An Accident Waiting to Happen – Ethical Trainwrecks and Other Avoidable Disasters

featuring Chris Osborn and Michael Kahn of ReelTime CLE

Thursday, January 26
SC Bar Conference Center
1501 Park St., Columbia

ABOUT THE PROGRAM
A.M. Session: “Nobody Told Me There’d Be Days Like These!” - Stress, Pressure, and Ethical Decision-making In the Practice of Law

Most serious legal malpractice claims and successful state bar disciplinary actions are brought not for debatable violations of arcane, ambiguous, provisions of the Rules of Professional Conduct but, in fact, for clear breaches of obvious, well-defined ethical obligations. (Don’t take money from the client trust account. Keep clients reasonably informed about the progress of a case or a transaction, even when it’s bad news. Don’t sleep with the attractive domestic client you are representing in an ongoing divorce proceeding. Be candid with the court, etc.) It’s not rocket science, in fact, anyone who has sat in on a basic Professional Responsibility class would know such conduct is ethically problematic, yet it happens a lot, even to our own friends and colleagues.

This engaging, highly interactive program provides a fresh and practical perspective on the fundamental question, “Why do ‘good’ lawyers ‘go bad’?” Clips from an original short film, written and co-produced by ReelTime CLE founders Michael Kahn and Chris Osborn, will be used to foster discussion among seminar participants regarding the intersection of ethical decision-making and the manifold sources of stress encountered by attorneys in day-to-day practice.

AGENDA
8:30 a.m. Registration
8:55 a.m. Welcome and Introduction
9 a.m. “What’s the Connection?” – The Role of Stress in Ethical Decision-making
• Nobody Told Me, Scene 1: “Just don’t screw it up.”
9:45 a.m. “What’s Driving the Train?” – The Role of Core Values
• Nobody Told Me, Scene 2: “You’re a smart young man...”
10:15 a.m. Break
10:30 a.m. “Separate Tracks?” – The Interplay of Professional & Personal Stressors
• Nobody Told Me, Scene 3: “Please, just let me survive today....”
11:15 a.m. “How Did I Get Here, Anyway?” – Small Choices, Big Detours
• Nobody Told Me, Scene 4: “Well... what do you think?”
11:45 a.m. Getting (Back) on Track—and Staying There: Practical Steps to Maintaining Ethical Commitments in the Face of Ordinary--and Extraordinary--Stress
12:15 p.m. Adjourn

MCLE CREDIT
This program qualifies for 6.0 MCLE credit hours, including up to 6.0 LEPR credit hours, 1.0 SA/MH credit hour. This seminar is an intermediate to advanced level program.
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ABOUT THE SEMINAR

P.M. Session: “The Accidental Lawyer”: Terms of Engagement

“You’re a lawyer, right?” Seemingly innocuous words, but when said at a cocktail party, family gathering, or even in a hallway or elevator at the courthouse, they pose a genuine challenge, don’t they? We want to use our training to help folks, right? After all, isn’t that what many of us went to law school for? And yet, how many times has a conversation that began with those very words turned out to be the source of tremendous trouble? Beyond the obvious risk of getting sidetracked from the social occasion in which one is supposed to be participating, or the task one is trying to accomplish, there lurk even greater dangers. As some poor, unfortunate souls have learned, if a lawyer is not careful in responding, he or she may inadvertently create a professional relationship, without intending to do so—leaving the lawyer potentially exposed to a malpractice claim. And even if an attorney-client relationship is not deemed to have been formed, a would-be client may nevertheless believe that he or she is communicating with the prospective lawyer in confidence for the purpose of obtaining legal services; if that belief is found to have been a reasonable one, the attorney may end up prohibited from disclosing any confidential information communicated. This new live, interactive workshop from ReelTime CLE is designed to help lawyers be more alert to the vulnerabilities they may face in various non-office settings, and to equip them with best practices for defining their roles up front, and setting clear boundaries with the person seeking advice. With the aid of three original film vignettes depicting three all-too-common challenging scenarios, participants will have an opportunity to identify their own particular areas of potential exposure, and to develop proactive strategies for navigating these situations with less risk and greater peace of mind.

AGENDA

1:30 p.m.  Introduction, and Ground Rules
1:40 p.m.  Pitfall No. 1: Public Places - When There’s No Escape
Episode 1: Flakes on a Plane
2:30 p.m.  Pitfall No. 2: Friends and Relations
Episode 2: Guess Who Shouldn’t Have Come to (Thanksgiving) Dinner
3:15 p.m.  Break
3:30 p.m.  Pitfall No. 3: The On-Site Client Visit
Episode 3: “Dude, Where’s MY Lawyer?”
4:20 p.m.  Accidents Don’t Have to Happen: Practical Steps for Protecting Yourself from Perils, Pitfall, and Problems
4:45 p.m.  Adjourn

REGISTER NOW

Member login required.
REGISTER FORM, #17-08

Name: ____________________________________________ Bar#: ______________________

Firm/Court: ____________________________________________

Address: ____________________________________________

City, State, Zip: ____________________________________________

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Registration Fees:

   • Early Bird: $285
   • Regular: $335 (after 1/12)

Enclosed is my check in the amount of $__________________________

Please charge my:

   • AmEx
   • Discover
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All registrations must be pre-paid.

Cancellation & Refund Policy: Refunds, less $25 administrative fee, will be made for cancellations received in writing to the CLE Registrar at registrar@scbar.org by 5 p.m., one week prior to the seminar. Cancellations will not be accepted within one week of seminar date. One-time transfers to seminars of like value or to the live web cast of the seminar (if available) will be accepted for a $25 administrative fee in lieu of cancellations within one week of seminar. Requests to transfer to the live web cast must be received by 1 p.m. the day prior to the program. Designated substitutes may take the place of registrants unable to attend.

If you have a disability, please call ahead to let us know how we may accommodate your needs.