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**§ 6.5****Ethical Issues for Consideration***Real Issues from Real Situations*

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Consider the following situations. Are there ethical issues? How could they be resolved?

1. When Bob hired an attorney, he had already been charged with murder. During the first meeting, Bob told his attorney that he had, indeed, committed the murder. Bob still wants the attorney to represent him. Can the attorney represent Bob, having knowledge that Bob committed the crime? Explain.
2. Carol worked for the law firm of Smith and Jones for several years. She is newly engaged, and her fiancé works as an attorney for a firm that represents a party against whom Smith and Jones has an active lawsuit. What ethical concerns do you see, if any? Can you identify any possible solutions to the dilemma?
3. Helen, a paralegal, is walking across the street to lunch one day when she witnesses an accident. As the injured party is lying on the pavement looking up, he asks whether Helen knows a good lawyer. Can she give her attorney's card to the injured person?
4. Sue works for a divorce lawyer. She finds out that a client, Sam Slime, is hiding assets from his wife in the divorce. She calls and leaves an anonymous message for Sam's estranged wife, informing her of the hidden assets. Discuss the ethical aspects of the situation.
5. Sally, your firm's client with an ongoing case, is in trouble. Her rent is late, and she has no money to buy food for her daughter. She asks her attorney for a loan. Would it be ethical for the attorney to assist her monetarily?
6. A man hired an attorney to represent him in a divorce. The property settlement negotiations were very contentious. In the man's estimation, the woman was being unreasonable. One day, the man went to a restaurant for lunch, and saw his soon-to-be ex-wife having lunch with his attorney! He confronted the attorney that afternoon at the law firm. The lawyer explained that he was attempting to soften the woman's stand in the negotiations. In fact, the lawyer said, he thought a breakthrough was imminent. Discuss the ethical implications of the lawyer's actions.
7. An attorney tells his paralegal to alter, possibly even forge, some information on documents involved in a lawsuit. He says that if she doesn't do as instructed, she will be fired and never work in a law office again. What should the paralegal do? What ethical problems in this situation can you identify?

8. An attorney is a trustee for the bankruptcy court. He has access to an estate with \$300,000 in one bank account. He borrows \$200,000 and goes to the Kentucky Derby. He wins and pays back the money but does not pay interest. (The funds were gone for about a week.) Discuss.
9. An attorney asks his legal secretary to go to dinner. She accepts but is uncomfortable and tells him she has changed her mind. He convinces her to go. After dinner, the attorney drives her home. When the attorney tries to kiss her, she pushes him away and tells him she is very upset. The attorney apologizes and leaves. The secretary does not feel she can go back to work and quits. Do you believe that she has a valid sexual harassment suit? Discuss.
10. An attorney runs an advertisement on television that states, "Hire us, we'll get the results you deserve." Can you see any ethical concerns with the statement?

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## § 6.6

# Law Office Etiquette

## *Rules Governing Socially Acceptable Behavior*

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Etiquette is dependent on circumstance and environment. In this case, the circumstance is your employment, and the environment is the law office. Since behaving in an acceptable manner is expected, we will point out several behaviors that would likely not be considered acceptable. One major area of poor etiquette is office politics. Engaging in office politics is incredibly corrosive. Below is a list that points out simple poor etiquette, and an expanded list that would likely involve office politics.

### POOR ETIQUETTE

1. False information on your resume
2. Being the office cynic
3. Taking credit for the work of others
4. Listening to private conversations
5. Engaging in personal activities on office time
6. Being lazy
7. Being annoying by complaining constantly
8. Bringing your personal issues to work
9. Complaining about your salary
10. White lies about your work
11. Being an insincere "yes person"
12. Sucking up, AKA "brown-nosing"
13. Being generally abusive or rude
14. Engaging in office politics

### OFFICE POLITICS

- Gossiping
- Arguing with someone in front of others
- White lies about co-workers
- Participating in an email war
- Sleeping with the boss or a co-worker
- Favoritism
- Nepotism
- Betrayal/Being a hypocrite