



College of Law

Professional Responsibility and Legal Ethics

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Introduction

This is a Guide to sources of information on professional responsibility and legal ethics that, with a few exceptions, are contained in or accessible from, the University of Cincinnati Law Library. And those exceptions are located in other UC libraries. It has been compiled for our law students. References are in Bluebook format because that is the format used in law.

The significance of the items in this guide cannot be understood without an understanding of the legal and institutional context. The law of professional responsibility and legal ethics exists within a wider framework that includes the federal constitution, the state constitutions, federal and state codes, and federal and state regulations.¹ Lawyers are particularly subject to the laws of "...torts, contracts, agency, trusts, property, remedies, procedure, evidence, and crimes..." because of the nature of their practice.² This Guide does not cover these laws because they apply to anyone who may engage in the regulated conduct, not just attorneys. It includes only material that relates to the rules that govern the behavior of attorneys as attorneys.

The rules of professional responsibility and legal ethics form a hierarchy that is headed by the American Bar Association's model standards. There are ABA model standards that apply not only to attorneys, but to judges, client protection, multi-jurisdiction practice, federal practice, etc. Their titles reflect their particular functions. As a class their importance is paradoxical. On the one hand, they are highly influential in that they are the pattern for nearly all of the state codes.³ On the other hand, unlike the state codes, they are not laws and the ABA is not part of any government. The ABA model standards in themselves have no force of law until they are adapted or adopted by a state or a federal court.⁴ This Guide, therefore, gives them preeminence of place; they take up the first 8 pages.

Although the ABA's model standards are currently in their third incarnation, a few jurisdictions still use those of the second. Cases do not always make clear which one is being used, but each has certain characteristics that distinguish it from the other. The Model Rules of Professional Conduct distinguish between mandatory and permissive clauses by language such as "shall" or "shall not" in mandatory clauses and "may" or "may not" in permissive clauses. The nine chapter headings of the Model Code of Professional Responsibility, called Canons, contain both mandatory and permissive clauses. The former are designated Disciplinary Rules (DR) and the latter Ethical Considerations (EC).⁵ In spite of the care that has been taken to make

¹ Susan P. Koniak "The Law between the Bar and the State" 70 N.C. L. Rev. 1389 (1992), reprinted in Geoffrey C. Hazard, Jr. et al. *The Law and Ethics of Lawyering* 46, at 52-53 (Foundation, 4th ed. 2005)

² Restatement (Third) of the Law Governing Lawyers (2000-) § 1(b).

³ "As of...2004, forty-seven states and the District of Columbia had adopted some version of the Model Rules...." (Hazard, *supra* note 1 at 16) And in 2006, one of the three holdouts, Ohio, adapted the Model Rules of Professional Conduct. ((Press Release) Court Adopts New Conduct Rules for Attorneys, Aug. 1, 2006, available at http://www.sconet.state.oh.us/Communications_Office/Press_Releases/2006/profConductRules_080106.asp) "To date, California, Maine, and New York are the only states that do not have professional conduct rules that follow the format of the ABA Model Rules of Professional Conduct. New York follows the predecessor ABA Model Code of Professional Responsibility, and California and Maine developed their own rules." http://www.abanet.org/cpr/mrpc/model_rules.html (last visited Apr. 24, 2007)

⁴ Hazard, *supra* note 1 at 13

⁵ *Id.* Hazard, at 14

this distinction, it is not always followed.⁶ The Guide presents the ABA's model rules in reverse chronological order so that those that are most widely followed now come first. The Model Rules of Professional Conduct are items 1 – 14; the Model Code of Professional Responsibility is items 15 – 19; and the Canons of Professional Ethics are 20 - 22. ABA standards that apply to certain types of practice are in the same place. The two earlier versions are included because recent cases may cite cases that were decided under the earlier versions as precedents. The ABA Model Code of Judicial Conduct and Model Rules for Judicial Disciplinary Enforcement are on pages 9 and 10.

Like the ABA's model rules, its opinions do not have precedential value, but are very influential. They are all advisory in nature; they attempt to prevent rather than to discipline misconduct. "A formal opinion responds to a question of general interest, whereas an informal opinion is a response to a question 'comparatively narrow in scope.'" ⁷ They are, nevertheless, cited by both state and federal courts.⁸ The Guide, therefore, lists them on page 11 below.

