

Litigation Ethics: Claims, Settlements, and Courts

This interactive program uses hypotheticals to explore three aspects of litigation ethics. First, the program will focus on litigants' claims, including: the ethics implications of advancing frivolous factual and legal claims; lawyers' ability to "ghostwrite" pleadings for supposedly pro se litigants; and lawyers' filing of knowingly time barred claims. Second, the program will discuss settlements, including: collaborative lawyering and aggregate settlements; acceptable levels of deception during settlement negotiations; silence about the law and facts; and the enforceability of settlement agreements. Third, the program will deal with courts, including: the duty to disclose unfavorable facts and law to tribunals; judges' disqualification based on personal relationships with litigants and lawyers; lawyers' ability to manipulate the choice of judges.