



Catawba Valley Paralegal Association

Ethics Seminar January 13, 2009

CVCC Auditorium at 6:15 pm

Presentation by: Attorney William E. Morgan

I. Integrity and Ethical Guidelines (5 minutes)

- definition, foundations, boundaries of ethics
- professions and professionalism/compared to what?
- dignity and decorum of proceedings
- professional and personal conduct
 - duties of candor and honesty
 - dillgence
 - support efforts to improve legal system

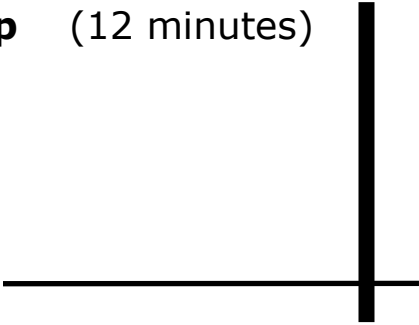
II. Definition of legal assistant/paralegal (7 minutes)

- qualified, competent
 - know your limitations
 - specialization
- employed
 - tips on how to keep your job
- substantive legal work
- lawyer is responsible
 - notice pleading vs. good faith duty to investigate
 - signatures

III. Unauthorized practice of law (12 minutes)

- disclosure of status as legal assistant/paralegal
- legal advise- know the line
- supervision and delegation
- non-lawyer legal service providers, independent contractors

IV. The attorney/client/paralegal relationship (12 minutes)

- forming the relationship
 - formal definition
 - contract be good
 - tort be bad
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IV. The attorney/client/paralegal relationship

- ☑ who is the client (corporate/domestic situations)
- ☑ conflicts of interest
 - conflict checks and screening responsibility
 - getting in the loop
- ☑ what is a conflict
 - simultaneous and successive representation
 - special conflict situations
- ☑ what to do about it
 - disclosure to client, employer—current or prospective

VI. Confidentiality

(10 minutes)

- ☑ attorney-client privilege, work product
- ☑ client relations—know the line
- ☑ maintaining confidentiality
 - what to say at the water-cooler
 - with technology/the rule about e-mails
 - maintaining it over time
 - who can you trust
- ☑ ex parte communications

VI. Financial matters

(7 minutes)

- ☑ correct billing
 - thorough
 - complete
 - accurate
 - honest
 - don't inflate but don't overcharge!
 - say what you do and do what you say
 - document correctly
- ☑ handling of funds
- ☑ fee agreements and settlements
 - why contingency fees bend the rules
- ☑ other matters
 - financial relationships with clients

VII. Questions/answers

(5 minutes)