Each federal court regulates the conduct of the attorneys who practice before it, so the rules of professional responsibility and legal ethics that govern the federal bar vary tremendously.⁹ Most federal courts have adopted the rules of the "highest court of the state in which this court sits."¹⁰ Federal executive agencies, e.g. the SEC, the IRS, govern practice before their own tribunals. This Guide lists only a few items on this topic (page 6 and items 99, 181-183, and 246-248) because there is so much duplication between the general federal and state rules, and because of the technical nature of practice before the executive agencies.

All states have an organizational system to govern the bar and judiciary, but these systems vary in their structure and the names of the institutions of which they consist. In Ohio, the Supreme Court has ultimate responsibility for and authority over professional responsibility and legal ethics.¹¹ The General Assembly and Governor play no part in this area. The Supreme Court adopts all the codes that govern the bar, the courts, and the judiciary. The Guide lists these codes on page 5. The Court delegates some of its authority to the Board of Commissioners on Grievances and Discipline.¹² Most of the Ohio material in the Guide is published by the Board. The Guide lists them on pages 6 and 10 and its website is at <http://www.sconet.state.oh.us/BOC/default.asp> .

The Board has jurisdiction over "...alleged misconduct by justices, judges, or attorneys...all proceedings for the discipline of justices, judges, attorneys, persons under suspension, probation or disbarred from the practice of law and all proceedings for the reinstatement as an attorney..."¹³ It has the power to "...receive

⁶ Some of the ECs are written as if mandatory and have sometimes been treated that way by courts. (Hazard, at 15) And see, for example, EC 4-1, "...a lawyer must be equally free..." or EC 5-8, "...the ultimate liability for such costs and expenses must be that of the client."

⁷ *Id.* Hazard, at 19

⁸ *Id.*

⁹ Marie Leary, Standards of Attorney Conduct and Disciplinary Procedures: A Study of the Federal District Courts (Federal Judicial Center, 1997) (item 182 in the Guide)

¹⁰ The Model Federal Rules of Disciplinary Enforcement (Standing Committee on Professional Discipline of the ABA, 1991) (item 43 in the Guide)

¹¹ Ohio Const. art. IV, §1 (B) (1) (g) (through 2006) <http://www.legislature.state.oh.us/constitution.cfm> and in PDF through 2005 <http://www.legislature.state.oh.us/constitution.pdf>

¹² Ohio Rev. Code Ann. Gov. Bar. R. V §1 (LexisNexis 2004 & Supp. 2007) (item 36 in the Guide)

¹³ Ohio Rev. Code Ann. Gov. Bar. R. V §2 (A) (LexisNexis 2004 & Supp. 2007) (item 36 in the Guide)

evidence, preserve the record, make findings, and submit recommendations to the Supreme Court....”¹⁴ The Board may recommend a public reprimand, probation, suspension or disbarment.¹⁵ All of its disciplinary recommendations must be approved by the Court to have legal effect.¹⁶ It also issues advisory opinions on ethical matters.¹⁷ The Regulation for the Issuance of Advisory Opinions requires that they be published in the ABA/BNA Lawyers’ Manual on Professional Conduct, the Ohio State Bar Association Report and other publications...as the Board deems appropriate.¹⁸ Copies are filed in the Ohio Supreme Court Law Library, county law libraries, the Office of Disciplinary Counsel, the Ohio State Bar Association, and local bar associations that have certified grievance committees. Of course, the requestor also receives a copy.¹⁹ If the opinion concerns judicial conduct, it is filed with the Ohio Ethics Commission, the Ohio Elections Commission, the Ohio Judicial Conference, the Ohio Judicial College, the Ohio Secretary of State, and the American Judicature Society.²⁰

The Board also certifies Grievance Committees of the Ohio State Bar Association and local bar associations.²¹ Certification allows them to investigate and bring grievances to the Board.²² Indeed Ohio’s system for regulating attorney conduct is substantially more decentralized than that of other states in that grievances are often brought to the Board by a certified grievance committee of a local bar association.²³

Disciplinary orders and attorney or judge’s resignations are published in the Ohio Official Reports, the Ohio State Bar Association Report, the relevant local bar association’s publication, and in the largest local newspaper.²⁴ The Guide lists sources of these orders in items 110 – 114. After cases are certified to the Secretary of the Board from a probable cause panel, “the complaint and all subsequent proceedings” are public, but the deliberations of the panel and the Board are confidential.²⁵ In some cases defendants consent to making complaints and other proceedings in their cases public before the case is certified to the Board.²⁶ These materials are available the Board’s offices in Columbus, but not on the web.

