

Lawyers Crossing Lines: Nine Stories

James L. Kelley

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James L. Kelley : Lawyers Crossing Lines: Nine Stories before purchasing it in order to gage whether or not it would be worth my time, and all praised Lawyers Crossing Lines: Nine Stories:

0 of 0 people found the following review helpful. Several stories, covers much ground, very readableBy Phil O.This book provides several varied stories of lawyers stumbling into ethical quagmires. In some cases, the lawyers are hustling sharpies who consciously stretch the limits for a buck, almost a cartoon of the unethical lawyer. But most cases are the far more disturbing kind where one can imagine oneself making judgment calls, some on the fly, face to face with various clients and constituencies, where the shading is a bit finer. That, and the Monday morning

quarterbacking of these judgment calls by regulators and judges can be unsettling too. (Watch the SEC admonishing a Salomon lawyer in ways arguably conflicting with the substantive law and self-conflicting and unclear in its directives.) We see many careers evaporate or detpour in wild new (worse) directions in these processes, and some firms don't survive. These stories are well edited, very readable, and well briefed with applicable laws. My compliments to the author for putting such a tough subject in such a varied and accessible package. This is worth every minute I spent on it. 10 of 10 people found the following review helpful. Illuminating tales of wrongdoing By Julian P Killingley I rate this book very highly indeed. Whilst it is clearly targeted at lawyers and law students, James Kelley has not gone down the traditional route of producing a legal ethics/professional responsibility casebook - and his book is all the more likely to be read from cover to cover for that. Kelley notes that while the majority of disciplinary actions are taken against solo practitioners for defalcations and neglect of clients' affairs, these topics do not generally raise difficult ethical issues or lend themselves to law school discussion. Nevertheless, in a series of case studies he does deal with a couple of issues that regularly dog the reputations of private client law firms. In one he looks at an egregious case of ineffective assistance of counsel. In his comments, Kelley raises a number of telling points about bad representation (one of the defense counsel in this capital murder case was unable to cite a single court decision on criminal law!) and shows how prosecutors and judges connive at bad representation to uphold death penalty verdicts. When the book went to press the 11th Circuit's verdict was still awaited - in *Fugate v Head* (2001) they upheld the district court's denial of habeas corpus. In another case study Kelley examines the ethical issues surrounding ambulance chasing - in this case involving a very able lawyer whose business practices were clearly felt to be demeaning by his rivals. References to the film 'Eric Brockovich' in the Comments section adds a pleasing topical spin to the case. However, the majority of the case studies involve issues faced by in-house counsel or larger commercial law firms. It is too easy to think that falling foul of the Bar Disciplinary Committee is the privilege of the solo or small law firm. Kelley shows that even nationally renowned law firms can get themselves in a terrible mess when the partners' eyes are on profits rather than ethics. He instances some breathtaking examples of stupidity/cupidity and shows that even when a matter is drawn to the attention of a large firm's in-house ethics committee, sense does not always prevail. All too often the committees seem to have applied backward chaining logic working from a desired result, i.e. continuing to represent a highly profitable client, and produced an ex post facto rationalization of unethical conduct. On the contrary the firm should have forward chained from the rules and principles and withdrawn. All the case studies are intrinsically interesting and Kelley does an excellent job of condensing complex facts and highlighting ethical problems. Law professors will find that there is also an excellent teacher's manual available from the publishers that offers considerable added value. All in this is succinct, entertaining and instructive - an uncommon combination of virtues in a book aimed at law schools!

This book is a collection of true stories about lawyers who broke the rules ended up being sued for malpractice, disbarred, or prosecuted. Intended as supplemental reading for students in professional responsibility, ethics, or lawyering classes, it contains stories that come directly from the courtroom, revealing the gritty realities of lawyers in trouble. Each narrative was selected by several criteria: whether it raised significant issues of legal ethics; whether it would lend itself to good classroom discussion; and whether there was an interesting tale to be drawn from the trial record. The stories make fascinating and memorable reading and are an effective tool for conveying the principles of legal ethics and responsibility. This unique book - no other book on professional responsibility takes Kelley's storytelling approach - will be an important addition to the field.

"This book is a perfect supplement to the study of professional responsibility and should not be limited to use by students. Practitioners would be wise to read these stories and remind themselves of what could happen if they are not careful." --Legal Information ALERT, June 2001 "I believe this book would appeal to a wide audience: students, with and without a law background, practicing attorneys and anyone with an interest in ethical-legal issues. Kelley does an excellent job . . . Each story is a thought provoking narrative, guaranteed to entertain and educate." --Bimonthly of Law Books March/April 2002 About the Author James L. Kelley is an adjunct professor at the Georgetown University School of Law.