



Georgia State
University®

Atlanta

COLLEGE
OF LAW

August 10, 2021

Student Materials



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by

STATE BAR OF GEORGIA
COMMITTEE ON PROFESSIONALISM
& CHIEF JUSTICE'S COMMISSION ON
PROFESSIONALISM



#Orientation2021



COMMITTEE ON PROFESSIONALISM

**Georgia State University College of Law
Orientation on Professionalism**

**August 10, 2021
4:30 p.m. - 8:00 p.m.**

LAW STUDENT AGENDA

4:30 - 5:00	Welcome.....	LaVonda Reed Interim Dean and Professor of Law and Melissa Davies, Class of 2022 President, Student Bar Association
	Professionalism Introduction & Overview.....	Professional Development & Career Opportunities Staff
5:00 - 6:00	GSU Honor Code Overview.....	Andrea Curcio, Professor of Law Meri Elkin, Student Chief Justice, Honor Council
	Bar Character & Fitness – Overview.....	Alexis Martinez Associate Dean for Students
6:00 - 7:20	Professionalism Breakout Group Sessions.....	Various Rooms
7:20 - 7:30	Transition for Administration of Professionalism Oath	Ceremonial Courtroom
7:30 - 8:00	Administration of the Professionalism Oath and Honor Code Pledge	The Honorable Shawn Ellen LaGrua Justice, Georgia Supreme Court GSU JD '87

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CHIEF JUSTICE'S COMMISSION ON PROFESSIONALISM

The Honorable David E. Nahmias (Chair)
Chief Justice, Supreme Court of Georgia
Atlanta, Georgia

August 10, 2021

Ms. LaToya Simone Bell
Houston Circuit Public Defenders Office
Warner Robins, GA

Dear Georgia State University College of Law Students:

Associate Dean Michael Scott Boone
Atlanta's John Marshall Law School
Atlanta, Georgia

Congratulations as you embark on your law school career! You begin this journey during unprecedented times, and I commend you for your commitment to pursuing your legal education as we emerge from a global pandemic.

Mr. Christopher J. Chan
Eversheds Sutherland (US) LLP
Atlanta, Georgia

We are pleased that you are participating in the Law School Orientation on Professionalism. This is the 29th year that the Chief Justice's Commission on Professionalism and the Committee on Professionalism of the State Bar of Georgia have conducted this program at every law school in Georgia. The heart of the Professionalism Orientation is the breakout session, during which one of the documents you will discuss is *A Lawyer's Creed and the Aspirational Statement on Professionalism*. This document is intended for use by Georgia's practicing lawyers and judges, but as you will discover during your breakout sessions, the principles embodied in it have many applications to you as a law student. In 1992, my Court explained that it was our "hope that Georgia's lawyers, judges, and legal educators will use the . . . ideals [set forth in the *Lawyer's Creed* and the *Aspirational Statement*] to reexamine the justifications of the practice of law in our society and to consider the implications of those justifications for their conduct."

Professor Nathan S. Chapman
University of Georgia School of Law
Athens, Georgia

Professor Clark D. Cunningham
Georgia State University College of Law
Atlanta, Georgia

Ms. Elizabeth L. Fite
Rogers & Fite, LLC
Atlanta, Georgia

Mrs. Molly Barrett Gillis
The Gillis Law Firm, LLC
Marietta, Georgia

Mrs. Rebecca Holmes Liles Grist
Bibb County Solicitor General's Office
Macon, Georgia

Ms. Elissa Haynes
Drew Eckl & Farnham, LLP
Atlanta, Georgia

Mr. Francys Johnson
Davis Bozeman Johnson Law
Statesboro, GA

Over the years, I have enjoyed serving as a Group Leader at several Professionalism Orientations. I truly believe that judges and lawyers need to emphasize the importance of professionalism to law students from the very start of their legal careers to help you avoid disciplinary issues but even more to teach that you are part of a professional community. You are now a member of your law school community, and you will eventually be a member of the bar. You will often interact with one another in stressful, chaotic environments that are designed to be adversarial. But you should never put aside the moral compass that you brought with you to law school or forget that we are all colleagues in a noble profession. For our profession to thrive, we must be kind to one another.

Professor Patrick E. Longan
Mercer University School of Law
Macon, Georgia

Mrs. Maria F. Mackay
Watkinsville, Georgia

The Honorable T. Russell McClelland III
State Court of Forsyth County
Cumming, Georgia

The Honorable Shondeana Crews Morris
Superior Court of DeKalb County
Decatur, Georgia

Mr. Andrew Alan Pinson
Georgia Office of the Attorney General
Atlanta, Georgia

The Honorable William M. Ray, II
U.S. District Court, Northern District of Georgia
Atlanta, Georgia

I hope that you will have interesting and thought-provoking discussions during your Professionalism Orientation, and I send you my best wishes as you begin your legal career.

The Honorable Clyde L. Reese III
Court of Appeals of Georgia
Atlanta, Georgia

Mrs. Adwoa Ghartey-Tagoe Seymour
Cox Enterprises, Inc.
Atlanta, Georgia

Assistant Dean Rita A. Sheffey
Emory University School of Law
Atlanta, Georgia

Mrs. Nicki Noel Vaughan
Northeastern Judicial Circuit Public Defender's Office
Gainesville, Georgia

Dr. Monica Willis-Parker
Emory University School of Medicine
Atlanta, Georgia

Supreme Court of Georgia Advisor
The Honorable Justice Shawn Ellen LaGrua
Supreme Court of Georgia
Atlanta, Georgia

Staff
Karlise Y. Grier
Executive Director

Sincerely,

David E. Nahmias
Chief Justice, Supreme Court of Georgia
Chair, Chief Justice's Commission on Professionalism



August 10, 2021

Dear Georgia State University College of Law Students:

The State Bar of Georgia welcomes you to Georgia's legal community!

Beginning with your first moments as a law student, it is important that you establish solid professional and social relationships with your classmates because this is one of the foundational elements of professionalism. While you may not realize it yet, the relationships that you establish with your peers will benefit you throughout your entire professional life. The persons who now share your classroom space will be your professional colleagues once you formally enter the practice of law. Whether you decide to practice law in Georgia or not, the reputation that you build among your classmates will follow you into your professional pursuits.

I also encourage you to take advantage of opportunities to engage with Georgia's legal community. Georgia State University College of Law and the Atlanta legal community will provide you resources to grow professionally; take advantage of them. Also take advantage of the opportunity to become a Student Associate Member of the State Bar of Georgia by completing the enclosed application. This membership enables you to receive State Bar publications and to attend State Bar meetings, where you can interact with the leaders of Georgia's legal community.

I encourage you to approach your academic and professional careers with a dedication to professionalism. This means doing more than just what is required by a code of ethics, such as your school's honor code. Professionalism encompasses what is expected of lawyers by both the public and the traditions of the legal profession itself; not only competence and civility, but also service – to clients, the community, the public, and justice itself. During these pivotal times in our nation's history, there are numerous opportunities for you to serve. Look for ways that you can serve the community, the public, and justice itself as a law student and then offer yourself for service. You must also remember to take care of yourself and to consider the welfare of others. Your school has various resources to help you and your classmates to take care of your mental health. Don't be afraid to ask for help for yourself or for others when (not if) it is needed. As lawyers, we cannot serve others, if we ourselves are not well. Finally, keep in mind that being a lawyer is a privilege, not simply a means to the end of making a living. As former Chief Justice of the Georgia Supreme Court Robert Benham says, "Do not live just to make a living; rather, live to make a life." As you embark on this journey, embrace the professionalism ideals so that you can make an exemplary life.

Please accept my best wishes for your success as law students and lawyers.