This description is merely a skeleton of the process; it limns only the outline of the structure. It includes only those features that are necessary to an understanding of the cases.

The ABA/BNA Lawyers’ Manual on Professional Conduct deserves special mention because it has so many uses. It covers virtually all the material that has been described in this introduction up to this point. It provides all the ABA model

¹⁴ Ohio Rev. Code Ann. Gov. Bar. R. V §2 (B) (LexisNexis 2004 & Supp. 2007)

¹⁵ Ohio Rev. Code Ann. Gov. Bar. R. V §6 (L) (LexisNexis 2004 & Supp. 2007)

¹⁶ Ohio Const. supra note 11

¹⁷ Ohio Rev. Code Ann. Gov. Bar. R. V §2 (C) (LexisNexis 2004 & Supp. 2007)

¹⁸ Ohio Rev. Code Ann. Rules and Regulations Governing Procedure on Complaints and Hearings before the Board of Commissioners on Grievances and Discipline of the Supreme Court §20 (1) (L) (LexisNexis 2004 & Supp. 2007)

¹⁹ *Id.*

²⁰ *Id.*

²¹ Ohio Rev. Code Ann. Gov. Bar. R. V §3 (C) (LexisNexis 2004 & Supp. 2007)

²² *Id.*

²³ Telephone interview with Edwin W. Patterson III, General Counsel, Cincinnati Bar Association, in Cincinnati, Ohio, (Apr. 17, 2007).

²⁴ Ohio Rev. Code Ann. Gov. Bar. R. V §8 (D) (2) (LexisNexis 2004 & Supp. 2007)

²⁵ Ohio Rev. Code Ann. Gov. Bar. R. V §11 (E) (2) (a) (LexisNexis 2004 & Supp. 2007)

²⁶ Ohio Rev. Code Ann. Gov. Bar. R. V §11 (E) (1) (a) and (b) (LexisNexis 2004 & Supp. 2007)

standards, the full text of the ABA opinions, a practice guide on each subtopic, and an index to the ethics opinions of every state.

After the primary sources, the Guide lists the Restatements on page 13. The Restatements are a cross between primary and secondary sources. Although they integrate judge-made rules with the rules of the codes, they are not publications of any government and so do not have the force of law.

After the Restatements, the Guide lists true secondary sources: monographs and treatises, study aids, and websites.

The Guide integrates references to Lexis and Westlaw databases with hard-copy references. If a print source has a corresponding database, the primary reference is to the hard-copy source. But the reference lists the trails users need to follow to get to the database. If a database has no corresponding hard-copy version, it is listed alone with the relevant trail.

Table of Contents

Introduction	2
Table of Contents	5
Codes, Rules & Standards for Attorneys	5
Codes, Rules & Standards for Legal Assistants.....	11
Codes, Rules & Standards for Judges & the Judiciary	12
Cases	13
Restatements	15
Loose-Leafs.....	16
Monographs & Treatises	16
Study Aids	27
Organization Websites	28

Codes, Rules & Standards for Attorneys

ABA Model Rules of Professional Conduct, 1983 - present

1. ABA Annotated Model Rules of Professional Conduct (ABA-AMRPC) available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/ American Bar Association Materials/ABA-AMRPC
2. ABA Compendium of Prof'l Responsibility Rules and Standards (Center for Prof'l Responsibility of the ABA, 1997). LAW KF305 .A22

