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Roy Simon
Susan Tiefenbrun
Editors

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Legal Ethics: ACCESS TO JUSTICE

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TABLE OF CONTENTS

PREFACE x

ACKNOWLEDGMENTS xi

Corporate Law Firms and Corporate Ethics
Ralph Nader 1

Partners Without Power? A Preliminary Look at Black Partners
in Corporate Law Firms
David B. Wilkins 15

Access to the Legal Profession for Minorities: Introductory
Remarks
The Honorable Denny Chin 49

The Adversary Process Is Not an End in Itself
Lloyd L. Weinreb 59

Some Thoughts on the Differences in Criminal Trials in the Civil and
Common Law Legal Systems
Mary C. Daly..... 65

Questions and Answers on Lloyd Weinreb’s and Mary Daly’s
Articles 75

Informal Remarks on Professionalism
Burnele V. Powell 85

Professionalism
Anthony T. Kronman 89

Pragmatic Professionalism: An Exercise in Applied Ethics
Amy R. Mashburn 101

Comments on Professionalism
The Honorable John M. Walker, Jr...... 111

The Case Against Secret Settlements (Or, What You Don’t Know
Can Hurt You)
Richard A. Zitrin..... 115

Limiting Secret Settlements by Law
David Luban 125

Can a Good Lawyer Be a Bad Person? <i>Stephen Gillers</i>	131
The “Good Person” Question: Valid Query or Hobson’s Choice? <i>Raymond M. Brown</i>	153
Lawyer Disclosure to Prevent Death or Bodily Injury: A New Look at <i>Spaulding v. Zimmerman</i> <i>Roger C. Cramton</i>	163
Reflections on Confidentiality—A Practitioner’s Response to <i>Spaulding v. Zimmerman</i> <i>Carol M. Langford</i>	183
Rationing Justice—What Thomas More Would Say <i>Michael E. Tigar</i>	187
Effective Assistance: Reconceiving the Role of the Chief Public Defender <i>Kim Taylor-Thompson</i>	199
Innovative Legal Billing, Alternatives to Billable Hours and Ethical Hurdles <i>Ronald D. Rotunda</i>	221
Plaintiffs’ Class Action Attorneys Earn What They Get <i>Patricia M. Hynes</i>	243
Plaintiffs’ Attorneys’ Fees in Class Action Litigation: An Ethical Solution? <i>David M. Young</i>	255
Access to What? <i>Stephen L. Pepper</i>	269
The Lawful and the Just: Moral Implications of Unequal Access to Legal Services <i>Kathleen Clark</i>	289
Corporate-Family Conflicts <i>Charles W. Wolfram</i>	295
Conflicts in the Corporate Family: Professor Wolfram Has It Almost Right <i>Lawrence J. Fox</i>	367
After Legal Aid Is Abolished <i>Geoffrey C. Hazard, Jr.</i>	375

Comments on “After Legal Aid Is Abolished” by Geoffrey C. Hazard, Jr. <i>Frank Rosiny</i>	387
When Is a Social Worker as Well as a Lawyer Needed? <i>The Honorable Jack B. Weinstein</i>	391
Should the Government Fund Legal Services? If So, What Should the Lawyers Do? <i>Jonathan A. Weiss</i>	401
Response to “Should the Government Fund Legal Services? If So, What Should the Lawyers Do?” by Jonathan A. Weiss <i>Michael Horowitz</i>	411
Informal Debate Between Michael Horowitz and Jonathan A. Weiss on Funding Legal Services	423
An Informal Discussion of Legal Ethics <i>Charles W. Wolfram</i>	427
<i>Ronald D. Rotunda</i> <i>Burnele V. Powell</i> <i>Carol M. Langford</i> <i>Roy D. Simon</i>	
About the Authors and Contributors	443
Legal Ethics: Access to Justice Selected Bibliography	465

PREFACE

Hofstra's second major conference on legal ethics, centered on the theme "Access to Justice," was held on April 5-7, 1998. It was a phenomenal experience for those who attended. The major speakers, the commentators, and the audience combined to produce an atmosphere of intense debate and constant interaction.

To preserve the record of the conference and make it accessible to as many people as possible, this volume collects the major papers and commentaries that were delivered at the conference. Those who study the behavior of lawyers and the system of justice will find each of these papers worthy of careful reading.