Sincerely,

Elizabeth L. Fite
President, State Bar of Georgia

HEADQUARTERS

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COMMITTEE ON PROFESSIONALISM

TO: Law Students

FROM: Joshua I. Bosin
Chair, Committee on Professionalism

Terrica Redfield Ganzy
Vice-chair, Committee on Professionalism

DATE: August 2021

RE: Law School Orientation on Professionalism Overview

The Chief Justice's Commission on Professionalism is charged by the Supreme Court of Georgia with ensuring that the practice of law in this state remains a high calling, enlisted in the service not only of clients, but also of the public good. The State Bar of Georgia's Committee on Professionalism focuses the energy and talents of the members of the State Bar on the continuing professionalism movement launched in 1989 by the Supreme Court of Georgia. An important part of the Committee's on-going effort is the Orientation on Professionalism at each of the law schools in Georgia. With the support of the schools, the Professionalism Committee will conduct a Professionalism session as part of your law school orientation. This is the 29th year of these programs.

The program will begin with brief remarks by a lawyer or judge, followed by small group discussions of issues raised in the attached hypotheticals. Each group will be composed of a small group of students and one to three group leaders who will be assigned to your group from among the Georgia lawyers and judges who have signed up to participate in the program.

You need to become familiar with the basic fact situations of all of the hypos. **As the enclosed instructions state, you will only need the materials included in this packet to prepare for the breakout sessions. Research is neither necessary nor appropriate.** We hope that you will find the group discussions to be lively and instructive as you begin your careers in the legal profession.

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2021 LAW SCHOOL ORIENTATION PROGRAM INSTRUCTIONS FOR STUDENTS

What is the Law School Orientation on Professionalism Program?

Each year, every law school in Georgia partners with the State Bar of Georgia Committee on Professionalism and the Chief Justice's Commission on Professionalism to conduct a program that orients incoming students (new, transfer, visiting) to professionalism. The program engages students in interactive discussions – using hypothetical situations relating to the life of a law student – that are facilitated by Group Leaders who are judges and lawyers.

The message of this program to law students is the same as the message of Professionalism Continuing Legal Education required of all active members of the State Bar of Georgia: that the function of lawyers is to assist clients in the proper use of the legal system and to balance assistance to clients with a lawyer's other roles and responsibilities to the courts, to opposing counsel, to other colleagues in the legal profession, to the broader community, to the justice system and to the rule of law. When acting as advocate for clients, the lawyer represents the client's interests to others in a vigorous and committed manner, while at the same time remaining conscious of duties to other lawyers, the legal system, and the community in general.

What Should You Do Before the Orientation?

Prior to the orientation session on professionalism, you should:

1. **Download this entire "Student Materials" packet to an electronic device (such as a cell telephone, tablet or laptop) that you plan to bring with you to the orientation. If you want a hard copy of the Student Materials, please print it and bring it with you.**
2. Read over the hypotheticals.
3. Review *A Lawyer's Creed and the Aspirational Statement on Professionalism*, your law school's honor code excerpts, the Georgia Rules of Professional Conduct related to Bar Admissions and any other Rules provided in these materials. **Additional research is neither necessary nor appropriate.**
4. Give some thought to what issues arise in each situation and which portions of *A Lawyer's Creed and the Aspirational Statement on Professionalism*, or your law school's honor code excerpt might apply to each hypothetical situation; and
5. Consider what sorts of decisions you would make given the facts as written. Be prepared to discuss which portions of *A Lawyer's Creed and the Aspirational Statement on Professionalism*, or your law school's honor code excerpt might apply, and why you would make a particular decision or pursue a particular course of action.

What Should You Expect to Get From the Discussions?

These hypothetical situations are intended to expose you to some of the challenges you may encounter as you begin your professional career – as a law student. The goal of the group discussions is **not** to have you approach these situations with the mind-set of a lawyer who is versed in the written codes, rules and aspirations of the profession and makes his or her decisions accordingly. **The purpose of these problems is to stimulate thought and discussion about professionalism and what it means to be a “professional.”** It is also to show, at the very outset of your legal career, how the Georgia legal community’s aspirational goals for the profession apply to you as a law student. In all that you do, you should begin to think about what you want your professional identity to be and how professionalism applies to you in your everyday life as a law student.

What Is the Difference Between “Ethics” and “Professionalism”?

To put these discussions in context, it is important for you to be aware of the common understanding among the lawyers and judges of Georgia of the terms *ethics* and *professionalism*. As you begin law school, the word *ethics* probably connotes upright, moral behavior. To lawyers, however, the connotation is in reference to the old codes of ethics that governed lawyer conduct. The old Canons of Ethics evolved into the *Georgia Rules of Professional Conduct* adopted by the Supreme Court of Georgia to govern the practice of law. Thus, to lawyers, the word *ethics* means the rules or laws of lawyering. **These Rules establish the minimum requirements of conduct for members of the State Bar of Georgia.** *Professionalism*, by contrast, refers to **the attitudes and conduct that rise above this minimum standard.** It embodies the values of competence, character, civility, commitment to the rule of law, to the lawyer’s role as an officer of the court, and to public and community service. Professionalism is a commitment to carrying out both the letter and spirit of the law.

What Else Should You Bring to The Discussions?

We ask that all you bring to the discussions of these hypotheticals are your life experience and your own values, whatever they may be. We are not asking for any professional knowledge or research. Most important, do not ignore your "gut reaction," i.e., how these situations make you feel. That is part of the equation, too.

Your professional identity will take shape in many ways over the years as you experience your life as lawyer. Let your journey begin now.



Student's Panther I.D. # _____

Georgia State University College of Law Professionalism Oath

As I begin the study of law at Georgia State University College of Law, I understand that I am both joining an academic community and embarking on a professional career. I acknowledge that becoming a lawyer is a privilege that comes with responsibilities.

To faculty and staff, I offer integrity, honesty, and respect. I will be self-directed in my studies and commit to giving my best effort and honest performance on every assignment and examination. I will also conduct myself with dignity and in ways that reflect positively on me and the law school.

To my fellow classmates, I offer courtesy, civility, respect, and inclusion. I will strive to promote an atmosphere of collegiality that I will carry forward into my professional career.

To my future clients, I offer faithfulness, competence, diligence, and good judgment. I will strive to represent you as I would want to be represented and to be worthy of your trust.

To the profession and the public, I offer service. I will seek opportunities to provide leadership, serve my community, engage in pro bono work, and bring access to justice for all.

This pledge I take freely and upon my honor.

Signature _____

Date _____

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A LAWYER'S CREED



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To my clients, I offer faithfulness, competence, diligence, and good judgment. I will strive to represent you as I would want to be represented and to be worthy of your trust.

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To the opposing parties and their counsel, I offer fairness, integrity, and civility. I will seek reconciliation and, if we fail, I will strive to make our dispute a dignified one.

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To the courts, and other tribunals, and to those who assist them, I offer respect, candor, and courtesy. I will strive to do honor to the search for justice.

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To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship.

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To the profession, I offer assistance. I will strive to keep our business a profession and our profession a calling in the spirit of public service.

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To the public and our systems of justice, I offer service. I will strive to improve the law and our legal system, to make the law and our legal system available to all, and to seek the common good through the representation of my clients.

Entered by Order of Supreme Court of Georgia, October 9, 1992, nunc pro tunc July 3, 1990; Part IX of the Rules and Regulations of the State Bar of Georgia, as amended September 10, 2003 and April 26, 2013

24 **ASPIRATIONAL STATEMENT ON PROFESSIONALISM**

25 The Court believes there are unfortunate trends of commercialization and loss of professional
26 community in the current practice of law. These trends are manifested in an undue emphasis on the
27 financial rewards of practice, a lack of courtesy and civility among members of our profession, a lack
28 of respect for the judiciary and for our systems of justice, and a lack of regard for others and for the
29 common good. As a community of professionals, we should strive to make the internal rewards of
30 service, craft, and character, and not the external reward of financial gain, the primary rewards of the
31 practice of law. In our practices we should remember that the primary justification for who we are
32 and what we do is the common good we can achieve through the faithful representation of people
33 who desire to resolve their disputes in a peaceful manner and to prevent future disputes. We should
34 remember, and we should help our clients remember, that the way in which our clients resolve their
35 disputes defines part of the character of our society and we should act accordingly.