3. ABA Model Rules of Professional Conduct (Center for Prof'l Responsibility of the ABA, 2006) http://www.abanet.org/cpr/mrpc/mrpc_toc.html
4. ABA Model Rules of Professional Conduct (Center for Prof'l Responsibility of the ABA, 5th ed., 2003) http://www.abanet.org/cpr/mrpc/mrpc_toc.html ; also available at Westlaw: Directory/ Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ABA-MRPC
5. Annotated Model Rules of Prof'l Conduct (Center for Prof'l Responsibility of the ABA, 5th ed., 2003) LAW KF305 .A26
6. Annotated Model Rules of Prof'l Conduct (Center for Prof'l Responsibility of the ABA, 4th ed., 1999). LAW KF305 .A26
7. Annotated Model Rules of Prof'l Conduct (Center for Prof'l Responsibility of the ABA, 3rd ed., 1996). LAW KF305 .A26
8. Annotated Model Rules of Prof'l Conduct (Center for Prof'l Responsibility of the ABA, 2nd ed., 1992). LAW KF305 .A26
9. Model Rules of Prof'l Conduct and Code of Judicial Conduct (Center for Prof'l Responsibility of the ABA, 1989). LAW KF306 .A758; 2003 ed. available at Lexis: /Area of Law - By Topic/Ethics/Administrative Materials & Regulations
10. Model Rules of Prof'l Conduct and Code of Judicial Conduct (Center for Prof'l Responsibility of the ABA, 1983). LAW KF306 .A755
11. Model Rules of Prof'l Conduct: Proposed Final Draft, May 30, 1981 (ABA, 1981). LAW KF306 .A625
12. Model Rules of Prof'l Conduct: Alternative Draft, Code of Prof'l Responsibility Format, May 30, 1981 (ABA, 1981). LAW KF306 .A624
13. Model Rules of Prof'l Conduct and Code of Judicial Conduct (Center for Prof'l Responsibility of the ABA, 1990-). LAW KF306 .A7614 LAW has 1992, 1995, 1998, 1999, 2001, & 2004
14. Standards for Imposing Lawyer Sanctions (Center for Prof'l Responsibility of the ABA, 1991). LAW KF308 .S73 1991

ABA Model Code of Professional Responsibility, 1969-83

15. ABA Model Code of Professional Responsibility (Center for Prof'l Responsibility of the ABA, 1980) <http://www.abanet.org/cpr/mrpc/mcpr.pdf>
16. American Bar Foundation, Annotated Code of Prof'l Responsibility (1979). LAW KF306 .A764
17. ABA, Code of Prof'l Responsibility and Code of Judicial Conduct: As Amended August, 1976 (1976). LAW KF306 .A75
18. Special Comm. on Evaluation of Ethical Standards of the ABA, Code of Prof'l Responsibility, and Canons of Judicial Ethics (1969). LANGSAM KF305 .A2 1969

19. Olavi Maru, Parallel Tables between the ABA Canons of Prof'l Ethics and the ABA Code of Prof'l Responsibility, Final Draft, July 1, 1969 (American Bar Foundation, 1970). LAW KF305 .A2 1970b

ABA Canons of Professional Ethics, 1908-68

20. ABA Canons of Professional Ethics (Center for Professional Responsibility, 1963) http://www.abanet.org/cpr/mrpc/Canons_Ethics.pdf
21. Olavi Maru, Parallel Tables between the ABA Canons of Prof'l Ethics and the ABA Code of Prof'l Responsibility, Final Draft, July 1, 1969 American Bar Foundation, 1970). LAW KF305 .A2 1970b
22. Special Comm. on Supplementing Canons of Prof'l Ethics of the ABA, Annotated Canons (Lord Baltimore Press, 1926). LAW KF305 .A2

ABA Guidelines for Litigation Conduct

23. Guidelines for Conduct (Section of Litigation of the ABA, 1995) <http://www.abanet.org/litigation/litnews/practice/guidelines.html>

ABA Model Rules for Client Protection

24. ABA Model Rules for Lawyers' Funds for Client Protection (Standing Committee on Lawyers' Responsibility for Client Protection of the ABA, 1989) <http://www.abanet.org/cpr/clientpro/rules.html> ; also available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ABA-RLFCP
25. ABA Model Rules for Fee Arbitration (Standing Committee on Lawyers' Responsibility for Client Protection of the ABA, 1995) <http://www.abanet.org/cpr/clientpro/fee.html>
26. ABA Model Rules for Mediation of Client-Lawyer Disputes (Standing Committee on Lawyers' Responsibility for Client Protection of the ABA, 1998) http://www.abanet.org/cpr/clientpro/mr_mediation.pdf
27. ABA Model Rules for Trust Account Overdraft Notification (Advisory Commission on Client Security Funds, 1988) <http://www.abanet.org/cpr/clientpro/over.html>
28. ABA Model Rule on Financial Recordkeeping (Advisory Commission on Client Security Funds, 1993) <http://www.abanet.org/cpr/clientpro/finance.html>
29. ABA Model Rule for Payee Notification (Standing Committee on Lawyers' Responsibility for Client Protection, 1991) <http://www.abanet.org/cpr/clientpro/pay.html>
30. ABA Model Court Rule on Insurance Disclosure (2004) http://www.abanet.org/cpr/clientpro/malprac_disc_rule.pdf

