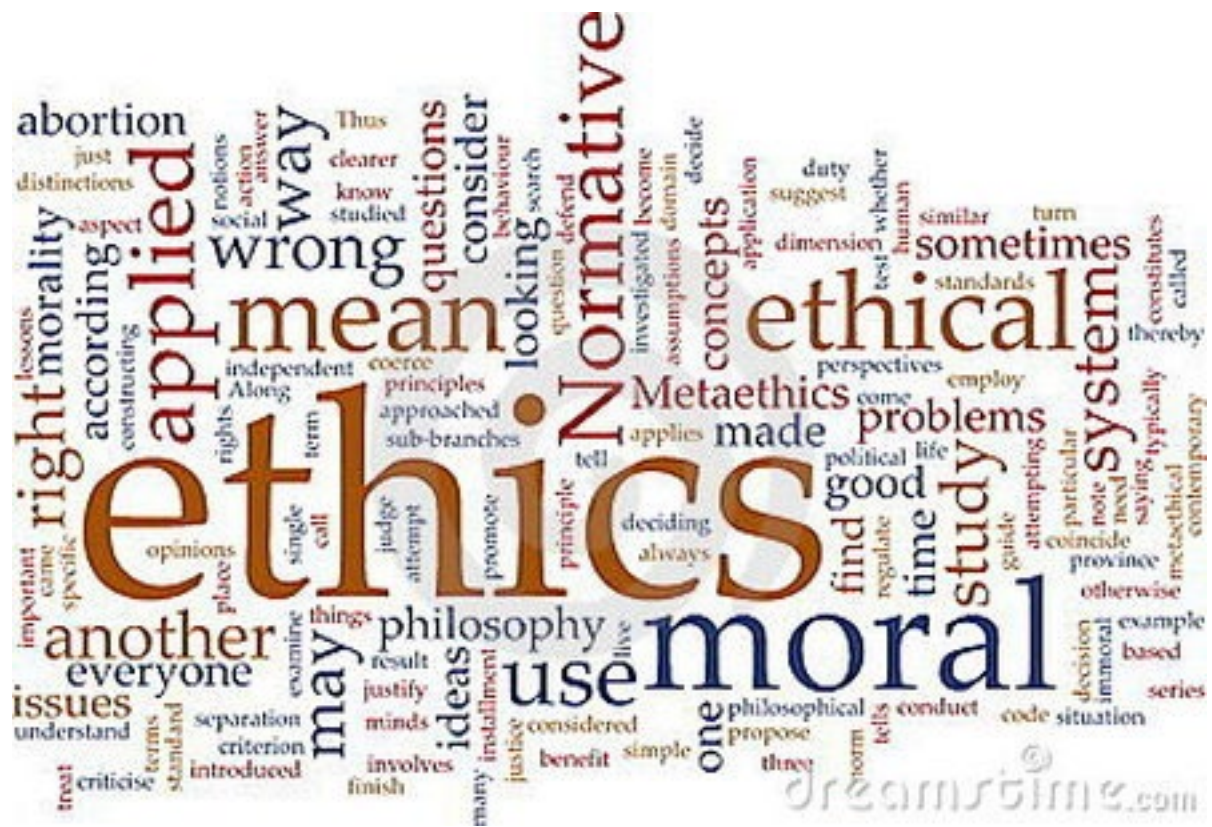


UNIVERSITY OF FLORIDA
LEVIN COLLEGE OF LAW

Professional Responsibility
Spring Semester 2025
Law 6750-12806
3 Credits

Professor William Hamilton



This course will give you an overview of the law governing lawyers and explore the ethical problems you will encounter in law practice. The primary focus of the course will be ethical problem-solving. The course aims to provide the tools, resources, and perspective necessary to address complicated ethical and professional issues you will face in practice. The focus of the course will be the ABA Model Rules and the Florida Bar Professional Responsibility Rules that materially diverge or supplement the ABA Rules. The course is designed in part to assist students’

preparation for the Multistate Professional Responsibility Examination (MPRE) and the ethics component of the Florida Bar Examination.

Student Learning Outcomes:

By the end of this course, students will be able to:

- Read and understand the rules, commentary, statutes, and judicial opinions governing the professional conduct of lawyers.
- Understand the ethical, moral, and policy concerns underlying the law regulating lawyers.
- Identify professional responsibility issues in given fact patterns and work through their solutions using the relevant legal rules.

Required Text

The required text for this course is Jefferson, Pearce, et al., PROFESSIONAL RESPONSIBILITY: A CONTEMPORARY APPROACH –INTERACTIVE VERSION (5th edition 2023). Other handouts or materials may be assigned during the semester. You may access these supplemental materials and view other course-related information on the course Canvas page.

Our Classes:

Classes will be held on Monday and Wednesday from 10:30-11:55 AM in Holland Hall 285C.