36 As professionals, we need aspirational ideals to help bind us together in a professional
37 community. Accordingly, the Court issues the following Aspirational Statement setting forth general
38 and specific aspirational ideals of our profession. This statement is a beginning list of the ideals of
39 our profession. It is primarily illustrative. Our purpose is not to regulate, and certainly not to
40 provide a basis for discipline, but rather to assist the Bar's efforts to maintain a professionalism that
41 can stand against the negative trends of commercialization and loss of community. It is the Court's
42 hope that Georgia's lawyers, judges, and legal educators will use the following aspirational ideals
43 to reexamine the justifications of the practice of law in our society and to consider the implications
44 of those justifications for their conduct. The Court feels that enhancement of professionalism can
45 be best brought about by the cooperative efforts of the organized bar, the courts, and the law schools
46 with each group working independently, but also jointly in that effort.

*Entered by Order of Supreme Court of Georgia, October 9, 1992, nunc pro tunc July 3, 1990; Part IX of the
Rules and Regulations of the State Bar of Georgia, as amended September 10, 2003 and April 26, 2013*

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GENERAL ASPIRATIONAL IDEALS

48 As a lawyer, I will aspire:

- 49 (a) To put fidelity to clients and, through clients, to the common good, before selfish
50 interests.
- 51 (b) To model for others, and particularly for my clients, the respect due to those we call
52 upon to resolve our disputes and the regard due to all participants in our dispute
53 resolution processes.
- 54 (c) To avoid all forms of wrongful discrimination in all of my activities including
55 discrimination on the basis of race, religion, sex, age, handicap, veteran status, or
56 national origin. The social goals of equality and fairness will be personal goals for
57 me.
- 58 (d) To preserve and improve the law, the legal system, and other dispute resolution
59 processes as instruments for the common good.
- 60 (e) To make the law, the legal system, and other dispute resolution processes available
61 to all.
- 62 (f) To practice with a personal commitment to the rules governing our profession and
63 to encourage others to do the same.
- 64 (g) To preserve the dignity and the integrity of our profession by my conduct. The
65 dignity and the integrity of our profession is an inheritance that must be maintained
66 by each successive generation of lawyers.
- 67 (h) To achieve the excellence of our craft, especially those that permit me to be the moral
68 voice of clients to the public in advocacy while being the moral voice of the public
69 to clients in counseling. Good lawyering should be a moral achievement for both the
70 lawyer and the client.
- 71 (i) To practice law not as a business, but as a calling in the spirit of public service.

Entered by Order of Supreme Court of Georgia, October 9, 1992, nunc pro tunc July 3, 1990; Part IX of the Rules and Regulations of the State Bar of Georgia, as amended September 10, 2003 and April 26, 2013

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SPECIFIC ASPIRATIONAL IDEALS

As to clients, I will aspire:

- (a) To expeditious and economical achievement of all client objectives.
- (b) To fully informed client decision-making. As a professional, I should:
 - (1) Counsel clients about all forms of dispute resolution;
 - (2) Counsel clients about the value of cooperation as a means towards the productive resolution of disputes;
 - (3) Maintain the sympathetic detachment that permits objective and independent advice to clients;
 - (4) Communicate promptly and clearly with clients; and,
 - (5) Reach clear agreements with clients concerning the nature of the representation.
- (c) To fair and equitable fee agreements. As a professional, I should:
 - (1) Discuss alternative methods of charging fees with all clients;
 - (2) Offer fee arrangements that reflect the true value of the services rendered;
 - (3) Reach agreements with clients as early in the relationship as possible;
 - (4) Determine the amount of fees by consideration of many factors and not just time spent by the attorney;
 - (5) Provide written agreements as to all fee arrangements; and
 - (6) Resolve all fee disputes through the arbitration methods provided by the State Bar of Georgia.
- (d) To comply with the obligations of confidentiality and the avoidance of conflicting loyalties in a manner designed to achieve the fidelity to clients that is the purpose of these obligations.

As to opposing parties and their counsel, I will aspire:

- (a) To cooperate with opposing counsel in a manner consistent with the competent representation of all parties. As a professional, I should:
 - (1) Notify opposing counsel in a timely fashion of any cancelled appearance;
 - (2) Grant reasonable requests for extensions or scheduling changes; and,
 - (3) Consult with opposing counsel in the scheduling of appearances, meetings, and depositions.
- (b) To treat opposing counsel in a manner consistent with his or her professional obligations and consistent with the dignity of the search for justice. As a professional, I should:

- 106 (1) Not serve motions or pleadings in such a manner or at such a time as to
107 preclude opportunity for a competent response;
108 (2) Be courteous and civil in all communications;
109 (3) Respond promptly to all requests by opposing counsel;
110 (4) Avoid rudeness and other acts of disrespect in all meetings including
111 depositions and negotiations;
112 (5) Prepare documents that accurately reflect the agreement of all parties; and
113 (6) Clearly identify all changes made in documents submitted by opposing
114 counsel for review.

115 **As to the courts, other tribunals, and to those who assist them**, I will aspire:

116 (a) To represent my clients in a manner consistent with the proper functioning of a fair,
117 efficient, and humane system of justice. As a professional, I should:

- 118 (1) Avoid non-essential litigation and non-essential pleading in litigation;
119 (2) Explore the possibilities of settlement of all litigated matters;
120 (3) Seek non-coerced agreement between the parties on procedural and discovery
121 matters;
122 (4) Avoid all delays not dictated by a competent presentation of a client's claims;
123 (5) Prevent misuses of court time by verifying the availability of key participants
124 for scheduled appearances before the court and by being punctual; and
125 (6) Advise clients about the obligations of civility, courtesy, fairness,
126 cooperation, and other proper behavior expected of those who use our
127 systems of justice.

128 (b) To model for others the respect due to our courts. As a professional I should:

- 129 (1) Act with complete honesty;
130 (2) Know court rules and procedures;
131 (3) Give appropriate deference to court rulings;
132 (4) Avoid undue familiarity with members of the judiciary;
133 (5) Avoid unfounded, unsubstantiated, or unjustified public criticism of members
134 of the judiciary;
135 (6) Show respect by attire and demeanor;
136 (7) Assist the judiciary in determining the applicable law; and,
137 (8) Seek to understand the judiciary's obligations of informed and impartial
138 decision-making.

139 **As to my colleagues in the practice of law**, I will aspire:

140 (a) To recognize and to develop our interdependence;

141 (b) To respect the needs of others, especially the need to develop as a whole person; and,

142 (c) To assist my colleagues become better people in the practice of law and to accept

143 their assistance offered to me.

144 **As to our profession**, I will aspire:

145 (a) To improve the practice of law. As a professional, I should:

- 146 (1) Assist in continuing legal education efforts;
- 147 (2) Assist in organized bar activities; and,
- 148 (3) Assist law schools in the education of our future lawyers.

149 (b) To protect the public from incompetent or other wrongful lawyering. As a
150 professional, I should:

- 151 (1) Assist in bar admissions activities;
- 152 (2) Report violations of ethical regulations by fellow lawyers; and,
- 153 (3) Assist in the enforcement of the legal and ethical standards imposed upon all
154 lawyers.

155 **As to the public and our systems of justice**, I will aspire:

156 (a) To counsel clients about the moral and social consequences of their conduct.