ABA Model Rules for Lawyer Disciplinary Enforcement

31. ABA Model Rules for Lawyer Disciplinary Enforcement (ABA-RLDE) available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ ABA-RLDE

ABA Professionalism Codes and Creeds

32. A Lawyer's Creed of Professionalism (Tort Trial & Insurance Practice Section of the ABA, 1988) <http://www.abanet.org/tips/creed.html>
33. Lawyers' Pledge of Professionalism (Young Lawyers Division of the ABA, 1988) <http://www.law.stetson.edu/excellence/litethics/abalyd.htm>

ABA Standards for Imposing Lawyer Sanctions

34. ABA Standards for Imposing Lawyer Sanctions (Joint Committee on Professional Sanctions of the ABA, 1992) http://www.abanet.org/cpr/regulation/standards_sanctions.pdf ; also available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ABA-SILS

Ohio

35. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Code of Professional Responsibility, <http://www.sconet.state.oh.us/Rules/professional>

These are no longer in effect.

36. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Rules for the Government of the Bar of Ohio, <http://www.sconet.state.oh.us/Rules/govbar>
37. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Rules of Professional Conduct, <http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/rules/default.asp>

These Rules took effect February 1, 2007.

38. Legal Information Institute, Ohio Legal Ethics Materials, <http://www.law.cornell.edu/ethics/ohio.html>
39. Ohio Court Rules (OH-RULES) available at Westlaw: Directory/Topical Materials by Area of Practice/ Legal Ethics & Professional Responsibility/State Rules of Professional Conduct/OH-RULES

This database contains all rules governing the federal and state appellate courts in Ohio including the Rules for the Government of the Bar and the Rules of Professional Conduct.

40. Ohio State Trial Court Rules (OH-TRIALRULES) available at Westlaw: Directory/Topical Materials by Area of Practice/ Legal Ethics & Professional Responsibility/State Rules of Professional Conduct/OH-TRIALRULES

The Ohio Supreme Court has delegated control over the state trial courts to those courts.

Federal Jurisdictions

41. Federal Statutes – U.S. Code Annotated (FETH-USCA) available at Westlaw: /Directory/Topical Practice Areas/Legal Ethics & Prof'l Responsibility/Federal Statutes/FETH-USCA
42. Model Federal Rules of Disciplinary Enforcement (Standing Committee on Professional Discipline of the ABA, 1991). LAW KF308.Z9 A5
43. The Model Federal Rules of Disciplinary Enforcement (Standing Committee on Professional Discipline of the ABA, 1991) <http://www.abanet.org/cpr/discipline/mfrde.pdf>
44. Thomas D. Morgan, Lawyer Law: Comparing the ABA Model Rules of Prof'l Conduct with the ALI Restatement, Third, of the Law Governing Lawyers (ABA, 2005). LAW KF306.M667

Multijurisdictional Practice

45. ABA Model Rule for the Licensing and Practice of Foreign Legal Consultants, <http://www.abanet.org/cpr/mjp/FLC.pdf>
46. CrossingtheBar.com: Information and Commentary on the Multijurisdictional Practice of Law, <http://www.crossingthebar.com/>
47. Special Committee on the Law Governing Firm Structure and Operation of the New York State Bar Association, Preserving The Core Values of the American Legal Profession: The Place of Multidisciplinary Practice in the Law Governing Lawyers (2000) <http://www.law.cornell.edu/ethics/mdp.htm>
48. Report of the Commission on Multijurisdictional Practice (ABA, 2002) <http://www.abanet.org/cpr/mjp/intro-over.doc>

States

49. Alphabetical List of States Adopting Model Rules (Center for Prof'l Responsibility of the ABA) http://www.abanet.org/cpr/mrpc/alpha_states.html
50. Chronological List of States Adopting Model Rules (Center for Prof'l Responsibility of the ABA) http://www.abanet.org/cpr/mrpc/chron_states.html
51. Code of Prof'l Responsibility by State (M. L. Proctor & Robin Alexander Smith, eds., ABA, 1980-). LAW KF306.Z95 C6 LOCAL USE ONLY
52. The Law Governing Lawyers: National Rules, Standards, Statutes, and State Lawyer Codes (Aspen, 2005-). LAW KF306.Z95 L38
53. Legal Information Institute, American Legal Ethics Library, <http://www.law.cornell.edu/ethics>
54. Links to State Ethics Rules (Center for Prof'l Responsibility of the ABA) <http://www.abanet.org/cpr/links.html>

