UMKC SCHOOL OF ELECTIVE COURSE INFORMATION SPRING 2009

Course: Ethical Issues in the Representation of Families 8609
Professor: Barbara Glesner Fines

ESSENTIAL PREREQUISITE(S): Family Law, Professional Responsibility (pre- or co-requisites)

DESIRABLE PREREQUISITE(S):

METHOD OF GRADING AND APPRAISAL OF STUDENT FOR GRADE: Grade will be based on a combination of final examination, class participation and written and oral exercises.

SUMMARY DESCRIPTION OF COURSE: Advanced study of selected topics relating to the ethical obligations of public and private attorneys in estate, family, and juvenile law representation. Topics may include identification of the client, ethical and legal obligations of confidentiality and disclosure, competence and client communication, respect for third persons (particularly obligations toward children of clients) and other related subjects.

COURSE CONTENT:
I. Who is the client?
   a. Entity theories of representation
   b. Role of public attorneys and Guardian ad litems

II. Interviewing and Counseling Families in Transition –
   a. How to fulfill the ethical duty to facilitate informed client decision-making
   b. Representing the impaired client
   c. Representing the juvenile

III. Confidentiality and Reporting Obligations
   a. Comparison to other family service professions
   b. Legal restraints on legislative power to compel attorney reporting

IV. Conflict of interests
   a. Dual representation of husband and wife
   b. Conflict issues for public attorneys
   b. The obligation toward the child

V. Litigation ethics
   a. The role of alternative dispute resolution
   b. Dirty tricks by and for the client

VI. Practice management/ Advertising.

COURSE MATERIALS:
Required: Glesner Fines: Ethics of Family Representation (for purchase at RooPrints)

RELEVANCY OF COURSE FOR CAREER PURPOSES: If you plan on a career in any area of domestic relations, civil or criminal, or juvenile law, this course is extremely helpful, as the unique professional responsibility issues in these fields are addressed only minimally by the standard course on professional responsibility.

RELEVANCY OF COURSE FOR MO/MULTI-STATE BAR EXAM PREPARATION.
None