Office Hours:

My in-person physical office hours are Mondays and Wednesdays from 3:00 to 4:00 p.m. and by appointment. My office is HH 376. While you should feel free to stop by without an appointment during office hours, I recommend letting me know you are coming. If you cannot meet with me during my regularly scheduled office hours, please send me an email, and I'll be happy to arrange another mutually convenient time. We can also meet by Zoom.

Who Is Your Professor?



I joined the UF Law faculty 6 years ago after 30+ years practicing complex civil litigation with Holland & Knight [Miami (1983 – 2000) and Tampa (2000 – 2010)] and with Quarles & Brady [Tampa (2010 – 2016)]. During my career I encountered many of the ethical and practical professional responsibility challenges that we will discuss in this course.

I am from Philadelphia. You will undoubtedly notice my latent Philadelphia accent.



I hold a BA in philosophy from Lehigh University in Bethlehem, Pennsylvania, and an MA in philosophy from Washington University in St. Louis, Mo. I graduated from UF Law in 1983.

Here are a few links where you can learn more about me.

<https://www.law.ufl.edu/faculty/william-hamilton>
<https://www.law.ufl.edu/areas-of-study/institutes/icaire>
<https://www.linkedin.com/in/williamfhamilton>

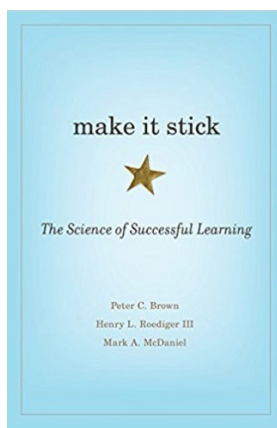
Contact Information:

My office is in HH 376, and my cell telephone number is (480) 993-8777. My e-mail address is hamiltonw@law.ufl.edu. I encourage you to contact me regularly during the semester and ask any questions you may have about the course or the practice of law.

Teaching Philosophy and Instructional Methods:

The course emphasis is on solving practical problems. We will have many class discussions, practical exercises, and practice multiple choice questions.

You may wish to review the literature on experiential learning. Peter C. Brown's *Make It Stick: The Science of Successful Learning* largely captures my philosophy.



This Course Is Graded on a Curve

This course is graded on a curve. The Registrar provides me with a curved grade range; the class grade average must be within that range.

Course points may be earned as follows:

1. Class Attendance and Participation: 50 points (2 points per class).

Class attendance and participation are expected. Each class is worth 2 points.

The requirements for class attendance, make-up exams, assignments, and other work in this course are consistent with university policies, which can be found at <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

Class participation requires:

- (1) Asking and answering questions that illuminate the issues,
- (2) Asking and answering questions that enrich the class dialogue and advance the class's understanding of the issues,
- (3) Participating in the class dialogue and discussions,

- (4) Participation in team debates and mock exercises,
- (5) Engaging in-class activities, exercises, and projects.
- (6) Demonstrating class preparation.

Classes will contain numerous individual and group exercises and problems. The classes will be recorded, and access will be provided to all students enrolled in the class. You may not take, circulate, or post photos or videos of classroom discussions, whether they are in-person, hybrid, or completely online. Students failing to follow this rule will be referred to the College of Law Honor Code Council and the university's Office of Student Conduct and Conflict Resolution.

You may have legitimate and compelling personal and professional requirements that may cause a class absence. If you will not attend a class for personal or professional reasons, please notify me in advance as a professional courtesy. I will provide attendance points for students who notify me before an absence. When you have not provided me with advanced notice, attendance points will be provided for missed classes only based on compelling circumstances.

Please let me know how you would like to be addressed in class if your UF-rostered name does not reflect your name and pronouns.

2. Mid-Term Examination (150 points)

There will be a 1:25 hour, 25-question, multiple choice in-class closed book mid-term examination. The final examination will require you to analyze factual scenarios, identify the appropriate legal rules, apply the rules, and reach a conclusion. There will be numerous in-class and take-home practice questions in the weeks before the mid-term.

3. Final examination (300 points)

There will be a 2-hour, 50-question, multiple-choice, on-campus closed book proctored final examination. The final examination will require you to analyze factual scenarios, identify the appropriate legal rules, apply the rules, and reach a conclusion. There will be numerous in-class and take-home practice questions in the weeks before the mid-term.

Class Cancellations

Occasionally, I may have to reschedule a class due to professional demands. If this happens, I may record video lectures for the class to watch or conduct the class remotely via Zoom. Information about such changes will be sent on Canvas and by email.

Policy related to Make-up exams or other work:

The law school policy on delay in taking exams can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form>.

Accommodations For Students with Disabilities:

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the Disability Resource Center (<https://disability.ufl.edu/>). It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester.

Health and Wellness Resources:

- U Matter, We Care: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.
- Counseling and Wellness Center: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.
- Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- University Police Department: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).
- UF Health Shands Emergency Room / Trauma Center: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).