Specialty

55. American Academy of Matrimonial Lawyers, *Bounds of Advocacy: American Academy of Matrimonial Lawyers Standards of Conduct* (2000). LAW KF306.Z9 A43
56. ABA Standing Comm. on Clients' Security Fund, *Model Rules for Clients' Security Funds: Approved Draft, August, 1981* (1983). LAW KF314.C5 A4
57. American College of Trust and Estate Counsel, *ACTEC Commentaries on the Model Rules of Prof'l Conduct* (ACTEC Foundation, 2nd ed., 1995). LAW KF311 .A92
58. Civility Standards (Section of Family Law, 2006) http://www.abanet.org/family/reports/standards_civility.pdf

Compilations

59. ABA/BNA Lawyers' Manual on Professional Conduct (1984-). LAW KF305 .A8A16

This loose-leaf Manual consists of three parts: The Manual, Current Reports, and Ethics Opinions. It reprints all the ABA model standards, summarizes thirteen specific topics under the law governing lawyers, and digests national and state ethics opinions. NB These are ethics opinions, not disciplinary opinions. Disciplinary opinions can be found only in the federal and state court opinion reporters that publish the opinions of each state or court.

60. ABA Compendium of Prof'l Responsibility: Rules and Standards (Center for Prof'l Responsibility of the ABA, 1997-). LAW KF305 .A2 Law has 1997, 2001, 2002 & 2006

This one volume compilation lists all the most current ABA professional responsibility rules and standards, relevant excerpts from the Federal Rules of Appellate Procedure, and a small selection of ABA Formal Ethics Opinions.

61. *Professional Responsibility Standards, Rules & Statutes* (John S. Dzienkowski, ed., West, 1995-). LAW KF305.A15 S45 v. 1999-2000
62. Richard A. Zitrin, et al., *Legal Ethics: Rules, Statutes and Comparisons* (LexisNexis, 2002-2003 ed., 2002). LAW KF306 .Z574
63. Ronald D. Rotunda, *Legal Ethics: The Lawyer's Deskbook on Prof'l Responsibility* (2000-). LAW KF306 .L44 Law has 2002-03, 2005-06 & 2006-07; also available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/LEGETH
64. Stephen Gillers & Roy D. Simon, *Regulation of Lawyers, Statutes and Standards* (Little, Brown, 1989-). LAW KF306.A4 G54 Law has 1991, 2000, 2003 & 2005.
65. Thomas D. Morgan & Ronald D. Rotunda, *Model Rules of Prof'l Conduct and Other Selected Standards Including California and New York Rules on Prof'l Responsibility* (Foundation, 2003-). LAW KF306 .A755

Shepard's

66. Shepard's/McGraw-Hill, Shepard's Prof'l and Judicial Conduct Citations (Shepard's/McGraw-Hill, 1980-). LAW KF308.A535 S46

Research Service

67. ETHICSearch: ABA Ethics Research Service, <http://www.abanet.org/cpr/ethicsearch/home.html>

From the ABA Web site:

ETHICSearch is a fast and economical way to find the right resources to help resolve your ethics questions. Staffed by lawyers experienced in legal ethics research, you'll receive citations to relevant ABA rules, opinions, and other ethics resources. **ETHICSearch is restricted to lawyers and other legal professionals, including law students and law clerks.**

Most searches are free of charge! There's no charge for an initial consultation or if the ETHICSearch lawyer can answer your question immediately. If you ask for additional research, you will be charged an hourly rate of \$30.00 for [members](#) of the Center for Professional Responsibility, \$45.00 for other ABA members, and \$60 for non-members. The minimum charge is \$15.00

Most inquiries are handled on a same day basis. Expedited same day service and fax and mailing services can also be arranged.

To get started, send an e-mail to ethicsearch@staff.abanet.org. You can also call 800-285-2221, fax your ethics questions to 312-988-5491, or write to us at ETHICSearch, ABA Center for Professional Responsibility, 321 N. Clark Street, Chicago, IL. 60610.

