

**THIS EXAMINATION CONSISTS OF 2 PAGES
PLEASE ENSURE THAT YOU HAVE A COMPLETE PAPER**

**THE UNIVERSITY OF BRITISH COLUMBIA
PETER A. ALLARD SCHOOL OF LAW**

FINAL EXAMINATION – DECEMBER 2021

**LAW 468
Ethics and Professionalism**

**Section 2
Professor Brian Bird**

TOTAL MARKS: 75

TIME ALLOWED: 2 HOURS

This is an open book, examination, meaning that you can refer to class notes, lecture slides, the required textbook, and any other required readings.

Instructions

Answer **TWO** of the questions listed below. Each of the **TWO** questions that you answer is worth 37.5 marks, for a grand total of 75 marks.

Questions

1. What does it mean to say, as the commentary to Rule 2.1-1 of the *Model Code of Professional Conduct* says, that integrity is the “fundamental quality of any person who seeks to practise as a member of the legal profession”?
2. Do government lawyers owe higher ethical or professional obligations in comparison to other lawyers? Should they owe higher obligations of this sort?
3. To what extent should proof of good character be a requirement for admission to the legal profession? How, if at all, should this requirement be modified?
4. In criminal proceedings, compared to Crown counsel, should defence counsel be afforded greater latitude with respect to what counts as ethical advocacy? Are defence counsel already afforded greater latitude in this regard?
5. How should in-house counsel navigate their dual identities as lawyers for the organization and employees of the same organization?
6. The “orthodoxy in many provinces is that the usual degree of deception involved in negotiations is not altered by having lawyers involved” (Textbook, page 392). How should rules of ethics and professionalism for lawyers govern negotiation?

END OF EXAMINATION