157 (b) To consider the effect of my conduct on the image of our systems of justice including the
158 social effect of advertising methods. As a professional, I should ensure that any
159 advertisement of my services:

- 160 (1) is consistent with the dignity of the justice system and a learned profession;
- 161 (2) provides a beneficial service to the public by providing accurate information
162 about the availability of legal services;
- 163 (3) educates the public about the law and legal system;
- 164 (4) provides completely honest and straightforward information about my
165 qualifications, fees, and costs; and
- 166 (5) does not imply that clients' legal needs can be met only through aggressive tactics.

167 (c) To provide the pro bono representation that is necessary to make our system of
168 justice available to all.

169 (d) To support organizations that provide pro bono representation to indigent clients.

170 (e) To improve our laws and legal system by, for example:

- 171 (1) Serving as a public official;
- 172 (2) Assisting in the education of the public concerning our laws and legal system;
- 173 (3) Commenting publicly upon our laws; and,
- 174 (4) Using other appropriate methods of effecting positive change in our laws and
175 legal system.

*Entered by Order of Supreme Court of Georgia, October 9, 1992, nunc pro tunc July 3, 1990; Part IX of the
Rules and Regulations of the State Bar of Georgia, as amended September 10, 2003 and April 26, 2013*



Georgia State University College of Law Honor Code

(Approved, as amended Nov. 17, 1982; Dec. 6, 1988; May 14, 1998; April 15, 2004; May 10, 2018; April 30, 2021)

Preamble

Students at the College of Law are joining an academic community and embarking on a professional career. The law school community and the legal profession share many important values. Every member of the College of Law has the right to live and learn in an atmosphere of trust and support. Responsibility for maintaining these values in our community rests with each individual member. Values that promote this atmosphere include:

HONESTY: Be truthful in your academic work and in your relationships.

INTEGRITY: Be trustworthy, fair and ethical.

RESPONSIBILITY: Be accountable for your actions and your learning.

RESPECT: Be civil. Value the dignity of each person. Honor the physical and intellectual property of others.

Section 1. Application and General Rules

* * *

Sec. 1.2 General Rules

a. Each student has a duty to read the Code. Ignorance of any provisions in this Code shall not be a defense to any violation of the Code.

* * *

Section 2. Duties of Students Under the Honor Code

Sec. 2.1 Reading and Abiding by the Code

All students must read this Code and abide by it.

Sec. 2.2 Reporting Misconduct

A Student shall report any conduct that they know or suspect constitutes a violation of this Code. A Student who has information sufficient to create a reasonable belief that a violation of this Code has occurred shall promptly report that information as provided in Sec. 4(b).

* * *

Section 3. Violations of Honor Code

Sec. 3.1 Academic Misconduct, Generally

It shall be a violation of the Code for any student to obtain or seek to obtain an unfair academic advantage for himself or herself or any other student.

Sec 3.2 Academic Misconduct, Assessments

With regard to assessments, any of the following shall be a violation of the Code: unauthorized use of materials, unauthorized use of human or other help, unauthorized use of electronic or technological methods, unauthorized communications, and unauthorized extension of time. It shall also be a violation of the Code to violate instructions about which an instructor has notified students will constitute a Code violation.

Sec. 3.3 Plagiarism and Related Offenses

It shall be a violation of this Section for any student to commit plagiarism or a related offense.

Plagiarism under this Code means presenting someone else's work or ideas as one's own, with or without their consent, by incorporating it into one's own work without full acknowledgement or attribution of the source. When one is using the words of another verbatim, proper attribution of the source requires the use of quotation marks or other conventions to indicate clearly that fact. Plagiarism also includes rewriting or paraphrasing the ideas or passages of another if the source is not properly attributed.

In addition to failing to properly attribute sources of ideas, for purposes of this Section, plagiarism also includes plagiarizing one's own, or another student's work. No student shall plagiarize in the submission of any paper, project, or other written work submitted for academic credit or any other academic purpose in the College of Law. By way of illustration only and not by way of limitation, the following are examples of violations of this Section:

- (1) Submitting the same or substantially the same written work for academic credit in more than one course without express permission of the instructors in both courses.
- (2) Submitting the work of another (current or former) student as one's own or allowing such submission.



Sec. 3.4. Dishonesty/Misrepresentation

It shall be a violation of the Code to perform any act or make any statement (written or oral) to any member of the College of Law faculty, staff, or administration providing or containing false, incomplete, or misleading information.

* * *

Sec. 3.6 Preprofessional Misconduct

It shall be a violation of the Code for any student to engage in any conduct in connection with any activities of the College of Law which raises a substantial question as to that student's honesty, trustworthiness, or moral fitness to practice law or become a member of the legal profession.

Sec. 3.7 Other Offenses

A student may be charged with a violation of this Code if a student acts in a manner not otherwise directly covered in this Code that shows an intentional disregard for the ethical standards of the legal profession or the fundamental values of Georgia State College of Law community. Examples of this kind of conduct include, but are not limited to:

* * *

- (3) Engaging in prohibited collaboration in course work;
- (4) Failing to report an Honor Code violation, as required by Sec. 2.2 and 4(b) provided that the Student had information sufficient to create a reasonable belief that another Student has violated this Code.



State Bar of Georgia

RULE 8.1 BAR ADMISSION AND DISCIPLINARY MATTERS

See <https://www.gabar.org/Handbook/index.cfm#handbook/rule154> (last visited August 2, 2021)

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact; or
- (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this rule does not require disclosure of information otherwise protected by Rule 1.6.

The maximum penalty for a violation of this Rule is disbarment.

Comment

[1] The duty imposed by this Rule extends to persons seeking admission to the bar as well as to lawyers. Hence, if a person makes a material false statement in connection with an application for admission, it may be the basis for subsequent disciplinary action if the person is admitted, and in any event may be relevant in a subsequent admission application. The duty imposed by this Rule applies to a lawyer's own admission or discipline as well as that of others. Thus, it is a separate professional offense for a lawyer to knowingly make a misrepresentation or omission in connection with a disciplinary investigation of the lawyer's own conduct. This Rule also requires affirmative clarification of any misunderstanding on the part of the admissions or disciplinary authority of which the person involved becomes aware.

[2] This Rule is subject to the provisions of the Fifth Amendment of the United States Constitution and corresponding provisions of state constitutions. A person relying on such a provision in response to a question, however, should do so openly and not use the right of nondisclosure as a justification for failure to comply with this Rule.

[3] A lawyer representing an applicant for admission to the bar, or representing a lawyer who is the subject of a disciplinary inquiry or proceeding, is governed by the rules applicable to the client-lawyer relationship.



State Bar of Georgia

RULE 8.4 MISCONDUCT See <https://www.gabar.org/Handbook/index.cfm#handbook/rule160> (last visited August 2, 2021)

- (a) It shall be a violation of the Georgia Rules of Professional Conduct for a lawyer to:
- (1) violate or knowingly attempt to violate the Georgia Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
 - (2) be convicted of a felony;
 - (3) be convicted of a misdemeanor involving moral turpitude where the underlying conduct relates to the lawyer's fitness to practice law;
 - (4) engage in professional conduct involving dishonesty, fraud, deceit or misrepresentation;
 - (5) fail to pay any final judgment or rule absolute rendered against such lawyer for money collected by him or her as a lawyer within ten days after the time appointed in the order or judgment;
 - (6)
 - (i) state an ability to influence improperly a government agency or official by means that violate the Georgia Rules of Professional Conduct or other law;
 - (ii) state an ability to achieve results by means that violate the Georgia Rules of Professional Conduct or other law;
 - (iii) achieve results by means that violate the Georgia Rules of Professional Conduct or other law;
 - (7) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
 - (8) commit a criminal act that relates to the lawyer's fitness to practice law or reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer, where the lawyer has admitted in judicio, the commission of such act.
- (b)
- (1) For purposes of this Rule, conviction shall include any of the following accepted by a court, whether or not a sentence has been imposed:
 - (i) a guilty plea;
 - (ii) a plea of nolo contendere;
 - (iii) a verdict of guilty; or
 - (iv) a verdict of guilty but mentally ill.
 - (2) The record of a conviction or disposition in any jurisdiction based upon a guilty plea, a plea of nolo contendere, a verdict of guilty or a verdict of guilty but mentally ill, or upon the imposition of first offender probation shall be conclusive evidence of such conviction or disposition and shall be admissible in proceedings under these disciplinary rules.
- (c) This Rule shall not be construed to cause any infringement of the existing inherent right of Georgia Superior Courts to suspend and disbar lawyers from practice based upon a conviction of a crime as specified in paragraphs (a) (1), (a) (2) and (a) (3) above.
- (d) Rule 8.4 (a) (1) does not apply to any of the Georgia Rules of Professional Conduct for which there is no disciplinary penalty.

