code violation which will be strictly enforced on all work for this class. Always footnote to ideas or phrases taken from another source. As a rule of thumb, if you use three or more consecutive words from a source, it must be contained in quotation marks and footnoted to the original source, including pinpoint cite. When you paraphrase or use an idea from another source, proper attribution to that source is required.

V. RESEARCH SOURCES

For your convenience, I list the following research sources that you may wish to consult either in your studies, or in connection with outside work responsibilities.

Research Sources
American Bar Association, Annotated Model Rules of Professional Conduct (7th ed. 2011)(includes searchable CD-Rom) (grand starting place)
ABA/BNA Lawyers’ Manual For Professional Conduct (only advance sheet series dedicated to law of lawyering; it is available on-line through the College of Law Library home page under BNA) or at http://lawyersmanual.bna.com/mopw2/ (grand starting place)
(once you figure out range of relevant section numbers, grand starting place)
Ronald E. Mallen & Jeffrey M. Smith, Legal Malpractice (7th ed. 2011)(library Reserve Room)
Charles F. Herring, Jr., Texas Legal Malpractice & Lawyer Discipline (10th ed. 2011)

Websites
http://www.abanet.org/cpr/ (grand starting place)
http://www.americanbar.org/content/dam/aba/migrated/cpr/pic/ethics_2000_status_chart.authcheckdam.pdf (provides rule status of all jurisdictions; last updated Sept. 14, 2011)
http://www.abanet.org/ethics2020/
VI. TENTATIVE SCHEDULE AND READING ASSIGNMENTS

Session 1, January 17: Professional Ethics & Integrity

Questions to ponder:
What is professionalism? What prompted you to attend law school? Do you want to be a lawyer? Why or why not? Define “integrity.” How does one become a person of integrity? A lawyer of integrity? Can it be taught in school? In practice? What kind of lawyer do you want to be? What kind of lawyer do you not want to be? What are some lawyer traits you admire? Not admire? What steps can you take to develop the traits you admire in lawyers?

Session 2, January 23: Getting a Grip on Your Student Loans. Guest Speaker via webinar, Heather Jarvis, Student Loan Expert
Class meets in Bell Courtroom, open to entire student body.

Reading assignment posted on course webpage.

Session 3, January 24: Lawyer Regulation and Core Values
Assignment: Review Daly and Jarvis materials, follow-up discussion.

Session 4, January 30:
Lawyer Regulation and Core Values?
Reading assignment: Michael Greco, Remarks to the Conference of Chief Justices, Regulation of the Legal Profession in a Global Economy; Bruce Green, ABA Ethics Reform from “MDP” to “20/20”: Some Cautionary Reflections, posted on course webpage. Read blackletter text of ABA Model Rules 1.1 Competence, 1.6 Confidentiality, 1.7 Conflicts, 3.3 Candor, 5.4 Professional Independence available at


Session 5, January 31: Career Planning: Getting and Keeping a Job You Like
Guest speaker, Casey Delaney, Director, Office of Professional Career Development

Reading assignment posted on course webpage

REMINDER: Journal Assignment, Part A DUE THURSDAY, FEBRUARY 2, 2:00 P.M. (for all students electing Grade Option B)
Session 6, February 6: Core Values: Journal Discussion, first within cluster groups and then general class discussion.
By Friday, February 3, you will receive an email from Dawn Tomlins, distributing to each cluster group the journals from those in cluster.
Reading assignment: read and think about the journals distributed to your cluster group. What issues do they have in common and how do they relate to core values? Groups will report back to the class, for open discussion.

Session 7, February 7: Words of Wisdom for Incoming Lawyers
Guest speaker Wednesday: Gina Hendryx, Oklahoma Bar Association General Counsel
Reading assignment: to be posted on course webpage, Frequently Asked Ethics Questions, Oklahoma disciplinary procedure flowchart, and 2011 Annual Report

Session 8, February 13: Into the Books (or other Sources): Researching the Law and Ethics of Lawyering, Electronic Databases
Guest lecturer: Donald E. Pray Law Library Director and Professor Darin Fox
No reading assignment. Meet in Crowe Dunlevy Room, room 2035.

Session 9, February 14: Into the Books (or other Sources): Researching the Law and Ethics of Lawyering, Print and Electronic Databases
Guest lecturer: Donald E. Pray Law Library Associate Director Joel Wegemer
Assignment: Re-read the journals in your cluster group. For yourself and others in your group, consider the legal issues presented for further research and development for 5 page, Journal Part B., discussed on page 4, Syllabus. Paper is due Monday, February 20, 4:00 P.M. by hard copy and email.
Meet in regular classroom.

