

**The Client Relationship: Spring 2020**  
Law 6022 3 credit hours  
Wednesday 6:00pm - 8:45 pm Room 242  
**First class: Wednesday, January 15**  
**Last day to join course: Wednesday, January 29**

This course satisfies the Professional Responsibility requirement  
and is taken instead of Law 6020.

Professor Clark D. Cunningham, Office 210  
Office Hours: Wednesday, 5:05pm – 5:30 pm in Room 242 (classroom) and by  
appointment  
Home page: [www.ClarkCunningham.org](http://www.ClarkCunningham.org)  
Senior Administrative Coordinator: Karen Butler, Office 202, [kpbutler@gsu.edu](mailto:kpbutler@gsu.edu)  
No textbook to purchase at bookstore  
The course is administered through a Westlaw TWEN website.

All required readings are either handed out in class and/or linked to the on-line syllabus which is updated and posted on TWEN.

Duplicated materials to be handed out (no charge) at the first class:

- (1) Materials on Georgia Legal Ethics ("GLE") (which include the Georgia Rules of Professional Conduct)
- (2) Case Studies: Volume I: *The Garrow Case -- Privileged Information* by Tom Alibrandi & Frank Armani (edited)
- (3) Case Studies: Volume II: (A) *Suellyn Scarnecchia and the Baby Jessica Case*, (B) *Constance Baker Motley and the James Meredith Case*

An on-line guide to Legal Ethics in Georgia is available at  
[www.clarkcunningham.org/GeorgiaLegalEthics.htm](http://www.clarkcunningham.org/GeorgiaLegalEthics.htm)

### COURSE INFORMATION

#### COURSE GRADE:

The course grade will be calculated as follows:

40%: Paper: 6-8 double-spaced pages, due mid-semester (See Learning Objectives, below)

30%: Composite score based on in-class quizzes, assignments, bonus points and class participation (See Firms and Quizzes, below)

30%: Final exam: 2-hour completely closed-book, multiple choice exam (See Exam, below)

The College of Law mandatory mean for required courses applies to this course. Therefore, the class mean (i.e. the average grade) must fall between 2.9 and 3.1.

#### LEARNING OBJECTIVES:

In this course students will learn how to develop effective and ethical

relationships with clients, become competent in recognizing moral dilemmas in the real-life situations encountered by lawyers, and begin to acquire the professional judgment necessary to resolve the kinds of complex problems that arise in legal practice. Students will become skilled in interpreting and applying the Georgia Rules of Professional Conduct and will understand the attorney discipline system in Georgia as well as basic common law principles arising from malpractice and attorney disqualification decisions. In order to put student learning in the context of real-life law practice, the course is taught primarily from the standpoint of the Georgia rules and Georgia law. However, students will still be well-prepared to take the Multistate Professional Responsibility Examination (MPRE) which tests the American Bar Association Model Rules of Professional Conduct because significant differences between the Georgia and ABA Model Rules will be covered. Students will regularly perform lawyering exercises that develop client relationship skills and ethical decision making. They will write one paper that applies what they have learned to analyze videotaped lawyer-client meetings and propose what they would have done in the situation. There will also be short in-class quizzes and a two-hour, closed-book multiple-choice final examination.

#### ATTENDANCE:

Students are expected to attend every class absent good cause for absence. A student may be required to withdraw from the course without credit based upon repeated absence and/or a pattern of being tardy or leaving early without good cause. If a student is absent or late when a quiz is given, it is the student's responsibility to notify the instructor promptly (and preferably before class) if the student wishes to take the quiz as a make-up; such a student must provide in writing an explanation of the good cause and make arrangements with the instructor to take the quiz, which must normally be completed before the next class. Students will be evaluated on their preparation and contribution to firm work and that evaluation will be factored into the composite quiz score for the semester.

#### CASE STUDIES:

The case studies are based on actual cases. Students must be prepared to engage in rigorous class discussion about the details of the cases and to analyze the decisions and actions of the lawyers.

