

Syllabus

Legal Profession

Professor Longan

Spring semester, 2024

Welcome to the Legal Profession course, which has been a required course at Mercer Law for the last twenty years. I look forward to getting to know those of you whom I have not met. Because this course is significantly different from your other courses, it is imperative that you read the syllabus in detail before the first class meeting on January 19.

Desired Learning Outcomes

Legal literacy: The students will have achieved a basic understanding of what it means to be a lawyer, specifically the special obligations that lawyers owe to clients and to society. The students will have learned the values, guiding principles, and well-being practices considered foundational to successful legal practice.

Legal communication: The students will be able to communicate orally and in writing about issues of professionalism and professional identity.

Problem identification: The students will be able to identify the aspects of professionalism and professional identity that are implicated in particular situations and the challenges to professional conduct that are present.

Problem analysis: The students will be able to apply the principles of professionalism and professional identity to arrive at proposed solutions to dilemmas presented in class.

Critical thinking: The students will have learned how to reflect on their own proposed solutions to the dilemmas presented and to the proposed solutions offered by their classmates and by the instructors.

Forming professional identity: The students will be equipped and motivated to seek to acquire and cultivate a professional identity that incorporates competence, fidelity to the client, fidelity to the law, public spiritedness, civility, and practical wisdom.

Cultural competence: The students will have learned about the issues of diversity, equity, and inclusion that are present in the legal profession today, including concerns about implicit bias, discriminatory and harassing conduct by lawyers, and disparate treatment of clients, witnesses, victims, and lawyers in the justice system.

Introduction

The American Bar Association Standards for Approval of Law Schools require every law school to provide substantial opportunities to students for the development of a “professional identity.” Interpretation 303-5 explains: “Professional identity focuses on what it means to be a lawyer and the special obligations lawyers have to clients and society. The development of professional identity should involve an intentional exploration of the values, guiding principles, and well-being practices considered foundational to successful legal practice.”

This course is your introduction to these values, guiding principles, and best practices. Every Mercer law student since 2004 has taken this course. Long before the ABA required professional identity instruction, the course received recognition nationally with the National Award for Innovation and Excellence in Teaching Professionalism from the American Bar Association Standing Committee on Professionalism, the Conference of Chief Justices, and the Burge Endowment for Legal Ethics. The law school also won the 2014 E. Smythe Gambrell Award for Professionalism from the ABA Standing Committee on Professionalism for the “Inside the Legal Profession” part of the course (described below).

The course is graded pass/fail, but not because the faculty believes the course is less important than Property, Contracts, or your other numerically graded first-year courses. Rather, as you will appreciate more after you have taken the course, we deliberately chose to remove any external motivation for you to work hard in this course (other than the necessary passing grade) because one of the keys to you finding satisfaction in your work ultimately is for you to focus on the internal rewards you derive from it. Our expectations regarding your effort are just as high as they would be for a course graded on the usual numerical scale.

Overview of Weekly Events and Assignments

The course has many moving parts, the details of which are set forth below. To give you first a general sense of those expectations, here is what a typical week looks like in this course:

- By 8 a.m. Monday morning (starting January 22), submit your reply to the week's writing assignment by going to the Canvas page for your section (not the page for the class as a whole) and submitting your reply to the week's prompt. The early writing assignments are set up as "Quizzes." Later in the semester, others may be set up as "Discussions," in which case you will be able to read the responses of your classmates. Some writing assignments have specific reading that you must do before completing the assignment. Be sure to check the assignment in time to complete any necessary reading.
- Attend class with all of the other sections on Monday morning at 8:30 a.m. in Classroom C, after having read any reading assignments related to that meeting.
- Prepare for your section's weekly discussion meeting (starting with the week of January 22) by doing the assigned reading and preparing to discuss the questions presented.
- Attend and participate in your section's weekly discussion meeting in the third-floor courtroom. Active participation in the discussions is required.
- Attend class with all of the other sections on Friday morning at 8:30 a.m., after having read any reading assignments related to that meeting.

Given the numerous assignments, deadlines and meetings that are required, you will need to adopt a careful calendaring system to make sure you do not miss anything. This is a good habit that you will need as a lawyer.

Details Regarding Assignments and Class Procedures

Monday and Friday meetings of all sections

The first seven of these large class meetings (January 19, 22, 26, and 29 and February 2, 5, and 9) are designed to give you a firm foundation in the necessary components of a lawyer's professional identity. You will need this background as we proceed to later stages of the course. The first class will be an introduction to the course and to the concept of professional identity. Each of the next six classes will cover one of the chapters of one of your assigned text, *The Formation of Professional Identity: The Path from Student to Lawyer 2d edition*.

After those introductory classes, the remaining large class meetings will be conducted as our "Inside the Legal Profession" series. In these class meetings (held in person or in Zoom webinar

format), I will conduct interviews with prominent lawyers and judges. Each of these interviews will last about 45 minutes, and you will have the opportunity to ask questions. Afterwards, you will have the opportunity to introduce yourself to our guests and speak personally with them.