The maximum penalty for a violation of Rule 8.4 (a) (1) is the maximum penalty for the specific Rule violated. The maximum penalty for a violation of Rule 8.4 (a) (2) through (c) is disbarment.

Comment

[1] The prohibitions of this Rule as well as the prohibitions of Bar Rule 4-102 prevents a lawyer from attempting to violate the Georgia Rules of Professional Conduct or from knowingly aiding or abetting, or providing direct or indirect assistance or inducement to another person who violates or attempts to violate a rule of professional conduct. A lawyer may not avoid a violation of the rules by instructing a nonlawyer, who is not subject to the rules, to act where the lawyer can not.

[2] This Rule, as its predecessor, is drawn in terms of acts involving "moral turpitude" with, however, a recognition that some such offenses concern matters of personal morality and have no specific connection to fitness for the practice of law. Here the concern is limited to those matters which fall under both the rubric of "moral turpitude" and involve underlying conduct relating to the fitness of the lawyer to practice law.

[3] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. A pattern of repeated offenses, even ones of minor significance when considered separately, can indicate indifference to legal obligation.

[4] Reserved.

[5] A lawyer may refuse to comply with an obligation imposed by law upon a good faith belief that no valid obligation exists. The provisions of Rule 1.2(d) concerning a good faith challenge to the validity, scope, meaning or application of the law apply to challenges of legal regulation of the practice of law.

[6] Persons holding public office assume responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of lawyers. The same is true of abuse of positions of private trust such as trustee, executor, administrator, guardian, agent and officer, director or manager of a corporation or other organization.



State Bar of Georgia

Rule 4-104. Mental Incapacity and Substance Abuse

See <https://www.gabar.org/Handbook/index.cfm#handbook/rule94> (last visited August 2, 2021)

- (a) Mental illness, cognitive impairment, alcohol abuse, or substance abuse, to the extent of impairing competency as a lawyer, shall constitute grounds for removing a lawyer from the practice of law.
- (b) Upon a determination by the State Disciplinary Board that a lawyer may be impaired or incapacitated to practice law as a result of one of the conditions described in paragraph (a) above, the Board may, in its sole discretion, make a confidential referral of the matter to an appropriate medical or mental health professional for the purposes of evaluation and possible referral to treatment and/or peer support groups. The Board may, in its discretion, defer disciplinary findings and proceedings based upon the impairment or incapacity of a lawyer to afford the lawyer an opportunity to be evaluated and, if necessary, to begin recovery. In such situations the medical or mental health professional shall report to the State Disciplinary Board and the Office of the General Counsel concerning the lawyer's progress toward recovery. A lawyer's refusal to cooperate with the medical or mental health professional or to participate in the evaluation or recommended treatment may be grounds for further proceedings under these Rules, including emergency suspension proceedings pursuant to Rule 4-108.

**SUPREME COURT OF GEORGIA
OFFICE OF BAR ADMISSIONS**

**POLICY STATEMENT OF THE BOARD TO DETERMINE FITNESS OF BAR APPLICANTS
REGARDING DUI AND OTHER ALCOHOL-RELATED OFFENSES**

(Adopted March 12, 2007, revised September 11, 2008; May 12, 2011, January 10, 2019)

Any applicant who receives a Driving Under the Influence (DUI) conviction or the equivalent in any jurisdiction is ineligible for Certification of Fitness to Practice Law for a period of twelve months from the date of conviction, as if the applicant had been sentenced under the mandatory twelve-month sentence required by the Georgia DUI statute (Ga. Code Ann. Section § 40-6-391), regardless of whether the sentence is probated and regardless of any early termination or completion of probation.

In the case of an applicant who was charged with DUI in Georgia (or its equivalent in any jurisdiction) but for whom the DUI charge was reduced, the Board is concerned about disregard for the law as well as possible patterns or problems related to abuse of alcohol and/or other substances and of the impact of these problems on the applicant's fitness to practice law. Therefore, any applicant who receives a conviction for an offense reduced from an original charge of DUI is ineligible for fitness certification for the period extending from the date of conviction to the completion of the sentence, including any period of probation.

Following the expiration of the period during which the applicant is ineligible for certification, the applicant may be eligible to take the succeeding examination or for the release of grades from a previous examination. Such eligibility will be decided by the Board on a case-by-case basis following its standard policies.

It should be understood that this is a procedural bar only. Following the expiration of the period during which the applicant is ineligible for certification, the Board will review the applicant's file on the merits for a determination of whether to certify the applicant for fitness. The Board may have substantive concerns about the applicant's conduct that may lead the Board to make further investigation, to require that the applicant be evaluated for drug or alcohol dependency, to require the applicant to file a written, detailed statement of use of alcohol/drugs, and/or to require that the applicant appear before the Board for an informal conference, prior to the Board's acting upon certification of the applicant.

**OATH OF ADMISSION
TO THE STATE BAR OF GEORGIA**

“I, _____, swear that I will truly and honestly, justly and uprightly conduct myself as a member of this learned profession and in accordance with the Georgia Rules of Professional Conduct, as an attorney and counselor and that I will support and defend the Constitution of the United States and the Constitution of the State of Georgia. So help me God.”

As revised by the Supreme Court of Georgia, April 22, 2002

See <https://www.gasupreme.us/rules/amendments-to-rules/attorney-oath/> (last visited 08-02-21)

LAW STUDENT APPLICATION

State Bar of Georgia
Membership Department
104 Marietta St. NW, Suite 100
Atlanta, GA 30303-2743

Please submit via email to: membership@gabar.org

Date: _____

I certify that I am currently enrolled at _____ School of Law, which is an ABA Accredited Law School or a Law School approved by the Board of Bar Examiners, I hereby apply for recognition as a Law Student member under the provisions of Rule 1-206 of the Rules and Regulations for the Organization and Government of the State Bar of Georgia, and of Article I, Section 6 of the Bylaws, both of which are quoted on page 2 of this application.

With this application, I am applying for Law Student Membership. I will notify the State Bar of Georgia if I am no longer enrolled at an ABA Accredited Law School or a Law School approved by the Board of Bar Examiners.

***All fields required**

FULL NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

EMAIL _____ DATE OF BIRTH _____

EXPECTED YEAR OF GRADUATION _____

SIGNATURE OF APPLICANT _____

Instructions

This fillable form is provided for your convenience. **The easiest way to submit your application is via email.** Simply fill out the form* and use the submit button to email your completed application to the State Bar of Georgia Membership Department.

**Your typed name in the signature box will be accepted as a signature when submitting via email.*

Or you may fill out the form, print, sign and mail the completed application to:
State Bar of Georgia
Membership Department
104 Marietta St. NW, Suite 100
Atlanta, GA 30303

If you have any questions, please email membership@gabar.org, or call 404-527-8777/800-334-6865.