Codes, Rules & Standards for Legal Assistants

68. ABA Definition of Legal Assistant/Paralegal adopted by the ABA House of Delegates in August 1997 (1997) <http://www.abanet.org/legalservices/paralegals/def98.html>
69. ABA Standing Committee on Paralegals, ABA Model Guidelines for the Utilization of Paralegal Services (2004) <http://www.abanet.org/legalservices/paralegals/downloads/modelguidelines.pdf>
70. National Association of Legal Assistants, NALA Code of Ethics, <http://www.nala.org/whatis.htm>
71. National Federation of Paralegal Associations, Model Code Of Ethics And Professional Responsibility And Guidelines For Enforcement, <http://www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=133>

72. National Federation of Paralegal Associations, NFPA Informal Ethics and Disciplinary Opinions, <http://www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=728>
73. National Federation of Paralegal Associations, Regulation by State, <http://www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=795>

Codes, Rules & Standards for Judges & the Judiciary

Judicial Ethics

74. ABA Model Code of Judicial Conduct (1997 and 1999). LAW KF8779. A936 2004 ed. available at <http://www.abanet.org/cpr/mcjc/toc.html> ; also available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ABA-CJC

Law has 1998 & 2000 editions. The Westlaw database has the 2000 ed.
75. ABA Model Code of Judicial Conduct (1972 version) available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/American Bar Association Materials/ABA-CJC-OLD
76. ABA 1990 Model Code of Judicial Conduct with Index (Michie, 1992). LAW KF306 .A759
77. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Code of Judicial Conduct, <http://www.sconet.state.oh.us/Rules/conduct>
78. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Rules for the Government of the Judiciary of Ohio, <http://www.sconet.state.oh.us/Rules/government>
79. Comm. on Codes of Conduct of the Judicial Conference of the United States & the Administrative Office of the United States Courts , Code of Conduct for United States Judges (1997). LAW KF8779.A73 J83
80. Code of Conduct for United States Judges (Committee on Codes of Conduct of the Judicial Conference of the US, 2000) <http://www.uscourts.gov/guide/vol2/ch1.html>
81. Model Rules of Prof'l Conduct and Code of Judicial Conduct (Center for Prof'l Responsibility of the ABA, 1990-). LAW KF306 .A7614 LAW has 1992, 1995, 1998, 1999, 2001, & 2004

Model Rules for Judicial Disciplinary Enforcement

82. Model Rules for Judicial Disciplinary Enforcement (Center for Prof'l Responsibility of the ABA, 1994) <http://www.abanet.org/cpr/juddis/contents.html>
83. Special Comm. on Standards of Judicial Conduct of the ABA, Reporter's Notes to Code of Judicial Conduct (E. Wayne Thode, 1973). LAW KF8779.Z9 T45

Administrative Law Judges

84. National Conference of Administrative Law Judges, Model Code of Judicial Conduct for Federal Administrative Law Judges (1989). LAW KF8779 .N38
85. United States. Dept. of Justice. Executive Office for Immigration Review, Ethics Manual: For Members of the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges Employed by the Executive Office for Immigration Review (Dept. of Justice, Executive Office for Immigration Review, 2001) LANGSAM GovDoc US J 1.8/2:ET 3/2001

Ohio

86. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Code of Judicial Conduct, <http://www.sconet.state.oh.us/Rules/conduct>
87. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Rules for the Government of the Judiciary of Ohio, <http://www.sconet.state.oh.us/Rules/government>
88. Legal Information Institute, Ohio Legal Ethics Materials, <http://www.law.cornell.edu/ethics/ohio.html>

Cases

Advisory Opinions

89. ABA Ethics Opinions (ABA-ETHOP) available at Westlaw: Directory/Topical Materials by Area of Practice/Legal Ethics & Professional Responsibility/Ethics Opinions/ ABA-ETHOP
90. ABA Formal Ethics Opinions, available at Lexis: /Area of Law - By Topic/Ethics/Administrative Materials & Regulations/Legal Ethics Opinions
91. ABA Informal Ethics Opinions, available at Lexis: /Area of Law - By Topic/Ethics/Administrative Materials & Regulations/Legal Ethics Opinions
92. Board of Commissioners on Grievances & Discipline of the Supreme Court of Ohio, Advisory Opinions, http://www.sconet.state.oh.us/BOC/Advisory_Opinions
93. Formal and Informal Ethics Opinions: Formal Opinions 316-348, Informal Opinions 1285-1495 (Standing Comm. on Ethics and Prof'l Responsibility of the ABA, 1985). LAW KF305 .A2
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