#### EXAMINATION

The final examination will count for 30% of the course grade and will be a two-hour closed book multiple choice exam consisting of 50 questions. Answers will be manually recorded on an optically scanned answer sheet (OPSCAN). **Do not bring any written materials or any electronic device, including a laptop or smartphone, to the exam.**

Students will be expected to be familiar with all the assigned readings, including all pages assigned from the case studies. Students must also be familiar with the fact patterns for the exercises. Students who attend all exercises and case study discussions will be better prepared for the examination. Students will need to know the content of the American Bar Association (ABA) Model Rules and Georgia Rules of

Professional Conduct assigned on the course syllabus (including the comments) but are not expected to identify them by rule number. Students are not required to memorize the "maximum penalty" specified for each rule. If a student is asked to compare a specific Georgia rule with an ABA model rule, the text of the ABA model rule will be attached to the exam. Except for such comparison questions, exam questions that refer to a specific rule will provide a description of the topic of the rule rather than the rule number (e.g. "the Georgia rule of professional conduct for lawyers who represent corporations" rather than "GRPC 1.13").

Some of the questions will be questions of the type found on the Multistate Professional Responsibility Examination that ask the student to apply the rules of professional conduct to a hypothetical fact pattern. Some questions will test knowledge and comprehension of court decisions and other materials assigned for reading. Many of the questions will be based on fact patterns from the Exercises and Case Studies and will focus on issues of ethical decision making and professional judgment discussed in class and in the writing assignments. (In terms of the exercises, complete review of the "Exercises" section of the course web site is an excellent method of preparation; "complete" means all the background information, specific instructions, videos, student papers posted on the web site, and instructor comments on the papers.)

The final exam will contain the following instructions:

#### CLOSED BOOK FINAL EXAMINATION

No notes or outlines. No copy of the Georgia Rules of Professional Conduct or the ABA Model Code or Model Rules other than the ABA Model Rules which are attached to the end of this exam.

#### EXERCISES:

There will be a number of in-class role playing exercises. Students must prepare to play an assigned role (lawyer or sometimes a client) for each role play unless they request an alternate assignment on the Student Questionnaire completed for Class One. (An individual student's performance in a role play is not graded.) The paper based on one of these exercises will count as 40% of the final course grade.

#### FIRMS:

On the first day of class students will be assigned to a team or "firm" of 4-5 students, through a transparent selection process designed to produce diverse groups of teams. These teams will sit together for all classes. On quiz days, after individual responses are tallied through the response device system ("clickers"), for some questions the instructor will set aside time for discussion in the firm after which individual students will be able to respond again, and the second answer will be counted along with the first. Studies of team-based-learning indicate that effectively functioning teams will usually outperform individual student scores. Other tasks will regularly be assigned for teamwork during class time. The student's quiz score total for the semester will include bonus points reflecting the quality of the firm's work on some of these tasks and may include a component based on the quality of one or more peer assessment exercise for the firm.

**QUIZZES:**

An important method for learning course content is the system of in-class quizzes, which are usually open-book. Quiz questions are displayed one-at-a-time and answers are provided using a Turning Point Response Card (“clicker”) assigned to the student for the entire semester. Cumulative results for the entire class are immediately displayed after each question. At the instructor’s option, students will be given an opportunity to discuss the question in their firms and then take the question again. If this option is taken, both the first and second responses count toward the cumulative semester quiz score. The correct answer, often developed through class discussion, is revealed for each question.

Possible quiz questions are posted in advance of class and linked to the syllabus, although usually there are additional questions in class not posted in advance. Students are permitted to discuss the posted questions before class with other firm members (and other students who have not previously taken this course, Professional Responsibility: Heroes & Villains or Transition to Practice). However, it is an honor code violation to share answers with other firm members or any other student on the first round of a quiz question from the time the quiz question is displayed in the classroom until the answer period has closed.

If a student is absent or late when a quiz is given, it is the student’s responsibility to notify the instructor promptly (and preferably before class) if the student wishes to take the quiz as a make-up; such a student must provide in writing an explanation of the good cause and make arrangements with the instructor to take the quiz, which must normally be completed before the next class.

Unless there is a make-up pending, the quiz as given with correct answers indicated and student scores listed anonymously by “clicker id” are usually posted on the course website before the next class. Record your clicker ID and keep until final grades are posted. Do not share your clicker ID with other students.

**Appealing Quiz Scores**

Firms are provided an opportunity to appeal their scores, challenging the instructor’s choice of the correct answer. Grounds for appeal are:

- 1) A good faith argument that a different answer than the one marked as correct should be counted as correct supported by citation to the assigned readings and other relevant authority that the firm may choose to provide
- 2) A good faith argument that the question was poorly worded, e.g. vague or ambiguous, such that one or more different answers than the one marked as correct should be counted as correct
- 3) A good faith argument that the assigned readings did not provide an adequate basis for choosing the correct answer so that one or more different answers than the one marked as correct should be counted as correct

Appeals must be submitted by email or email attachment, by 10am on the Monday following the class when the quiz was given unless a different date and time are specified on the syllabus.