The purposes of these interviews are to expose you to different careers in the law and to give you exemplars of people who live, practice, and thrive while they act in accordance with the values of the legal profession. Biographical information about each of your guests will be provided in the list of assignments, which will be posted separately to Canvas under “Files.” You should read this information and come to class prepared with one or more questions for our guests.

If you are interested, you can link to recordings of some of my past interviews at [https://law.mercer.edu/academics/centers/lep/inside-legal-profession/Links to an external site.](https://law.mercer.edu/academics/centers/lep/inside-legal-profession/Links%20to%20an%20external%20site)

Section meetings

Each of the sections will meet once a week, **beginning the week of January 22** and continuing through the week of April 15 (with the exceptions of the weeks of March 4 and March 25). We will have a special schedule for the week of March 4 because of the 24th Annual Georgia Symposium on Ethics and Professionalism. The week of March 25 is spring break. The meetings will held in the Third Floor Courtroom. They are scheduled as follows:

Section 1: 10:50 a.m. Fridays – Professor Longan

Section 2: 10:50 a.m. Mondays – Professor Tim Floyd and Professor Longan

Section 3: Noon Mondays – Professor Longan

Section 4: Noon Fridays – Professor Longan

In the weekly section meetings, we will discuss an assigned problem based upon assigned readings. I encourage you to discuss the problems with classmates ahead of time. I hope for volunteers, but everyone will be subject to being called on without notice in the section meetings. As noted above, active participation in these discussions is required.

Weekly writing assignments

Each section has its own page in Canvas. As I noted in the overview, you will be required to complete a writing assignment once a week, usually after having completed a reading assignment. The responses are not anonymous and will be available to the law faculty. I will provide the prompt for each week's assignment.

I reserve the right to withhold credit for any response that does not reflect serious effort. I will read all of the posts and may have comments or questions as a result. Note that Canvas will automatically shut down access to the quiz after your responses are due. Do not leave these assignments to the last minute.

Lawyer interview assignment

Later in the semester, you will be assigned to conduct a group interview of a local lawyer or judge about his or her life in the law. These interviews, like the ones I conduct in class, are intended to put you in touch with exemplars of professionalism. You will receive detailed instructions about how to conduct these interviews, and one of your weekly writing assignments will be about the interview.

Grading

You will receive a passing grade when you have completed all of the assignments for the course or you have (1) been excused by me from any missed assignment for good cause, or (2) have completed all make-up assignments for any missed assignments. Because make-up assignments usually are completed during finals, it is highly advantageous not to have to complete one.

Final assignment

At the conclusion of the semester, you will complete a final assignment. The assignment consists of a self-evaluation and a detailed evaluation of the course. Note that these evaluations are not anonymous, but I encourage you to be open and honest with any critique you may have. I use these evaluations to help plan the course in future years. You will all receive an individual response from me about your comments and suggestions.

Reading assignments

You will have reading assignments each week. Some will be posted to the Canvas page for all sections. Others will come from the required books for the course:

Longan, Floyd, and Floyd, *The Formation of Professional Identity: The Path from Student to Lawyer* (2d ed.) West Academic Press

ISBN: 979-8-88786-103-6

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You can access an electronic copy of this book for free through the Law School's subscription to West Academic Press materials. If you have trouble accessing it, please contact the library staff. If you wish to purchase a copy of the book, it is available through the Mercer bookstore or directly from West Academic Press).

Duffey, *The Significant Lawyer: The Pursuit of Purpose and Professionalism*

Mercer Univ Press

ISBN-10 : 0881468207

ISBN-13 : 978-0881468205

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(Available from Amazon and directly from Mercer University Press. I was unable to order through the Mercer University bookstore. Also, there should be plenty of used copies available from last year's class.)

Rhode and Luban (ed.), Legal Ethics: Law Stories

Foundation Press

ISBN-10 : 1587789353

ISBN-13 : 978-1587789359

© 2005

(Available from Mercer bookstore and from Amazon. Also, there should be plenty of used copies available from upper-level students.)

Duffey and Schneider (ed.), A Life in the Law

American Bar Association (August 16, 2009)

ISBN-10 : 1604425962

ISBN-13 : 978-1604425963

© 2009

(Available from Mercer bookstore and from Amazon. Also, there should be plenty of used copies available from upper-level students.)

Stevenson, Just Mercy

One World Publishing

ISBN-10 : 9780812984965

ISBN-13 : 978-0812984965

© 2015

(Available from Mercer bookstore and from Amazon. Also, there should be plenty of used copies available from upper-level students.)

As noted, you should be able to pick up used copies of these books (other than the second edition of *The Formation of Professional Identity*) from other Mercer law students. Note that you will be required to have finished Just Mercy by early April. You will be asked to comment on the book in light of the six virtues of the professional lawyer that you will learn about in the first weeks of class. It is advisable to begin reading the book early in the semester so that you do not run short on time.