THE RULES AND REGULATIONS FOR THE ORGANIZATION AND GOVERNMENT OF THE STATE BAR OF GEORGIA.

Part 1. Chapter 2 Membership

Rule 1-206.1 Law Student Members.

In addition to the membership and classes of membership provided in this Chapter, the State Bar may recognize as law student members, without the rights and privileges of membership, those law students currently enrolled in a law school approved by the American Bar Association or any law school approved by the Georgia Board of Bar Examiners. Law Student members may be furnished copies of appropriate publications and may be entitled to attend and participate, without the right to vote or hold office, in those meetings and activities conducted by the State Bar and any of its component parts or sections.

THE BYLAWS, STATE BAR OF GEORGIA. ARTICLE 1. Section 6. Affiliate Membership and Law Student Membership.

In addition to the classes of membership provided in Rule 1-202, Organization of the State Bar and Admissions, the Board of Governors or the Executive Committee may consider and approve or disapprove applications for Affiliate or Law Student membership with the State Bar of Georgia. Affiliate and Law Student members shall have the right to attend State Bar of Georgia meetings and receive State Bar official publications. Neither Affiliate nor Law Student members may hold office, vote or have any other rights and privileges incident to the membership classes set forth in Rule 1-202 with the State Bar of Georgia. Affiliate or Law Student members shall not hold themselves out or imply to the public, courts or members of the legal profession that they are members of the State Bar of Georgia as defined in Rule 1-202 of the State Bar of Georgia. The State Bar retains the right to deny or revoke the membership privileges of any Affiliate or Law Student member who violates this Section.

(b) Law Student Membership. The application form for a Law Student member shall include a certification by the applicant that he or she is a student in good standing at an ABA accredited law school in Georgia. Law Student membership may be renewed each Bar year by certifying to the Membership Department of the State Bar of Georgia that the student is currently enrolled in law school and in good standing. The Board of Governors may set annual dues or fees for Law Student membership.

**The Georgia State
Counseling Center invites
you to join it's new**



**Feel like you need somewhere to
talk?**

**Togetherall is a free online
community, to support your mental
health 24/7.**

**Join today and share how you're
feeling,listen and be heard.**

**We're
better
together.**

**Get Support.
Give Support.
Take control.
Feel better.**



**Whether you're struggling to cope,
feeling low or just need a place to
talk, Togetherall can help you to
explore your feelings in a safe
supportive environment.**

**To join, go to togetherall.com
Click "register" in the top right hand
corner and select the "I'm from a
university or college". Enter your GSU
email address.**

togetherall.com

Be Well. Do Well.

SUPPORTING STUDENT MENTAL HEALTH

USG Mental Health Initiative

833-874-0014

The University System of Georgia knows COVID has impacted student mental health and is offering additional services to help support students.

Eligibility: All Enrolled Students; Any State



Counseling & 24/7 Support Line

Call for counseling intake assessment or for general support.
833-874-0014



Psychiatry

Evaluation and management of medication. Call for scheduling.
888-202-5295



Navigators

Personalized help with navigating mental health resources. Call for help.
866-639-3938

Georgia State University Counseling Center

404-413-1640

Eligibility: All Enrolled Students; In Georgia Only



Individual & Couples Counseling

Meet with a GSU counselor for individual or couples therapy.



Group Counseling

Parenting in COVID, Black Women's Support, Trans Group, Emotional Resilience, Graduate Student Support, Be Well: Coping Skills Workshop



Psychiatry

Online clinic for evaluation and management of prescriptions.



Client Advocacy

Help finding resources in the community; housing, food, health care & more



Student Victim Assistance

Support for students who have experienced any form of crime. Contact,
404-413-1965



Outreach Programming

Contact jgriffith@gsu.edu or <https://counselingcenter.gsu.edu/request-form/>

AFTER HOURS CRISIS COUNSELING AVAILABLE 24/7 AT 404-413-1640

STATE BAR OF GEORGIA COMMITTEE ON PROFESSIONALISM

Hypothetical problems for group discussion





Problem 1

You are a 1L at the end of spring semester, and registration for fall classes is fast approaching. All registration at your law school is done based on seniority, which means each student's first available time to register is prioritized by the number of credit hours he or she has. The 2Ls get to register starting at noon next Tuesday, and 1Ls get to register starting at noon next Wednesday. Some classes have limited enrollments, and competition for those slots is keen.



Problem 1 Cont.

A 2L approaches you the weekend before registration begins with a proposition, saying, "I heard you'd really like to be in Course X. I think I can help. I'll be one of the first students allowed to register. On Tuesday, I'll start right at noon and register for Course X, which only has space for a dozen students. I don't want to take the course. But if you want it, we'll sit together in the library just before your noon Wednesday registration time."



Problem 1 Cont.

"I'll withdraw at 11:59 a.m., and then at noon you can jump in the spot I had previously taken. I know for a fact the process isn't set up to keep me from signing up or you from taking the slot I vacate. Otherwise, you'll never get in that class." Unsure about what to do, you just say, "Thanks, I'll think about it."



Problem 1 Cont.

On Tuesday at 2:00 p.m., the 2L approaches you, saying, "Okay, I've signed up for the course, and it's a good thing I did. By 12:05, the course was full. Are we on for tomorrow just before noon? Do you want the slot or not? If not, I'll offer it to someone else."



Problem 1 Cont.

There's nothing in the Honor Code that specifically addresses this situation. The Honor Code does have a "Pre-Professional Misconduct" provision which prohibits any student from engaging in conduct "which raises a substantial question as to the student's honesty, trustworthiness or fitness to practice law or become a member of the legal profession." The Honor Code also requires all students to report all Code violations to the Associate Dean.



QUESTIONS FOR DISCUSSION

- May you accept the 2L's offer? Should you accept the 2L's offer?
 - If you turn down the 2L's offer and another 1L takes it, should you report the 2L? The 1L?
 - How would you handle the situation if you knew the 2L who made the offer was an influential student at the school (for example, Chair of the Mock Trial Team)? What if the student was the son or daughter of an influential person at the school?
-

Lawyer's Creed

- To the opposing parties and their counsel, I offer fairness, integrity, and civility. I will seek reconciliation and, if we fail, I will strive to make our dispute a dignified one. (Lines 6 – 9)



Aspirational Statement on Professionalism

- As a lawyer, I will aspire to preserve the dignity and the integrity of our profession by my conduct. The dignity and the integrity of our profession is an inheritance that must be maintained by each successive generation of lawyers. (Lines 48, 64 – 66)





Problem 2

Part A

In Marcus' first-year Civil Procedure course, the professor keeps using the same two hypotheticals to stimulate discussion. The class always got involved in trying to solve the issues raised, but the professor never gave any clue that the class was on the right track. The professor hints that these, or similar problems, will be on the exam.



Problem 2 Cont.

Part A

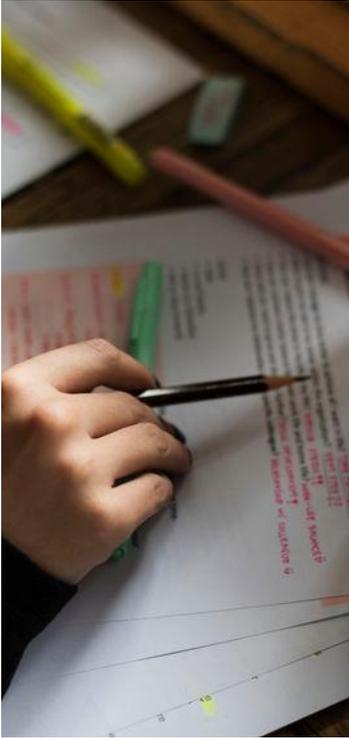
Three days before the exam, Marcus receives an e-mail from a college friend who is attending another law school. His friend tells him that Marcus' Civil Procedure professor used to teach at that law school a couple of years ago. Marcus' friend has learned of a book that contains a contribution by the professor in which she discussed those favorite hypotheticals in depth. After receiving this e-mail, Marcus found the book in his school's law library. He was permitted to check it out, and he kept it for the rest of the semester. There was just one copy.