If the instructor grants an appeal, all members of the appealing firm are given

credit for that answer (if different than the indicated correct answer) for each time the student answered that question (e.g. for both an initial individual response and then a second response after firm meeting). Scores for students from non-appealing firms remain unchanged. Points are never subtracted as a result of appeals. Successful appeals are usually posted by the instructor on the course website without indicating the name of the firm or student.

An individual student may appeal but must include in the appeal an explanation for why the student has not acted through his or her firm in pursuing an appeal. Appeals filed by firms are more likely to be granted.

**Example of quiz appeal:**

On a quiz, B was indicated in class as the correct answer.

All members of Firm #1 chose B (initially and after firm meeting)

All members of Firms #2 & #3 chose answer A (initially and after firm meeting)

Firm #2 appealed the quiz question arguing that A should also be counted as a correct answer and was successful in the appeal. How will the quiz scores be adjusted?

The scores of members of Firms #1 and #3 will remain the same.

The score of members of Firm #2 will be increased by two points (A will be counted twice as the correct answer)

Because quiz questions are not always posted on the course website the week they were given, especially if there is a possibility that an absent student will request a make-up opportunity, students considering filing an appeal may ask the instructor to send the text of a quiz question by email after class.

## SYLLABUS

When a Georgia or ABA Model Rule of Professional Conduct is assigned, the accompanying comments are also assigned unless otherwise indicated.

GRPC = Georgia Rule of Professional Conduct. MR = ABA Model Rule of Professional Conduct. GLE = Materials on Georgia Legal Ethics

All writing and other projects assigned for a particular class are due at noon on the Monday preceding class unless otherwise indicated on the syllabus, to give the instructor sufficient time to review before Wednesday class.

To access most of the assigned readings, students will need to be logged into the course TWEN website.

**Two short assignments to complete BEFORE Class One:**

1. Student Questionnaire and Learning Contract:
2. One page Ethical Dilemma

**CLASS ONE (1/15/20)**

3. Review Course Information, *supra*, pp. 1-5.
4. Institute for the Advancement of the American Legal System: [Foundations for Practice](#) (pdf - 5 pages)
5. [Louis Brandeis, The Opportunity in the Law](#) (1905) (excerpt)

6. American Bar Association: [New Standards for Approval of Law Schools \(August 2014\)](#)
7. Clark D. Cunningham, **Learning Professional Responsibility: The Way Forward** ([web version](#)) ([download pdf](#)) Footnotes are NOT assigned.
8. [Modified Four Component Model](#) (2 ppt slides)

### **What are the Georgia Rules of Professional Conduct?**

9. [Georgia State Bar Rule 4-102](#)
10. GRPC: [Preamble](#)
11. GRPC: [Scope](#)

### **Regulation of Lawyer Advertising Through the Bar Disciplinary System**

12. [Bates v. State Bar of Arizona](#), 433 U.S. 350 (1977) (established 1st Amendment right for attorneys to advertise) (1 page summary)
13. [GRPC 7.1: COMMUNICATIONS CONCERNING A LAWYER'S SERVICES](#)
14. Read ABA MR [7.1](#) (including the [comment](#))
15. [Chart comparing Georgia and ABA Rule 7.1](#)
16. [GRPC: 7.2: ADVERTISING](#)
17. [GRPC 7.4: COMMUNICATION OF FIELDS OF PRACTICE](#)
18. [GRPC 7.5: Firm Names and Letterheads](#)
19. Read ABA MR [7.2](#), [7.4](#) and [7.5](#) (you are NOT required to read the comments)
20. [In the Matter of Anonymous](#), 775 N.E. 2d 1094 (Ind. 2002) (example of deceptive lawyer advertisement) (1 page)
21. [Four Sample Quiz Questions](#) (not for a grade)
22. [Diners' Club Rules](#)

### **CLASS TWO (1/22/20)**

**There will be an open book, graded quiz in Class 2. Make sure you bring your copy of both sections of Georgia Legal Ethics (GLE) to class.**

Four possible quiz questions (not yet posted) Class 2 quiz may include additional questions as well)