Session 10, February 20: The Happy Lawyer …Work, Life and Ethics, Keeping Everything in Balance
Reading assignment posted on course webpage.

Session 11, February 21
Cluster Group discussion of research paper 1.b.

Session 12, February 27: Looking into the Future, Part I
Thomas D. Morgan, The Last Days of the American Lawyer?
Reading assignment posted on course webpage.
Reminder: Students electing Grading Option A, that could satisfy Graduation Writing Requirement: topic proposal due by hard copy and email, 4:00 P.M. See pp. 1-3 of Syllabus.

Session 13, February 28:
Looking into the Future, Part II
Session 14, March 5:
Why Manners and Civility Matter
Guest speaker: Travis Pickens, Ethics Counsel, Oklahoma Bar Association
Reading assignment: Oklahoma Standards of Professionalism; Travis Pickens, Why Manners Matter, 81 Okla. B.J. 2799 (Dec. 11, 2010); The Florida Bar vs. Robert Joseph Ratiner (slip opinion, June 24, 2010).

Session 15, March 6:
Law Practice Management
Reading assignment: Preamble: The Four Cornerstones of a Successful Law Firm, excerpted from LAWRENCE G. GREEN, MANAGING PARTNER 101, A GUIDE TO SUCCESSFUL LAW FIRM LEADERSHIP (ABA Law Practice Management Section, 2d Ed. 2001)

Session 16, March 12: to be determined

Session 17, March 13: to be determined

SPRING BREAK, NO CLASS MARCH 19 & 20

Session 18, March 26: to be determined

Session 19, March 27: to be determined

Session 20, April 2: to be determined

Session 21, April 3: Professor Andrew M. Perlman, Suffolk University Law School, discussing activities of ABA Ethics 20/20 and related events of ABA from February 2012 meeting. Class location to be determined based on technology. Reading Assignment: Summary of Actions by the ABA Commission on Ethics 20/20. Specific topics addressed in depth will be determined after Feb. 2 ABA Midyear Meeting; Summary memo contains internal links to specific topics.

Session 22, April 9: to be determined

Session 23, April 10: Guest Speaker, Jim Calloway, Director, Management Assistance Program, Oklahoma Bar Association Topic: The Future of Law Practice: Dark Clouds or Silver Linings? Reading assignment: to be determined

Session 24, April 16: to be determined

Session 25, April 17: to be determined

Session 26, April 23: to be determined
Session 27, April 24: Final class, course wrap-up, reading to be determined
VII. Possible Paper Topics