QUESTIONS FOR DISCUSSION

Part A

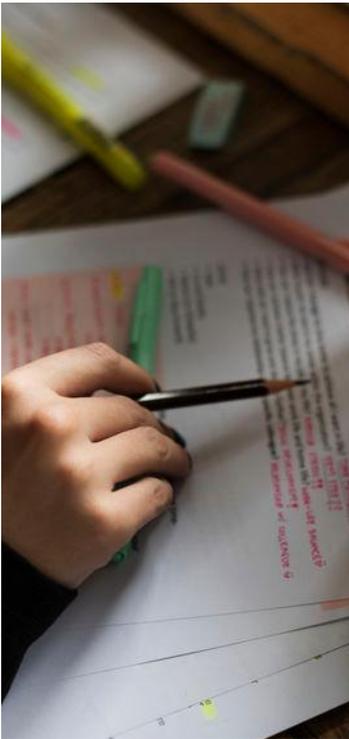
- Should Marcus have checked out that book?
 - Should Marcus have shared this information with his classmates? Members of his study group? Anyone else?
 - Suppose Marcus just photocopied the relevant parts of the book and then took it to another part of the law library and shelved it with some little used materials instead of returning it to its proper place where it could be easily found by other students?
 - Does it change your answer if Marcus found the book online, such as in Google Scholar, instead of in the law library?
-



Problem 2

Part B

Leah is a first-year law student and the first person among her family to attend law school. Leah is having trouble in her Legal Writing course taught by Professor Greene. The writing style required to excel is entirely foreign to the training she received in her former career as a technical writer.



Problem 2 Cont.

Part B

Corey is Leah's classmate whose dad is a partner at a large law firm. Corey's dad recently hired Joseph, a first-year associate who worked for Professor Greene as a Research Assistant. Joseph and Professor Greene currently enjoy a close mentor/mentee relationship.

During a social event one evening, Leah overhears Corey talking about receiving last-minute proofreading assistance from his dad's associate, Joseph, on the brief-writing assignment that is due in two days.



QUESTIONS FOR DISCUSSION

- Assuming Leah is aware of the connections between Professor Greene and the Associate, Joseph, should Leah report her concerns to Professor Greene?
- Changing the facts: Suppose Corey offers to have Leah's work reviewed by the associate?
- Is Corey's acceptance of help from Joseph the type of assistance that is contemplated by the professionalism aspirations?

Lawyer's Creed

- To the courts, and other tribunals, and to those who assist them, I offer respect, candor, and courtesy. I will strive to do honor to the search for justice. (Lines 10-12)



Aspirational Statement on Professionalism

- As to the courts, other tribunals, and to those who assist them, I will aspire to model for others the respect due to our courts. As a professional I should act with complete honesty. (Lines 115, 128 – 129)
- As to my colleagues in the practice of law, I will aspire to assist my colleagues become better people in the practice of law and to accept their assistance offered to me. (Lines 139, 142)





Problem 3

Cameron and Taylor are 1Ls looking for summer internships. They decide to attend a mixer/networking event at their school where they can meet representatives from several local firms. They know the competition is tough for summer positions at these firms, especially as 1Ls, and they want to do whatever they can to improve their chances.



Problem 3 Cont.

At the event, they start talking to an attorney, Aaron, who is an alum of their law school and on the hiring committee at a prominent firm. The conversation goes well, and both Cameron and Taylor are excited by the prospect of being able to work at this attorney's firm for the summer.

Problem 3 Cont.



After a while, someone calls Taylor away. After watching Taylor walk away, Aaron turns to Cameron and says, “I love having summer associates like that around the firm. They have assets that really liven up the office. If I’m lucky, I might even get some help with my briefs, if you know what I mean.”



QUESTIONS FOR DISCUSSION

- Should Cameron say anything to the attorney? What factors are likely to affect Cameron’s decision?
 - Should Cameron tell Taylor about the attorney’s comment?
 - Is there anything else that Cameron should do that would make a difference, and if so, what would that be?
-

Lawyer's Creed

- To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship. (Lines 13 – 15).



Aspirational Statement on Professionalism

- As a lawyer, I will aspire to avoid all forms of wrongful discrimination in all of my activities, including discrimination on the basis of race, religion, sex, age, handicap, veteran status, or national origin. The social goals of equality and fairness will be personal goals for me. (Lines 54 – 57)
- As a lawyer, I will aspire to practice with a personal commitment to the rules governing our profession and to encourage others to do the same. (Lines 48, 62 – 63)



Aspirational Statement on Professionalism, Cont.

- As to the public and our systems of justice, I will aspire to improve our laws and legal system by, for example, using other appropriate methods of effecting positive change in our laws and legal system. (Lines 155, 170, 174 – 175)



Problem 4



Tracy and Morgan are study partners. First semester finals are approaching quickly. Tracy has been so stressed out over classes that she has had trouble concentrating in class. Her outlines are a mess, and she is certain that she will not be ready for finals at the rate things are going.

Problem 4 Cont



Tracy knows Morgan has a medical prescription for Adderall, a controlled substance. Though she does not have a medical need for Adderall, Tracy has been aware of the stories about it being a “wonder drug” and knows plenty of people who regularly use it to concentrate and stay alert, including some of her law school classmates who also do not have a medical prescription for Adderall.

Problem 4 Cont



Looking for something to give her an edge through finals, Tracy asks Morgan to give her a 'few' pills to help her focus on exams.



QUESTIONS FOR DISCUSSION

- What should Morgan do?
 - Does Tracy's request for Adderall violate the honor code? What if Morgan gave the pills to Tracy?
 - Would it violate Georgia law for Morgan to give Adderall pills to Tracy? For Tracy to possess them?
 - What if Tracy took some of Morgan's pills without her permission and told Morgan after the fact?
 - What if Morgan offered them to Tracy before she asked for them? What should Tracy do?
-

Lawyer's Creed

- To my clients, I offer faithfulness, competence, diligence, and good judgment. I will strive to represent you as I would want to be represented and to be worthy of your trust. (Lines 2 – 5)
- To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship. (Lines 13 – 15)
- To the profession, I offer assistance. I will strive to keep our business a profession and our profession a calling in the spirit of public service. (Lines 16 – 18)



Aspirational Statement on Professionalism

- As a lawyer, I will aspire to achieve the excellence of our craft, especially those that permit me to be the moral voice of clients to the public in advocacy while being the moral voice of the public to clients in counseling. Good lawyering should be a moral achievement for both the lawyer and the client. (Lines 48, 67 – 70)
- As to our profession, I will aspire to (2) Report violations of ethical regulations by fellow lawyers; and (3) Assist in the enforcement of the legal and ethical standards imposed upon all lawyers. (Lines 144, 153 – 154)



Georgia Rules of Professional Conduct

Rule 8.3 Reporting Professional Misconduct

- (a) A lawyer having knowledge that another lawyer has committed a violation of the Georgia Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, should inform the appropriate professional authority.

- (b) A lawyer having knowledge that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office should inform the appropriate authority.



Georgia Rules of Professional Conduct

Rule 4-104 Mental Incapacity and Substance Abuse

- (a) Mental illness, cognitive impairment, alcohol abuse, or substance abuse, to the extent of impairing competency as a lawyer, shall constitute grounds for removing a lawyer from the practice of law.