23. [Sample Firm Rules](#) During Class 2 you will discuss possible rules with your firm and then by 10am Monday, Jan. 27, email to me and your other firm members your own draft firm rules. If your firm reaches consensus of firm rules before Jan. 27, your Class 2 managing partner can submit the rules for everyone on Jan. 27.
24. [What Clients Want](#): Instructions for conducting short interview and complete on line questionnaire (Due Monday, 1/27 at 10am)

### **Grounds for Discipline**

25. [GRPC 8.4: Misconduct](#)
26. [American Bar Association - Standards for Imposing Lawyer Sanctions: Section 9.0 \(Aggravation and Mitigation\)](#) (3 pp)
27. [GRPC 5.1: Responsibilities of Supervisory Lawyers](#)
28. [GRPC 5.2: Responsibilities of Subordinate Lawyers](#)

29. [GRPC 5.3: Responsibilities for Nonlawyer Assistants](#)
30. [GRPC 8.1: Bar Admission and Disciplinary Matters](#)
31. [GRPC 8.3: Reporting Professional Misconduct](#)

**How are the Rules interpreted?**

32. [Rule 4-223. Advisory Opinions](#)
33. [Rule 4-401: Informal Advisory Opinions](#)
34. [Rule 4-403. Formal Advisory Opinions](#)
35. [Formal Advisory Opinion 05-6: Ethical propriety of lawyer advertising where the intent is to refer out to other lawyers](#)

**How are the Rules enforced?**

36. [GRPC 1.0: Terminology](#) – review Confidential Proceedings, Conviction, Grievance, Notice of Discipline, Petition for Voluntary Surrender of License, Probable Cause, Public Proceedings
37. [Overview of attorney discipline process](#)
38. [GRPC 8.5: Choice of Law](#)
39. [GRPC 9.2: Prohibition on Agreements not to File Disciplinary Complaints](#)
40. [GRPC 9.3: Cooperation with Disciplinary Authorities](#)

**Regulation of Solicitation**

41. [GRPC 7.3: Direct Contact with Prospective Clients](#)
42. [ABA MR 7.3](#) (not including the comment)
43. [Falanga v State Bar of Georgia](#), 150 F.3rd 1333 (11th Cir. 1998).

**Monday, January 27, 10am**

- **Draft Firm Rules** Worth up to 2 bonus points if submitted on time
- **Deadline for emailing appeals to Class 2 quiz**
- **What Clients Want: Conduct short interview and complete on line questionnaire** (not yet posted) (after completing the on-line form, send Professor Cunningham an email confirming that you have completed the assignment. If you have not been able to find a person who has been dissatisfied with a lawyer after three attempts, you may satisfy this assignment by certifying in your email that you have contacted three people.) (3 points toward cumulative quiz score if submitted by deadline)

**CLASS THREE (1/29/20)**

**There will be an open book, graded quiz in Class 3. Make sure you bring your copy of both sections of Georgia Legal Ethics (GLE) to class and Case Studies Volume I (Garrow case).**

Three possible quiz questions (not yet posted) Quiz may include additional questions.

**Begin unit on confidentiality**

44. Clark D. Cunningham, [What Do Clients Want From Their Lawyers?](#)

45. [GRPC 1.1](#) Competence
46. [GRPC 1.2](#) Scope of Representation and Allocation Of Authority Between Client And Lawyer
47. [GRPC 1.3](#) Diligence
48. [GRPC 1.4](#) Communication
49. [GRPC 2.1](#) Advisor
50. Excerpts from Paul S. Milich, "[Attorney Client Privilege](#)," Courtroom Handbook on Georgia Evidence (reprinted with permission of author)
51. ABA Model Code of Professional Responsibility: [Disciplinary Rule 4-101](#) Preservation of Confidences and Secrets of a Client
52. [GRPC 1.6](#) (Confidentiality of Information)
53. [ABA Model Rule of Professional Conduct 1.6](#)
54. ABA Model Rule 1.6 - [Comment](#)
55. [GRPC 3.3](#) (Duty of Candor toward the Tribunal)
56. [ABA Model Rule of Professional Conduct 3.3](#)
57. ABA Model Rule 3.3 - [Comment](#)
58. [GRPC 1.14](#) (Client Under a Disability)
59. [GRPC 1.16](#) (Declining or Terminating Representation)

**While reading the Garrow Case, ask yourself what Garrow's attorney, Frank Armani, would have been permitted, required or prohibited from doing if the Georgia Rules of Professional Conduct you have read so far had been the applicable rules of professional conduct in New York at that time.**

60. Case Study 1 (Frank Armani and the Garrow case): pp. 1-105
61. [1st Simon Exercise](#) (all students to review carefully to prepare to play role of lawyer at initial meeting with Simon in next class - Class Four)
62. [Additional information about how the First Simon Exercise will take place](#) (NOTE: YOU WILL BE EXPLAINING AND APPLYING THE ABA VERSIONS OF 1.6 AND 3.3, NOT THE GEORGIA VERSIONS, TO MS. SIMON.)

