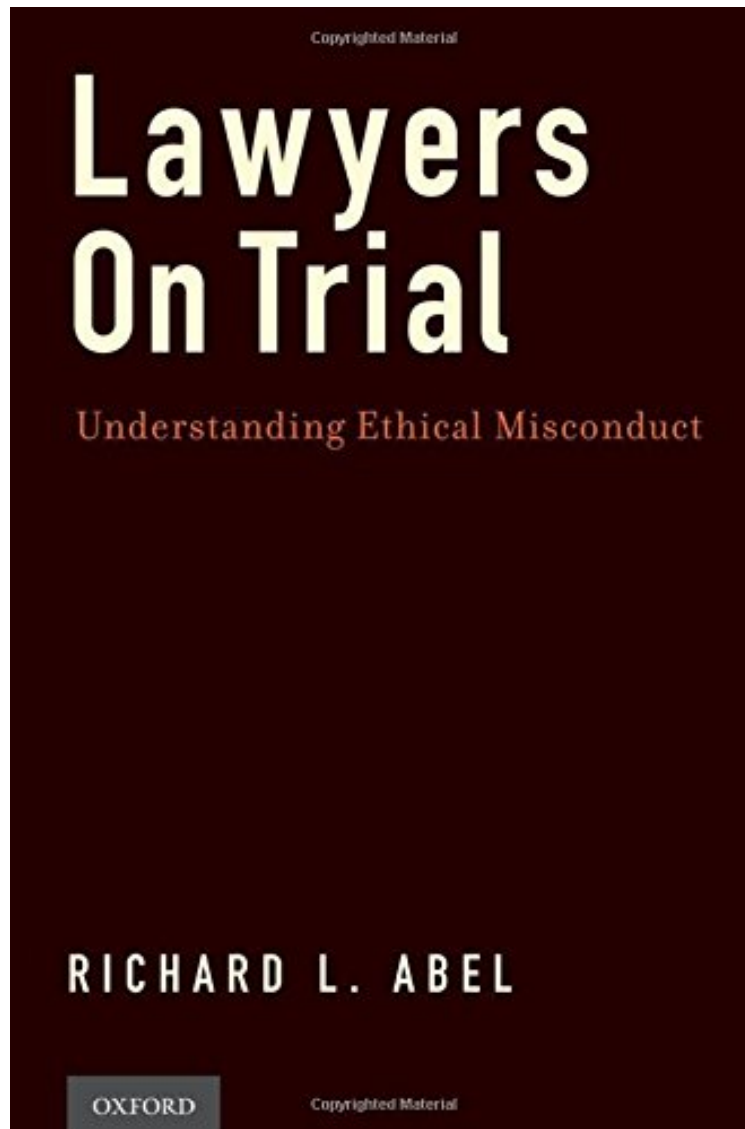


(Mobile ebook) Lawyers on Trial: Understanding Ethical Misconduct

# Lawyers on Trial: Understanding Ethical Misconduct

*Richard L. Abel*

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#4578293 in Books 2010-12-17Original language:EnglishPDF # 1 6.50 x 1.30 x 9.30l, 1.90 #File Name: 0199760373516 pages | File size: 45.Mb

**Richard L. Abel : Lawyers on Trial: Understanding Ethical Misconduct** before purchasing it in order to gage whether or not it would be worth my time, and all praised Lawyers on Trial: Understanding Ethical Misconduct:

3 of 4 people found the following review helpful. Poor, Unreliable Book That Does Not Teach EthicsBy Philip A. BylerThe only thing worth reading in the Abel book is the reply of one lawyer (having credentials and no other disciplinary cases) whose one case was supposedly covered in one chapter. That reply points to the general unreliability of the accounts in the Abel book. Certainly, Abel's supposed "account" of that one lawyer's case is false

