



# CLASS 4

Professional Responsibility and Legal Ethics

# General Duties to the Client

- **Loyalty:**

- This includes the duty to avoid conflicts of interest and to put the interests of the client above the interests of the lawyer

- **Zealous Advocacy:**

- Includes the duty to serve the interests of the client even if the lawyer does not believe in the justness of the client's cause
  - **DOES NOT** include lying to a court or suborning perjury
  - **DOES NOT** include filing frivolous claims



# General Duties to the Client (cont.)

- **Diligence, including:**
  - timeliness
  - following up on matters
- **Communication:**
  - Informing the client of relevant developments in his or her case
  - Exception: When the communication may cause harm to the client
- **Knowledge and Skill of the particular subject matter:**
  - This mostly applies before accepting the case in the first place



# Duties Regarding the Handling of Client Money

- Maintain relevant **client trust accounts**
- **Separation of funds**
  - Commingling client assets with attorney assets is an ethical violation and will lead to complete liability if something happens to those assets
- Keeping **adequate records** regarding the client funds and trust accounts
- Keeping the client informed of what is happening with his or her money
- Give back to the client whatever of the client's money is not used up by costs
- **MAY NOT** hold client funds as “collateral” to collect fees



# QUIZ TIME!