**Monday, February 3: 10am  
Deadline for emailing appeals to Class 3 quiz**

**CLASS FOUR (2/5/20)**

No quiz

**1st Simon Exercise in class (review readings 61 and 62 for Class 3)**

**NOTE: YOU WILL BE EXPLAINING AND APPLYING THE ABA VERSIONS OF 1.6 AND 3.3, NOT THE GEORGIA VERSIONS, TO MS. SIMON.**

63. Case Study 1 (Frank Armani and the Garrow case): pp. 106-191
64. "[Slayer's 2 Lawyers Kept Secret](#)," [New York Times](#) ( 06/20/74 ) (1 page)
65. [New York Public Health Law](#) (excerpts) (1 page)
66. [People v Belge, 372 N.Y.S.2d 798](#) (Onondaga County Court 1975) (5 page pdf download)



67. [People v Belge, 376 N.Y.S.2d 771](#) (App. Div. 1975) (1 page)
68. [People v. Belge, 41 N.Y.2d 60](#) (Ct. App. 1976) (1 page)
69. [N.Y. State Bar Opinion No. 479](#) (1978) (5 pages)
70. [GRPC 3.8](#) (Special Duties of a Prosecutor)

**Monday, February 10 at 10am**

Do [on-line video access assignment](#) before class (will take less than 5 minutes unless you need to install Quicktime or VLC on your computer)

**CLASS FIVE (2/12/20)**

No quiz

**2nd Simon Exercise in class; confidential instructions handed out in Class Four. Please prepare carefully. Everyone in your firm will receive between 0-3 points based on the firm's preparation and diligence in performing this exercise.**

Additional exercise instructions for everyone (not yet posted)

No new readings – review readings assigned for Class Four

**Monday, February 17 at 10am**

Email instructor memo from each firm summarizing 2nd Simon meeting

**CLASS SIX (2/19/20)**

Complete unit on confidentiality

**There will be an open book, graded quiz in Class 6. Make sure you bring your copy of the first section of Georgia Legal Ethics (GLE) – the GRPC- to class and Case Studies Volume I (Garrow case).**

71. Finish reading Case Study 1 (Frank Armani and the Garrow case): pp 192-215
72. [In re Ryder](#), 263 F.Supp. 360 (E.D. Va. 1967) (8 pages)
73. Mohandas K. Gandhi, "[Deceived By a Client](#)"
74. Gandhi, "[How a Client was Saved](#)"
75. Clarence Darrow, *The Story of My Life* (1932): [Chapter 23 \(George Bissett\)](#)
76. Freedman, "[Professional Responsibility of the Criminal Defense Lawyer: The Three Hardest Questions](#)," 64 Mich. L. Rev. 1469 (1966)
77. ABA Model Code: [DR 7-102](#)
78. [Nix v. Whiteside](#), 475 U.S. 157, 106 S. Ct .988 (1986)
79. [History of Confidentiality Exceptions](#)
80. [Original version of ABA Model Rule 1.6 as adopted in 1983](#)
81. [Ethics 2000 recommendations to amend MR 1.6](#)
82. [Summary of ABA House of Delegates Actions in 2001 on MR 1.6](#)
83. [ABA MR 1.6 as adopted in 2002](#)
84. [ABA MR 1.6 after 2003 amendments](#)
85. [Comparison of current ABA 1.6 and GRPC 1.6](#)
86. Resources for Writing Graded Simon Paper due March 11 (not yet posted)

**CLASS SEVEN (2/26/20)**

There will be an open book, graded quiz in Class 7. Make sure you bring your copy of both sections of Georgia Legal Ethics (GLE) to class.

Four possible quiz questions (not yet posted) Class 7 quiz may include additional questions.