and, indeed, as the lawyer's reply makes clear, the Abel "account" is a cover up to a bad case of corruption where the disciplinary system was misused for private purposes. Strikingly, the one disciplinary case of the lawyer occurred with respect to a representation in which the lawyer did what the client testified was a "terrific" job where the client originally owed over \$216,000 to the IRS and New York State from the client's involvement in a sham tax shelter and as to which the lawyer was paid by the client testified to was what he told the lawyer to do -- keep a refund that was triggered by a tax adjustment schedule negotiated by the lawyer with the IRS. The Disciplinary Committee member who represented the client in state court based on the disciplinary case formally stipulated that the lawyer earned all what the lawyer was paid. Why, then, would Abel do such a hatchet job? Because the source of the disciplinary complaint and corruption was a lie concocted by a fellow ethics law professor. That's not ethics. It may be a politically correct thing among some attorneys in the ethics field to say what a good book this is, the truth is that the Abel book is very poor, very unreliable and hardly readable. It won't teach law students or anyone else anything. There is nothing taught about the application of disciplinary rules, and there is nothing taught about the operation of disciplinary procedures (which are in need of reform). Rather, the accounts are more like a National Enquirer article, only that National Enquirer articles may have some truth in them. 0 of 3 people found the following review helpful. An important study by Public Interest Law This is a major and independent examination of attorney ethics and enforcement. It should be part of the curriculum of law school legal responsibility courses, and is also interesting enough for lay readers. Abel lives up to his name, and has an important contribution to the field here.

Lawyer misconduct affects many people: clients, adversaries, opposing counsel, judges, the legal profession, and society at large. The records of disciplinary proceedings offer a penetrating, and largely ignored, perspective on how lawyers misbehave. Because the lawyers' professional lives are at stake, the factual records are extraordinarily detailed and the lawyers surprisingly open about their motivations and justifications. In *Lawyers on Trial*, Richard L. Abel presents the stories of ten California lawyers who broke the rules: hiring an ex-cop to chase ambulances, flouting fee limitations in medical malpractice cases, creating a fictitious company and impersonating non-existent people in order to appropriate Sega's computer games, a former California Real Estate Commissioner defrauding developers and financiers, helping a represented co-defendant negotiate a plea without his lawyer's participation or knowledge, and defying a judge's sealing order and his own client's wishes for closure in order to champion the "defenseless" and "oppressed" and protect "widows and children." The book begins by showing how nearly a century of political struggle over self-regulation shapes the way the disciplinary system selects and processes cases and concludes by canvassing reforms that could improve the performance of the legal profession. *Lawyers on Trial* will be invaluable for those contemplating law school, law students and teachers of professional responsibility, continuing legal education classes, lawyers encountering ethical dilemmas in their practice or trying to understand misbehaving colleagues, members of the public thinking of retaining a lawyer, and clients dealing with their own lawyers.

About the Author Richard L. Abel is Michael J. Connell Professor of Law Emeritus, UCLA School of Law, where he helped found the Program in Public Interest Law and Policy. Before joining UCLA's law faculty in 1974, he taught at Yale Law School and served as a lawyer with the New Haven Legal Assistance Association; he also has taught as a visiting professor at USC, NYU, CUNY, and Fordham University. After graduating from Columbia Law School in 1965, Professor Abel worked as a lawyer with the Lawyers Committee for Civil Rights Under Law in Jackson, Mississippi. He then completed a Ph.D. in African law at the University of London, supported by a Marshall Scholarship and a Foreign Area Fellowship. His extensive experience in African law and legal anthropology led to a position as editor of *African Law Studies* and the *Law Society* and the publication of many insightful books on the role of the lawyer, such as *American Lawyers* (OUP 1989); *English Lawyers between Market and State: The Politics of Professionalism* (OUP 2003); *Lawyers in the Dock: Learning from Attorney Disciplinary Proceedings* (OUP 2008); *The Legal Profession in England and Wales* (Blackwell 1988); *Lawyers: A Critical Reader* (New Press 1997); *Lawyers in Society* (edited with Philip S.C. Lewis) (University of California Press 1988/89); *Politics by Other Means: Law in the Struggle Against Apartheid, 1980-94* (Routledge 1995); and *Speaking Respect, Respecting Speech* (University of Chicago Press 1995).