Table of Contents

CHAPTER 1. THE PRACTICE OF LAW IN LOUISIANA

§ 1.1 A brief history

CHAPTER 2. ADMISSION TO THE PRACTICE OF LAW

- General admission
- § 2.2 Reciprocity
- § 2.3 Pro Hac Vice admission
- $\S 2.4$ Legal specialization
- § 2.5 The bar examination process
- § 2.6 Fitness and character requirement
- § 2.7 Academic requirements and preliminary report on fitness
- § 2.8 Final application process
- $\S~2.9$ Equivalency – Foreign students
- § 2.10 Denial of application and appeals
- § 2.11 Unauthorized practice of law

CHAPTER 3. REGULATION OF THE PRACTICE OF LAW

§ 3.1 The allocation of regulatory authority

CHAPTER 4. DISCIPLINE OF ATTORNEYS

- § 4.1 Direct discipline
- § 4.2 Indirect discipline

CHAPTER 5. THE ATTORNEY-CLIENT RELATIONSHIP

- § 5.1 Generally
- § 5.2 How and when the attorney-client relationship begins
- § 5.3 Prospective clients
- § 5.4 Scope of representation § 5.7 Termination of the attorney-client relationship
- § 5.8 Termination by operation of law
- § 5.9 Termination by the attorney

CHAPTER 6. THE LAWYER'S DUTIES OF COMPETENCE, DILIGENCE, AND COMMUNICATION

§ 6.1 Incompetence, malpractice, and formal discipline

- § 6.2 Lawyer competence and CLE requirements
- § 6.3 Duty of diligence
- § 6.4 Duty to communicate with the client

CHAPTER 7. THE LAWYER'S DUTY OF CONFIDENTIALITY

- § 7.2 Scope of the duty of confidentiality
- § 7.3 Exceptions to the duty of confidentiality
- § 7.6 The attorney-client privilege; special problems with institutional clients
- § 7.7 Asserting and waiving the privilege

CHAPTER 8. THE LAWYER'S DUTY OF LOYALTY

- § 8.2 Current clients and concurrent conflicts of interest
- § 8.4 Representation not prohibited by law
- § 8.5 Representation of multiple clients
- § 8.7 Specialized conflict of interest situations
- § 8.8 Restrictions on limiting malpractice liability and settling malpractice claims
- § 8.9 Prohibition against acquiring a proprietary interest in the cause of action or subject matter of litigation
- § 8.12 Conflicts of interest involving former clients
- § 8.13 Migratory lawyers
- § 8.14 The revolving door
- § 8.16 Other issues relating to conflicts of interest

CHAPTER 9. THE LAWYER'S DUTIES TO THIRD PERSONS

- § 9.3 The "no-contact" rule
- § 9.4 The rule against burdening third persons

CHAPTER 11. THE LAWYER'S DUTY TO PROVIDE LEGAL SERVICES AS A PUBLIC SERVICE

§ 11.3 The duty to provide pro bono representation

CHAPTER 12. PRACTICING WITH OTHERS: SUPERVISION, STRUCTURE, PROFESSIONAL INDEPENDENCE AND FEE-SHARING

- § 12.2 Supervisory lawyers and subordinate lawyers
- § 12.4 Fee sharing and the professional independence of the lawyer

CHAPTER 14. THE LAWYER'S ROLE AS AN ADVOCATE

§ 14.2 Duty to present meritorious claims and defenses

Table of Contents

- § 14.4 Duty of candor toward the tribunal
- § 14.5 Fairness to opposing party and counsel
- § 14.6 Interference with the tribunal
- § 14.8 Special responsibilities of the prosecutor
- § 14.9 The lawyer as a witness in a judicial proceeding

CHAPTER 15. THE LAWYER'S ROLE IN ALTERNATIVE DISPUTE RESOLUTION

- § 15.1 General duties
- § 15.2 The lawyer as arbitrator
- § 15.3 The lawyer as mediator

CHAPTER 16. LEGAL FEES

- § 16.1 Attorney's fees; general principles
- § 16.2 Attorney's fees; nature of the contract
- § 16.3 The attorney's compensation—Fee arrangements
- § 16.4 The attorney's fee—The concept of "reasonableness"
- § 16.5 Collection of fees; the attorney's lien
- § 16.6 Collection of attorney's fees; open account provisions
- § 16.7 Fees paid by others—Tort damages
- § 16.8 Fees paid by others—Contract claims
- § 16.9 Fees paid by others—Statutory provisions
- § 16.10 Fees paid by others—Judicial power to award attorney's fees
- § 16.11 Collection of fees; the discharged attorney
- § 16.14 Division of fees among attorneys

CHAPTER 17. SAFEKEEPING THE PROPERTY OF OTHERS

- § 17.2 Holding the money or property of others
- § 17.3 Receiving the money or property of others
- § 17.4 Property in dispute
- § 17.5 Trust account deposits

CHAPTER 18. LEGAL MALPRACTICE IN LOUISIANA

- § 18.1 Generally
- § 18.2 The attorney's tort duty
- § 18.3 Liability in contract
- § 18.4 The attorney's duty
- § 18.5 Causation in legal malpractice cases
- § 18.6 Affirmative defenses

CHAPTER 19. PROFESSIONALISM

§ 19.1 The concept of professionalism and its difficulties

CHAPTER 20. THE ATTORNEY AND THE JUDICIARY

§ 20.1 Ex parte communications

- § 20.2 Part-time judges
- § 20.4 The attorney's obligation to the court
- § 20.5 Recusal [New]

CHAPTER 21. ADVERTISING AND SOLICITATION

- § 21.1 Constitutional considerations
- § 21.2 The ethics rules on advertizing and solicitation
- § 21.3 Electronic and computer based communications
- § 21.4 Filing and review of advertisements [Retitled]
- § 21.5 Firm names and letterheads [New]
- § 21.6 Requests for information about lawyer services [New]

Appendices

- Appendix A. Louisiana Rules of Professional Conduct
- Appendix B. Louisiana Supreme Court Rule XIX
- Appendix C. The Code of Professionalism in the Courts
- Appendix D. Louisiana State Bar Association Code of Professionalism
- Appendix E. Louisiana Association for Justice Lawyer's Creed
- Appendix F. Information About Legal Services [New]

Table of Laws and Rules

Table of Cases

Index