

Level of Studies: Undergraduate Academic Studies				
Course Title: LEGAL ETHICS				
Teacher: Prof. Radmila Vasić, PhD				
Course status: optional				
Number of ECTS: 2				
Requirements:				
Aims of the course: Legal ethics aims to: point to the significance of the lawyer's social role in the realisation of the function of law; strengthen the awareness of the status of the legal profession; enable the understanding of law as a normative system in constant touch with current morals; show that moral reasoning is complex and difficult; help recognise ethical problems and dilemmas regarding the procedural position of parties in the procedure of law application; develop the ability to recognise the values underpinned by consistent legalism and the possibility to mitigate the stringency of law through interpretation from the current morals perspective; develop the sentiment that professional responsibility of a lawyer is his/her first obligation.				
Course result: The course envisages primarily acquiring the skills for the practical application of ethical standards in the practice of law, i.e. in practising the legal profession or in relation to the legal profession.				
Course content: 1. Theoretical introduction: Law, justice and morality; Lawyer's role in the practice of law application; Normative sources of ethical imperatives for judges, attorneys-at-law and prosecutors; 2. Independence of the judiciary; Position, rights and responsibilities of holders of judicial office (judges, prosecutors, attorneys-at-law and solicitors) and judicial staff; 3. Legal realism; 4. Position of the judiciary and judicial function in the process of transformation of post-communist societies – challenges and practices; Judicial activism; 5. Independence and impartiality of judges; Grounds for exclusion and exemption; 6. Conflict of interests and corruption; 7. Disciplinary and ethical responsibility of judges; 8. Specific issues for prosecutors in the domain of legal ethics; 9. Acceptance and cessation of representation; Fees and responsibilities of representatives; Establishing a working relationship and practising law as an attorney-at-law (in the country and outside of the territory under the national jurisdiction); Independence; 10. Expertise, conscientiousness and care in practicing law as an attorney-at law; Decision-making in the scope of the attorney – client relationship; Duty to keep a professional secret; Activities incompatible with the practice of law; Loyalty to the client; 12. Responsibilities towards third parties; Marketing and the ways to attract clients; 13. Duty to keep the respectability of the legal profession; 14. Public information ethics (in particular as regards the reporting on legal proceedings)				
Literature:				
Compulsory: the Handbook. It contains texts introducing students to the problematics of professional responsibility of lawyers: citations from relevant legal texts, excerpts from codes of ethics, comparative practices and sources of ethical obligations for EU lawyers, as well as for lawyers of particular European countries, USA and Japan, examples, practice activities, problem-solving exercises for in-class work and homework. Authors: James A. Moliterno and Radmila Vasić. Preparation of a textbook is envisaged. Supplementary: J. E. Moliterno, F. I. Lederer, <i>An Introduction to Law, Law Study, and the Lawyer's Role</i> , Durham, North Carolina, Carolina Academic Press, 2004; T. L. Shaffer, R. F. Cochran, Jr, <i>Lawyers, Clients, and Moral Responsibility</i> , West Publishing Co, 1994; H. Lesnick, <i>Being A Lawyer. Individual Choice and Responsibility in the Practice of Law</i> , St.Paul, Minn, West Publishing Company, 1992; Aristotel, <i>Nikomahova etika</i> [Nicomachean Ethics]; I. Kant, <i>Metafizika morala</i> [Metaphysics of Morals], Sremski Karlovci-Novı Sad, Izdavačka knjižarnica Zorana Stojanovića, 1993; H. Perelman, <i>Pravo, moral i filozofija</i> [Law, Morality and Philosophy], Belgrade, Nolit, 1983; G. Radbruch, <i>Filozofija prava</i> [The Philosophy of Law], Belgrade, Faculty of Law, 2006.				
Number of lectures – active classes				
Theoretical classes: 30	Practical classes:	Other forms of instruction:	Research paper:	Other classes
Instruction method: theoretical classes, consultations				
Grading system (maximum number of points 100)				
Pre-exam obligations	points	Final Exam		points
Activities during lectures	20	Written exam		
Activities during practical classes		Oral exam		60
Tests			
Seminar classes	20			