Basic Needs Assistance:

Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

University Policy on Academic Misconduct:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <https://www.law.ufl.edu/life->

at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code.

Information on UF Law grading policies:

Grade	Points	Grade	Point	Grade	Point
A (Excellent)	4.0	C+	2.33	D-	0.67
A-	3.67	C	2.00	E (Failure)	0.0
B+	3.33	C-	1.67		
B	3.00	D+	1.33		
B-	2.67	D (Poor)	1.00		

The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

Class Preparation, Participation, and Attendance:

Students are expected to attend class, to be prepared, and to participate in class discussions. It is your responsibility to complete the daily attendance assignment on Zoom. By completing the assignment you affirm that you are physically present in class during that class period. It will be considered a violation of the course rules and the Honor Code to falsely indicate that you were present in class, or to assist a classmate in such misrepresentation.

Pursuant to ABA guidelines, students who have four (4) or more unexcused absences will be barred from taking the final exam and will automatically fail this course. Two or three unexcused absences may result in a reduction of your grade as described above, in the section describing grade adjustments for course participation. Absences necessitated by religious holidays are exempted by this policy, so long as you give me advance notice of your absence. More generally, if you are concerned that you may come close to the limit on absences, it is a good idea to keep me informed as to what's going on, so that we can explore whether some accommodation is possible.

Taking Notes Should in Class:

I recommended that you do not take word-for-word literal notes. This is not a court reporting class! Instead, think about what is happening in class and record the key ideas. Handwriting your notes is better for you than typing notes. Check out this article: [Note-Taking: Writing vs. Typing Notes](#). Beyond that, it is a good legal skill. You will need to learn to take good witness interview notes, deposition notes, and trial notes. A computer will not always be available or good to use.

Recording Devices and Cell Phones:

Cellular telephones should not be used during class and ringers should be silenced.

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

Course evaluations:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

Workload/class preparation and the 2:1 out-of-class/in-class requirement (ABA Standard 310):

1. Students should expect to spend an average of approximately two hours preparing for every hour of class. Reading assignments are posted on the "Modules" link on the Canvas site (located on the left side of the site).
2. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in-class assignments for every 1 hour in class.

3. ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every "classroom hour" of in-class instruction. (Course) Each week has 3 "classroom hours" of in-class instruction, requiring at least 6 hours of preparation outside of class.

Make-Up Examination, Quiz, and Assignment Policy:

The law school policy on exam delays and accommodations can be found [here](#).

Outline of Reading Assignments:

Below are the weekly assigned reading assignments for the semester. The reading assignments may be adjusted occasionally depending on class progress. All the reading assignments below are from the required text Professional Responsibility ("PR"). These readings are subject to change and will be supplemented during the semester with additional contemporary materials pertaining to the Florida Bar ethics rules and opinions.

Week 1: PR pp. 1-23, Introducing Professionalism and Legal Ethics

Week 2: PR pp. 35-101, Defining the Practice of Law

Week 3: PR pp. 101-151, Lawyer Competence

Week 4: PR pp. 153-202, Finding Clients- Marketing Legal Services;

Week 5: PR pp. 203-244 , Attorney Fees and Billing

Week 6: PR pp. 245-302, Attorney-Client Privilege

Week 7: PR pp. 302-335, Work Product Doctrine, Confidentiality Under Rule 1.6

Week 8: PR pp. 337- 408, Conflicts of Interest

Week 9: PR pp. 409- 476, Duties to the Court

Week 10: PR pp. 477-508, Duties to Opposing Parties and Witnesses

Week 11: PR pp. 509- 561, Duties of Prosecutors

Week 12: PR pp. 561- 559, Ethical Standards for Judges

Week 13: PR pp. 663 – 713, The Professional Privilege

The Canvas webpage is our "official" course home. It includes our weekly topic, readings, resources, recorded lectures, assignments, and other reference materials.

Preferred Name and Pronouns:

It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise. I would like to acknowledge your preferred name, and pronouns that reflect your identity. If your name and pronouns are not reflected by your UF-rostered name, please let me know how you would like to be addressed in class.

You can change your “Display Name” in Canvas. Canvas uses the "Display Name" as set in myUFL. The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison." To update your display name, go to one.ufl.edu, click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

Discourse, Inclusion, and the Classroom Ethos:

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully
- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

Getting help:

For issues with technical difficulties for E-learning in Canvas, please contact the UF Help Desk at:

- Learning-support@ufl.edu
- (352) 392-HELP - select option 2
- <https://lss.at.ufl.edu/help.shtml>

Other resources are available at <http://www.distance.ufl.edu/getting-help> for:

- Counseling and Wellness resources
- Disability resources
- Resources for handling student concerns and complaints
- Library Help Desk support

Disclaimer: This syllabus represents the current course plans and objectives. As the semester proceeds, these plans may be changed to enhance the class learning experience. Such changes are not unusual and should be expected. *This syllabus is supplemented with the course detailed Canvas page.*