

ETHICS & ECONOMICS OF LAW PRACTICE
INFORMATION & POLICIES FOR SPRING 2007
PROFESSOR ROY SIMON

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Purpose of the Course: The purpose of this course is to study the problems that will confront you personally as a practicing lawyer and to introduce you to the issues that the legal profession will be debating throughout your career. The main goals are to help you identify and analyze ethics issues as soon as you begin working in a law office (including during law school), and to help you participate intelligently in discussing and interpreting the rules by which lawyers live. This is *not* a course in morality and is *not* an MPRE prep course.

Class Schedule: Class will meet on Mondays from 1:20 to 3:00 p.m. (20 minutes earlier than on the printed schedule) and on Wednesdays from 2:20 - 4:00 p.m. (10 minutes later than on the printed schedule). This schedule will make it unnecessary to hold make-up classes for the five classes that I already know cannot be held at the scheduled times (see next item).

Days Off: Class will not meet on the following days – please mark your calendars now: Wednesday, January 24, Wednesday, February 21, Wednesday, March 21, *Monday*, April 9th (the day after Spring Break ends), and Wednesday, April 18.

Lichtenstein Lecture: The annual Lichtenstein Lecture will be delivered by Mary Daly, Dean of St. John's University School of Law, on Wednesday, February 14th from 12:10 - 1:10 p.m., and attendance at that lecture will be required. We will also have class that day as scheduled.

The Multistate Professional Responsibility Exam ("MPRE"): The MPRE, a multiple choice exam covering a broad range of professional responsibility issues, is required for bar admission in more than forty states, including New York, New Jersey, and Connecticut. It is given three times a year (March, August, and November). *I strongly encourage you to take the MPRE on Saturday, March 10, 2007.* The normal application deadline for the March 10th test is January 30th; the Late Application Receipt Deadline (which will cost you extra money) is February 15th. Register online at <http://www.ncbex.org/multistate-tests/mpre/>. The material from this course will help you on the MPRE, and studying for the MPRE will help you in this course. Plus, you'll have one less thing to worry about regarding bar admission. However, my course is not tailored to the MPRE, so I encourage you to take an MPRE preparation course as well.

Final Exam: The final exam in this course will be CLOSED BOOK and will consist of essay or short-answer questions. Some of my old final exams (and answers to two exams) are posted on TWEN under "Old Final Exams."

Written Assignments: I may occasionally give written assignments. Written assignments may or may not be graded, but they will be required. Failure to complete a required assignment in a satisfactory manner may result in a lower final grade or other negative consequences.

Attendance and Preparation: Attendance and preparation are required. Being unprepared when called on is counted as an absence. You should not miss more than four classes during the entire semester. You also should never miss two classes in a row, because then you miss both the discussion of a topic at the first class and any review of that topic at the next class. If you miss class frequently or are unprepared several times, I may lower your grade appropriately, or in severe cases ask the Registrar to remove you from the course involuntarily.

My attendance rules are based on the rules of the New York State Court of Appeals, the American Bar Association, and Hofstra Law School itself, which require law students to be in “good and regular attendance” in the courses for which they are registered. To comply with these rules, you must attend at least 85% of your regularly-scheduled classes. Thus, you may miss no more than 15% of your classes. This means that a student in a three-credit course (such as this course) may miss no more than *six hours* of class during the semester. Since each class is 1½ hours, that means you cannot miss more than four total classes during the entire term.

At each class, I will either take attendance personally or provide a sign-in sheet. The sign-in sheets or my own “roll call” will be considered dispositive evidence regarding your absence from a given class. Each student is responsible for signing in or responding to my roll call. Falsifying a sign-in sheet violates the law school’s Code of Academic Conduct.

The Dean’s Office has asked me to remind you that if you exceed the permitted number of absences, I have the right to seek your involuntary withdrawal from the course without prior notice. You will then receive notification from the Office of Academic Records indicating the withdrawal. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. If you are excessively absent from classes in more than one course, you may face additional sanctions. For example, the law school may refuse to submit a certification of good and regular attendance to the New York State Board of Law Examiners or to other state bar officials.

If you believe you must be absent from class for more than the permitted number of hours, you should speak with me and with the Senior Assistant Dean for Student Affairs in Room 244 as soon as possible. Accommodations may be made on a case-by-case basis for students who must be absent for religious reasons and in cases of truly compelling hardship.

Unavoidable Absences: Sometimes you can’t avoid missing a class. I realize that. If you know in advance that you must miss class for a compelling reason, or if you missed a class due to illness or emergency, please e-mail me briefly explaining the situation.

Better Late Than Never: Try to be on time to class. But if you arrive late, come to class anyway. I would rather that you attend part of a class than none of it, and it does not bother me if you walk in late for a good reason, as long as you don’t abuse this privilege.

“TWEN” (The West Education Network): I have set up a course page on TWEN so that class discussions can extend beyond classroom hours. TWEN is especially well suited to people who want to express their opinions but are reluctant to speak in a large class. TWEN also gives me a quick way to reach all of you with any announcements, Syllabus changes, handout materials, interesting links, etc. *You must register for this course on TWEN and **post an interesting fact about yourself** before class on Monday, January 22nd.* (To give you an example, I have posted something about myself in the Discussion section on TWEN.)