Midterm Course Evaluation (not yet posted) to be completed in class on Survey Monkey:

**Fees and Trust Accounting**

87. [GRPC 1.5 Fees](#) (GLE 19-22)
88. J. Auerbach, [Unequal Justice](#) 44-50 (1970)
89. ABA Canons of Professional Ethics (1908): [Canons 12 and 13](#) (fees)
90. Clark, "[Fear and Loathing in New Orleans](#)," 17 Suffolk Law Review 79 (1983)
91. ABA Model Code of Professional Responsibility, [Disciplinary Rule 2-106](#) (fees)
92. [McKenzie Construction v. Maynard](#), 758 F.2d 97 (3rd Cir. 1985)
93. [Advisory Opinion 47](#): Contingent Fees to Collect Past Due Alimony or Child Support
94. [Suit Offers a Peek at the Practice of Inflating a Legal Bill](#)
95. [Alternative Fee Arrangements \(Kirkland & Ellis\)](#)
96. [The New Normal: Alternative Fee Arrangements](#)
97. [Formal Advisory Opinion 87-5](#): Assertion of Attorneys' Retaining Liens
98. [Formal Advisory Opinion 91-2](#): Advance Fee Payments
99. [Formal Advisory Opinion 01-1](#): Is it ethically permissible to charge for a standard unit of time without regard to actual time expended?
100. [In the Matter of Collins](#), 246 Ga. 325 (1980)
101. [AFLAC Inc. v Williams](#), 264 Ga 351 (1994)
102. [Formal Advisory Opinion 03-1](#): May an attorney charge a non-refundable special retainer?
103. [Formal Advisory Opinion 11-1](#): Flat fixed fee contract for legal services
104. [GRPC 1.15\(I\)](#) Safekeeping Property – General
105. [GRPC 1.15 \(II\)](#) Safekeeping Property - Trust Account and IOLTA

**CLASS EIGHT (3/4/20)**

**No Quiz**

**What Every Lawyer Needs to Know About Data Privacy and Security**

Guest speakers:

Will Bracker (J.D. '12) - Senior Director of Privacy & Policy, [Cox Communications](#)

[Johnny Lee](#) (J.D. '99) - Principal and National Practice Leader, Forensic

Technology, [Grant Thornton](#)

106. [ABA Model Rule Provisions Regarding Use of Technology](#)
107. [ABA Formal Opinion 477R - Securing Communication of Protected Client Information](#) (May 22, 2017)
108. [North Carolina Formal Ethics Opinion 6](#) (2012) (permitting use of cloud-based case management software)

**NO CLASS (3/11/20)**

**Graded Writing Assignment (not yet posted) on Simon Exercise due by 9:00 pm (grade reduced if late without good cause)**

**SPRING BREAK (3/18/20)**

**CLASS NINE (3/25/20)**

**Introduction to Conflict of Interest, Motions to Disqualify and Malpractice Liability**

Four possible quiz questions (not yet posted) Class 9 quiz may include additional questions.

109. GRPC [1.7](#), [1.8](#), [1.9](#)

110. Read ABA Model Rule [1.7](#)

111. [Comparison of Current ABA MR 1.7 and GRPC 1.7](#) (MS Word document)

112. [Class Counsel Loses \\$7,000,000 in Attorney Fees Due to Conflict of Interest](#)

**Motions to Disqualify**

113. [Bernocchi v. Forcucci](#), 279 Ga. 460, 614 S.E.2d 775 (2005).

114. [Sullivan County v. Town of Acworth](#), 686 A.2d 755 (N.H. 1996) (4 pp)

**Relevance of GRPC 1.7 to Malpractice Claims**

115. [Allen v Lefkoff](#), 453 S.E.2d 719 (Ga 1995)

116. [Peters v. Hyatt Legal Services](#), 220 Ga.App. 398 (1996)

**Monday, March 30: 10am**

**Deadline for emailing appeals to Class 9 quiz**

**CLASS TEN (4/1/20)**

Two possible quiz questions (not yet posted) (quiz may include one or more additional questions as well)

**Representing an Organization**

117. Jonathan D. Glater & John Schwartz, [Enron's Many Strands: The Deliberations](#), New York Times ( 6/17/02 )

118. John Schwartz & Kurt Eichenwald, [Enron's Many Strands: The Lawyer](#), New York Times (6/17/02)

119. James Podgers, "[Lawyers as Fraud Fighters: Proposed Rules on Reporting Financial Wrongdoing Go to House of Delegates](#)," ABA e-Report ( 8/8/03 )