Georgia Rules of Professional Conduct

Rule 4-106 Conviction of a Crime; Suspension and Disbarment

- (a) Upon receipt of information or evidence that a conviction for any felony or misdemeanor involving moral turpitude has been entered against a lawyer, the Clerk of the State Disciplinary Boards shall immediately assign the matter a State Disciplinary Board docket number. The Office of the General Counsel shall petition the Supreme Court of Georgia for the appointment of a Special Master to conduct a show cause hearing.



Problem 5

Part A



Me after I get on campus:



Jordan, a first-year law student, is heavily involved in social media. He enjoys posting selfies of where he travels, who he hangs out with, and even what he had for lunch that day. Jordan's posts receive regular "likes" and comments from his classmates. His biography on social media does not contain a disclaimer stating that his views are not the views of his employer or law school. His accounts across all platforms ping him as a "Social Influencer."

Problem 5



Me after I get on campus:

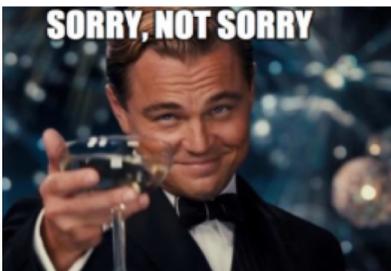


At the start of the semester, the University President released a statement on the University's pandemic response order for all students to wear masks at all times while on campus. The week before exams began, Jordan retweeted a meme (pictured to the left) mocking the University's pandemic response with the following text: "Those who value security more than liberty deserve neither. Sorry in advance if I forget my mask." Jordan posted the meme on his Instagram and Facebook page.

Problem 5



Me after I get on campus:



At the start of the semester, the University President released a statement on the University's pandemic response order for all students to wear masks at all times while on campus.

FROM THE DESK OF THE PRESIDENT

All students are required to wear masks at all times on campus.

Problem 5



Me after I get on campus:



Me after I get on campus:



The week before exams began, Jordan retweeted a meme (pictured above) mocking the University's pandemic response with the following text: "Those who value security more than liberty deserve neither. Sorry in advance if I forget my mask." Jordan posted the meme on his Instagram and Facebook page.



QUESTIONS FOR DISCUSSION

Have you ever seen something on social media that made you question whether the person should have posted it?



QUESTIONS FOR DISCUSSION

Regardless of whether or not the person has the right to make the statement, do you think this statement is representative of our legal professionalism?

What is the relationship between a person's right to make a statement and whether the statement is representative of our legal professionalism?

Why should law students be particularly vigilant of this relationship?



QUESTIONS FOR DISCUSSION

Do you think that your social media presence has the power to affect your professional brand?

If you were an attorney interviewing Jordan for a position at your firm, what does this post tell you about his professionalism?



QUESTIONS FOR DISCUSSION

Imagine that instead of Jordan, you had made the post on social media. Are you concerned about what this post says about your professionalism? Why or why not?

What perspectives on the purpose of the hypothetical come to mind when viewed against the backdrop of professional conduct on social media?

What factors in the hypothetical hold the most weight in evaluating Jordan's level of professionalism on social media?



QUESTIONS FOR DISCUSSION

If you were Jordan and felt this strongly about the issue, what is an alternative way that you can express your opinion and concerns?

Would it make a difference if only his "close friends" could see it?

Is a person's social media an extension of their home in the sense of personal expectations or is it an extension of their workplace?

Lawyer's Creed

- To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship. (Lines 13 – 15)



Aspirational Statement on Professionalism

- As a lawyer, I will aspire to model for others, and particularly for my clients, the respect due to those we call upon to resolve our disputes and the regard due to all participants in our dispute resolution processes. (Lines 48, 51 – 53)
- As to opposing parties and their counsel, I will aspire to treat opposing counsel in a manner consistent with his or her professional obligations and consistent with the dignity of the search for justice. (Lines 96, 103 – 105)



Aspirational Statement on Professionalism

- As a professional, I should be courteous and civil in all communications. (Lines 98, 108)
- As to my colleagues in the practice of law, I will aspire:
 - (a) To recognize and to develop our interdependence;
 - (b) To respect the needs of others, especially the need to develop as a whole person (Lines 139 – 141)



Aspirational Statement on Professionalism

- As to our profession, I will aspire to improve the practice of law. As a professional, I should assist law schools in the education of our future lawyers. (Lines 144 – 145, 148)
- As to the public and our systems of justice, I will aspire to consider the effect of my conduct on the image of our systems of justice(Lines 155, 157)
- As to the public and our systems of justice, I will aspire to improve our laws and legal system by, for example, using other appropriate methods of effecting positive change in our law and legal system. (Lines 155, 170, 174 – 175)



Problem 6

PLAGIARISM

Jim, a first-year law student, had a writing assignment with a due date of November 2nd. A draft of that assignment was due ten days before the final work product had to be submitted. Jim started researching for the assignment well before the due date. He spent a lot of time trying to find perfect cases to use but somehow never got around to writing the required draft.

Problem 6 Cont.

PLAGIARISM

The day before it was due, he threw something together at the computer, using photocopies of the cases and articles and materials downloaded from the Internet, as well as notes he took while doing his own research. By not revising his work at all and just dropping in a handful of citations before printing his paper, Jim managed to meet the draft deadline.

Problem 6 Cont.

PLAGIARISM

Jim's professor returned the draft with written comments, remarking very favorably on the writing and analysis in a few paragraphs within the draft. As he looked over the comments, Jim realized that the parts of the paper that his professor praised were those that included the notes he made when he downloaded a law review article from the Internet and to which he had made NO citation. While Jim had paraphrased the author's words rather than merely copying them, he had not given the article's author credit for the concepts used.

Problem 6 Cont.

PLAGIARISM

Jim decided not to add citations to those paragraphs because they were the only part of his paper that got positive comments. The "borrowed" parts of the paper constituted about one full page out of the twelve pages in the final version he submitted.



QUESTIONS FOR DISCUSSION

- Did Jim commit plagiarism? What is plagiarism? Is there any difference if the information is obtained online?
 - Should Jim admit what he did to his legal writing professor before he gets a grade on his paper? Or, should he wait to see what grade he gets and whether the grade seems to have been influenced by the “borrowed” portions of the paper?
-



QUESTIONS FOR DISCUSSION CONT

- Suppose Jim completely forgot the source of the ideas he used without attribution, and turned in his final paper without giving credit to the author of the law review article at all. Would that be plagiarism if he did not act intentionally?
-



QUESTIONS FOR DISCUSSION CONT

- Now suppose Jim is a summer associate in a law firm and was tasked by a partner to prepare a brief addressing a legal issue for the Court. Struggling with the research, Jim discussed the issue with an associate at the firm, Julie, who tells him she filed a brief on the very same issue two years ago. Should Jim ask to review Julie's brief? Should he then submit Julie's brief to the partner? Would that be plagiarism? Would it matter if he credited Julie for the work?

Lawyer's Creed

- To the courts, and other tribunals, and to those who assist them, I offer respect, candor, and courtesy. I will strive to do honor to the search for justice.
(Lines 10 – 12)



Aspirational Statement on Professionalism

- As to the courts, other tribunals, and to those who assist them, I will aspire to model for others the respect due to our courts. As a professional I should act with complete honesty. (Lines 115, 128 – 129)
- As to my colleagues in the practice of law, I will aspire:
 - (a) To recognize and to develop our interdependence; and
 - (c) To assist my colleagues become better people in the practice of law and to accept their assistance offered to me. (Lines 139, 140, 142 – 143)



Aspirational Statement on Professionalism, Cont.

- As to clients, I will aspire to expeditious and economical achievement of all client objectives. (Line 73 – 74)



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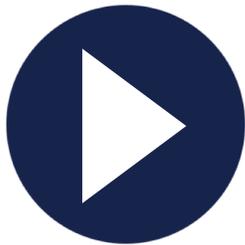
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