Recording

No taping (audio or video) of any part of any class is permitted except with my permission for the purpose of complying with the Americans with Disabilities Act.

Announcements and Assignments

Your detailed assignments will be posted to Canvas separately from this syllabus. You will find the list of assignments under “Files” on the course page for all sections. I will post announcements and assignments to Canvas regularly during the semester. You should make sure that your settings on Canvas are such that any announcement I post will be “pushed” to you via e-mail.

Professor contact information:

My office hours are:

Mondays 1 – 3 p.m.

Wednesdays Noon – 2 p.m.

My office is on the third floor, across from the faculty mailroom. You are welcome to come by my office at any time. I am also available to meet with you outside of office hours and by remote means if necessary. To schedule an appointment outside of office hours, you may reach me by email or telephone. My email is longan_p@law.mercer.edu, and my phone number is 478-301-2639. If you do not reach me immediately, I will respond to you within 24 hours.

Attendance and punctuality

You may not miss any class or deadline without excuse. I will consider excusing absences for illness, job interviews that could not be scheduled other than during class time, insurmountable technical issues, and family commitments. I will consider other reasons as well. If feasible, you should request that I excuse an absence before it occurs. If you do miss a class or deadline without excuse, you may in my discretion be required to complete a makeup assignment as a condition of receiving credit for the course.

Unless you have an accommodation under the Americans with Disabilities Act that permits you to enter the classroom late, you may not do so, regardless of the reason for your tardiness. There are times when you might arrive late through no fault of your own. You will have the opportunity to explain such circumstances to me, but entering the classroom late (absent an ADA accommodation that permits you to do so) is not an option. Punctuality is a habit that every professional must cultivate.

Class procedures

Class procedures are subject to individual exceptions based upon the Americans with Disabilities Act or other good cause. If you believe that there is good cause to excuse you from one or more of these policies, please get in touch with me. The general policies are as follows.

I expect you to treat class as you would a professional meeting. You may bring coffee or other beverages to class, but you may not eat during class unless you have an ADA accommodation that permits you to do so. I will expect that you will not leave in the middle of class, just as you would not walk out of a professional meeting, unless there is a dire need for you to do so. Again, this rule is subordinate to any ADA accommodation you have been granted by the University.

The Mercer University Student Handbook contains this statement: “Asking a faculty member to allow a child in class is not an option as faculty members are not authorized to allow children to attend class.” I am bound by this policy. No children are allowed in class. If you encounter an unexpected issue with respect to childcare, let me know and I will work with you on an appropriate substitute for class attendance.

All electronic devices, including cell phones and similar devices, must be turned off and put away before class begins, unless you obtain my approval otherwise. Laptops and tablets are not permitted in class unless you have my prior permission to use them. For the section meetings, be sure to print out any materials to which you may want to refer during the discussions.

I have had reports in past years that a few students have worked on assignments for other courses during our class time, particularly in the large classes on Mondays and Fridays. It is impermissible to do so. Because it is impermissible, I will treat such conduct as a violation of the Mercer Law School Honor Code, which forbids conduct that evidences an intent to obtain unfair advantage over other students.

Some classes over the course of the semester may be conducted via Zoom. Some may be in “meeting” format, while other may be in “webinar” format. For the Zoom “meeting” format, your audio must be muted unless you are addressing me or your classmates. Your video must be enabled at all times unless there are compelling circumstances for you not to do so.

A Zoom class session is a professional environment, and you must ensure that your username, demeanor, dress, and background (real or virtual) are appropriate. Dress as you would to attend a class in person and structure your environment as much as possible to eliminate distractions and interruptions. Your profile picture (if any) must be tasteful and professional. No political messaging of any kind is acceptable. Tasteful and professional virtual backgrounds are acceptable, but they must not be distracting to me or your classmates.

If you encounter technical difficulties with your connection to the Zoom class, diligently attempt to connect. If you are not able to do so, please contact me as soon as possible after class to let me know what happened so that I can help you try to resolve the issue. If at any time I lose my connection to the class, I will expect you to remain in the class for ten minutes to give me time to

reconnect. If after ten minutes I have been unable to reconnect, you are free to “leave the meeting.”

Questions or concerns

If you have any questions or concerns about anything in the syllabus, please get in touch with me by phone at 478-301-2639 or by email at longan_p@law.mercer.edu.

Required University Syllabus Statements:

Please follow this link, [https://provost.mercer.edu/curriculum-information/syllabus-statements/Links to an external site.](https://provost.mercer.edu/curriculum-information/syllabus-statements/Links%20to%20an%20external%20site.), to review the syllabus statements that apply to all course syllabi at Mercer University. These syllabus statements cover a range of important topics, including but not limited to, academic integrity and the honor system, access and accommodations, mental health and wellness, sexual misconduct/Title IX matters, and resources to enhance student success.