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EUROPEAN UNION



MINISTRY OF EDUCATION,  
YOUTH AND SPORTS



## INVESTMENTS IN EDUCATION DEVELOPMENT

### Lifelong Learning in Law

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#### Antagonized attorney

Charles had several legal problems. When they started getting over his head, he decided to visit an attorney Adam, and have his help to resolve the situation. Adam, motivated by the possibility of easy and considerable income, agreed to legally represent Charles. However, disputes were going on for months without any success, which resulted in Charles spending all available money. Adam informed Charles that unfortunately, he could not represent him free of charge, and therefore the representation was terminated.

Based on the recommendation of his friend, Charles visited the Student legal counseling office (SLCO). During the initial interview with the student Peter, Charles said that he spent all his money on legal representation, but that the attorney was not successful and that he wanted his cases to be taken over by SLCO, which should also review the actions made by the attorney. Student Peter promised Charles that he will help him in his difficult situation and started the file.

This file was assigned to inexperienced clinical supervisor, Jennifer, who very briefly went through the file and assigned it to another student, Samantha, without any comments or guidance regarding the direction of the work on the file. Samantha decided to focus on the review of representation provided by Adam to Charles and concluded that the actions of Adam were unethical, even on the fringe of malpractice. She wanted to consult her next steps with Jennifer, who was unfortunately abroad attending an international conference. However, Charles urged Samantha to resolve the matter as soon as possible, so she arranged a meeting with him and informed him about the situation and Adam's mistakes. Then she promised to consult the case with Jennifer as soon as she returns and after she approves the results of her work, she will prepare for Charles a written copy of the legal analysis of his case.

Surprisingly, Charles grew impatient and decided to take some steps by himself – he filed a complaint against Adam to the Bar Association for the breach of professional rules, which he based on the opinion of the SLCO. The Bar Association summoned attorney Adam to explain the whole situation, who instead immediately filed a written complaint to the dean of the law faculty, where SLCO operates. He accused the SLCO of taking over his clients by means of unfair competition, since it provides legal services free of charge, of reviewing the legal services provided by other attorneys and of encouraging the clients to start disciplinary proceedings against them. He also addressed this complaint to the Bar Association and the Ministry of Justice.

Evaluate actions of all five characters in this story and arrange them in an order from the most ethical to the most unethical one.