1. Lawyer participation in secret settlements that favor client over public safety interest (products liability), or sweetheart deals with defendants and shafting class members. 2. Lawyer participation in undercover investigations involving deception, or “pretexting”
3. Government lawyers: upholding the rule of law; intelligence interception; Gitmo detainees, military courts
4. Should states permit involuntary screens to avoid imputed disqualification or advance conflict waivers, adopt amended ABA RPC1.10?
5. Judicial integrity and independence. Current debates on recusal, selection (both federal & state courts), retention of state court judges.
6. Delivery of legal services through technology
7. How to encourage greater participation in delivery of pro bono legal services; use of technology
8. Role of lawyer-mediators giving legal advice or legal information and reducing agreements to writing
10. Use of "strategic alliances" as an alternative to multidisciplinary practice in the U.S.; possible revisiting of U.S. position on multidisciplinary practices
11. Lawyer participation in for-profit lawyer directories, lawyer referral services (“Total Attorneys”), and case matching services, with focus on the Internet, lawyer rating programs
12. Wrongful discharge claims by lawyers
13. Heightened interest of U.S. Supreme Court on lawyer issues; specifics on 1st, 5th Amendments, application of federal statutes to lawyers (e.g., bankruptcy restrictions on permissible advice). For starters, see Renee Newman Knake, The Supreme Court’s Increased Attention to the Law of Lawyering: Mere Coincidence or Something More?, 59 AM. U. L. REV. 1499 (Aug. 2010). For current cases and discussion, study ABA/BNA sites and http://www.scotusblog.com
14. Lawyer receipt of faxes, e-mails or other documents either sent inadvertently or wrongfully obtained; reclaiming attorney client privilege
15. A client "bill of rights"
16. Conflicts of interest in criminal cases, ethical versus constitutional standards, habeas corpus or direct review
17. Allocation of decision-making authority between client and lawyer, with focus on specific issue and context
18. Special problems in representing the elderly
19. Criminal defendants with mental disabilities, 6th Amendment rights, vulnerability to execution
20. Criminal prosecution of lawyers for aiding and abetting client's illegal activity
21. State variations on lawyer advertising and challenges based on First Amendment, forecasting change of doctrine? New efforts to restrict lawyer advertising (e.g., NY, NJ, FL, TX, MO, LA) & constitutional challenges; circuit split already, time for SCOTUS to revisit?
22. Lawyer complicity in client fraud; aiding & abetting liability under state or federal law
23. Any of many issues under consideration by ABA Ethics 20/20 Commission. See http://www.americanbar.org/groups/professional_responsibility/aba_commission_on_ethics_20_20.html
24. U.S. legal profession: trying to stay competitive in globalized marketplace (explore some of proposals of Ethics 20/20, on outsourcing, alternative litigation financing, etc.)
25. Alternative billing practices
27. Serving on a client's board of directors, differences between for-profit and not-for-profit
28. Civil liability for malpractice, specific possible topics include whether criminal defendant must set aside conviction as prerequisite for filing suit; “mega-malpractice” claims; possible eroding prosecutorial immunity; breach of fiduciary duty claims
29. Technology challenges to fair administration of justice: jurors who tweet, search Internet or otherwise do own investigation
30. Over-the-top advocacy: judicial efforts to deter; sanctions
31. Criminal prosecution of lawyers for activities in representing clients
32. Recent ABA Ethics Opinions – with at least one controversial, F. Op. 11-461 (advising clients re direct contacts with represented persons)
33. Inadvertent disclosure and metadata
34. Coerced corporate defendant's waiver of attorney-client privilege as part of plea bargaining with federal prosecutors; unfolding reconsideration of how this should be handled.
37. Disciplinary investigations of state prosecutors (Cal. disciplinary counsel recently opened investigation of 180 prosecutors); rampant prosecutorial misconduct? See ABA Jnl 18 (Dec. 2010)
38. Mining for metadata issues: permitted, required or prohibited? Conflicting ethics opinions
39. Recent Supreme Court decisions on ineffective assistance. See Maute Professional Responsibility coursepage for most recent summary (current to Dec. 1, 2011).
41. Personal injury settlement mills, discussed by Nora Engstrom (work in progress)
42. LawWithoutWalls, a brand new, an innovative and international program on legal education sponsored by University of Miami Professor Michelle DeStefano Beardslee. See http://www.lawwithoutwalls.org/about/ (see especially list of “projects of worth” done in spring 2011 search for possible future topics. It would be great for one or more students to present on LawWithoutWalls, for purposes of considering whether this might be a project for future OU involvement.
43. Virtual law offices, Stephanie Kimbro as lead proponent
44. Trends in outsourcing of legal services
45. Regulatory issues across international borders
46. Use of technology to improve access to justice, delivery of legal services for low income populations. See writings of Ronald Staudt, including a piece he published in Loyola of Los Angeles law review (2010)
47. Wrongful convictions: ethical duties of prosecutor who acquires credible evidence that a previously convicted defendant was actually innocent, amendments to ABA Model Rule 3.8(g) and (h). Oklahoma Rules of Professional Conduct Committee presently considering.
48. Wrongful convictions: ethical duties of criminal defense lawyer who acquires certain knowledge from a client that the wrong person was convicted of serious crime and is serving a long prison sentence or received the death penalty. (Chicago public defenders case)
50. Mass tort defendant’s use of claims administrator, e.g. BP retained Kenneth Feinberg and law firm Feinberg Rosen law firm to resolve quickly (& cheaply?) monetary claims of persons and businesses hurt by oil spill
51. OBA Justice Commission (approved by Board of Governors Sept. 24, 2009), reported at 81 OBJ 2253 (Oct. 9, 2010), now OCU program directed by Professor Lawrence Hellman (former dean)
52. Image of lawyers in popular culture
53. Emerging issues on unauthorized practice of law; form-selling on internet, form preparers. OBA increasing enforcement actions. Legalzoom: a boom or bane to access to justice?
54. Alternative career options for those with law degree
55. Diversity in the legal profession. See, e.g., Verna Myers & ABA Center for Racial & Ethnic Diversity, General Practice, Solo & Small Firm Division (2011)(Maute currently has checked out)