ETHICS TRAINING FOR 6/16/06—Timed Agenda

Russell Engler, Clinical Director & Professor of Law, New England School of Law, Boston

10-10:20  I. Introduction—A Framework for Analyzing Ethical Issues

10:20-11:00  II. Dealings with Unrepresented Litigants

  A. Background and Rules
  B. Understanding the Rules: The Prohibition Against Advice-Giving
  C. Understanding the Rules in Context
  D. Enforcing the Rules

  E. [10:45-11:00] Hypotheticals, Discussion, Initial Q&A

11:-11:20  III. Dealing with Partially Represented Litigants

  A. Unbundled Legal Services
  B. Ghostwriting
  C. Limited Assistance Programs Generally
  D. Lawyer-for-the-Day Programs
  E. Use of Nonlawyers

11:20-11:40  IV. The Role of Court Personnel: Judges, Court-Connected Mediators & Clerks

  A. Understanding the Traditional Roles
  B. Key principles in adapting the roles to Courts full of Unrepresented Litigants
  C. Ethics in Transition
  D. Connection to Civil Gideon/Civil Right to Counsel

11:40-12:00  V. Hypotheticals (2nd set), Discussion & final Q&A