120. GRPC [1.13](#) (Organization as Client)

121. [Jesse v Danforth](#), 485 N.W.2d 63 ( Wis. 1992)

122. [Willner's Fuel Distributors, Inc.v. Norveen](#), 882 P.2d 399 ( Alaska 1994)

123. Taylor , "[Ethics and the Law: A Case History](#)," NY Times Magazine (1/9/83)  
(The OPM Case)
124. [Instructions for OPM exercise](#) (in-class role play) (prepare to play the role of the lawyer, Reinhard)

**Monday, April 6: 10am**

**Deadline for emailing appeals to Class 9 quiz**

**CLASS ELEVEN (4/8/20)**

Three possible quiz questions (not yet posted) (quiz may include one or more additional questions as well)

Note: prepare to play the role of Scarnecchia in class

125. Read: Case Studies: Volume II (A) pp. 2-39 (Baby Jessica Case)
126. GRPC [3.7](#)
127. GRPC [4.1](#), [4.2](#), [4.3](#), [4.4](#)
128. [Formal Advisory Opinion 94-3](#) (Contacting former employees of opposing party)
129. GRPC [3.1](#), [3.2](#), [3.4](#), [3.5](#), [3.6](#), [3.9](#)
130. [Georgia Formal Advisory Opinion 16-1](#) (confidentiality between jointly represented clients)
131. Baby Jessica: Exercise - [Instructions](#)

**Monday, April 13: 10am**

**Deadline for emailing appeals to Class 11 quiz**

**CLASS TWELVE (4/15/20)**

Complete end of term questionnaire (not yet posted) during class, receive 2 bonus quiz points.

Four possible quiz questions (not yet posted) (quiz may include one or more additional questions as well)

GSU and Survey Monkey course evaluation during class – please bring your laptop.

132. Review [GRPC 1.9](#)
133. GRPC [1.10](#)
134. GRPC [1.11](#)
135. GRPC [1.12](#)
136. [Introduction to Nissan Motor v Orozco](#)
137. [Nissan Motor Corp. v. Orozco](#), 595 So.2d 240 (Fla.App.1992)
138. [ABA House OKs Lateral Lawyer Ethics Rule Change](#) (ABA Journal Weekly Newsletter Feb 16, 2009)
139. Read ABA Model Rule [1.10](#)
140. [Comparison of Current ABA MR 1.10 and GRPC 1.10](#) (pdf)

**Monday, April 20: 10am**

**Deadline for emailing appeals to Class 12 quiz**

**CLASS THIRTEEN (4/22/20) Last Class**

Complete end of term questionnaire (not yet posted) to receive 2 bonus quiz points.

141. [Biography of Constance Baker Motley](#)
142. Case Studies: Volume II, Section B: Constance Baker Motley and the James Meredith Case, pp 1-50  
**Prepare to role play Motley counseling Meredith as to whether to drop the case, as described on p. 1 (last paragraph)**
143. [Obituary of Constance Baker Motley](#)
144. [Update on integration at University of Mississippi](#)
145. [Update on James Meredith](#)
146. Case Studies: Volume II (A) (Baby Jessica Case), pp 39-69
147. [28 U.S.C. 2101\(f\)](#) (stay pending application for writ of certiorari)
148. "[Stay Pending Review by U.S. Supreme Court.](#)" Am. Jur. 446
149. DeBoer v Schmidt, [114 S.Ct. 1](#) ([denial of stay application Stevens J.](#)) (July 26, 1993)
150. DeBoer v Schmidt, [114 S.Ct. 11](#) (denial of stay per curiam) ([Blackmun J. and O'Connor J. dissenting](#)) (July 30, 1993)
151. Cunningham, "[How Can We Give Up Our Child?](#)" (pdf)(4 pp)
152. [Update on the DeBoer and Schmidt families](#)
153. Steven Keeva, "[A Client's Perspective.](#)" ABA Journal 76 (Jan. 2005) (pdf file)

**Optional short readings. These will not be tested on the exam but are provided to help bring together themes of the course**

154. Nelson Mandela, [The Law Firm of Mandela & Tambo](#)
155. William Stringfellow, [A Lawyer's Work](#)
156. Cunningham, "[Sometimes You Can't Make a Dent, But They Know You've Been There](#)" 106 Harvard Law Review 1962 (1993).