However, no print collection of papers can capture the electricity of a live conference and all that it entails—the rapid-fire exchange of views, the excitement of hearing a prominent scholar's new work for the first time, the tension of listening to a learned audience member challenge a speaker, the majesty of watching a Supreme Court Justice speak from the heart, without notes, about the mission of lawyers and law professors. No print collection can give readers the opportunity to hear the voices of the speakers from the podium, to watch the audience react to their ideas, to step up to the microphone to ask a question, or to meet with colleagues in the hallways between programs, at meals, and in the evenings.

We therefore invite you to attend Hofstra's next major conference on legal ethics in person. You can study the ideas of the speakers by reading the papers in a printed volume, but you can experience the electricity and dynamic of a large gathering of legal ethics scholars and lawyers only by attending the conference in person. We hope to see you at Hofstra in September 2000.

*Roy Simon
Monroe Freedman
Conference Co-Directors*

ACKNOWLEDGMENTS

The indispensable base of a large academic conference is the moral and financial support of the law school administration. At Hofstra, we have been fortunate to have that support in abundance. Dean Stuart Rabinowitz and Vice-Dean Pat Adamski fully supported Hofstra's first major legal ethics conference in 1996 and were so pleased with the success of that conference that they encouraged us to hold a second major legal ethics conference in 1998. Beyond encouraging us, they raised the money to subsidize the conference and marshaled all of the resources of the law school to make the conference a success. Among those at the law school who worked long hours on the 1998 conference were our Conference Coordinators, Dr. Susan Tiefenbrun and Barbara Birch. They were ably supported by Marie Leuci, Laura Koch, Candyce Goldstein, Nancy Grasser, Joyce Amore Cox, Josephine Milazzo, Gary Moore, and many others. In addition, Hofstra's Law librarians, including Connie Lenz and Patricia Kasting, compiled an extensive bibliography of the hundreds of publications by more than thirty speakers and commentators who made presentations at the conference.

Hofstra is also fortunate to have a University-wide commitment to major conferences. Hofstra University's Cultural Center has organized and supported large conferences for years, including the impressive series of conferences regarding the presidencies of Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, Richard Nixon, Gerald R. Ford, Jimmy Carter, Ronald Reagan and George Bush. We are especially grateful to Dr. Alexej Ugrinsky, Natalie Datlof, and Athelene Collins Prince, whose continuous support and expertise were essential to the success of the Legal Ethics Conference: Access to Justice.

Finally, this volume depended on the diligent and careful work of several students under the editorial direction of Susan Tiefenbrun at Hofstra University School of Law, including Jeremy Wolk, Kimberly Katcher, and Annie Ugurlayan.

We are proud of the success and quality of the conference and thank everyone who had a role in its success.

*Roy Simon
Monroe Freedman
Conference Co-Directors*

ACKNOWLEDGMENTS

Now is a time in which the world is focused on lawyers' conduct and on the ethics of the legal profession. In April, 1998 Hofstra University School of Law could not have chosen a more timely subject and a more propitious moment to host the Conference on Legal Ethics: Access to Justice. It is fitting and proper that a volume of major papers written by the leaders in the field of legal ethics should appear now, one year after the conference, to be memorialized in Volume 2 of the Journal of the Institute for the Study of Legal Ethics. Hofstra University School of Law gave me the opportunity to participate actively in the organization of that important conference directed by Roy Simon and Monroe Freedman. I am deeply grateful to Dean Stuart Rabinowitz and Vice Dean Pat Adamski for supporting that endeavor. I am also very grateful for the opportunity to edit the collection of papers and commentaries contained in this volume which resulted in my many fruitful conversations about legal ethics with its authors and contributors. These conversations, papers and commentaries offer much guidance and hope in this difficult period of our legal history.

I would like to give special thanks to the many people who assisted me in organizing the conference, especially Barbara Birch whose dedication and reliability were a constant source of comfort to me and the conference directors. I would also like to give special thanks to those who assisted me in editing this volume. In particular, I am indebted to Joyce Cox who patiently typed transcriptions. Finally, I wish to express my deepest respect and appreciation to three Hofstra student editors, Jeremy Wolk, Kimberly Katcher, and Annie Ugurlayan, without whose indefatigable efforts, professional teamwork, and dedicated assistance this volume could not have been accomplished.

Susan Tiefenbrun
Conference Coordinator