



Title	<u>Legal Ethics and Professional Responsibility</u>
Lecturers:	Prof. dr hab. Przemysław Kaczmarek Dr Jakub Łakomy Dr Mateusz Wojtanowski (University of Wrocław) jakub.lakomy2@uwr.edu.pl
Brief description	<p>This course offers a comprehensive examination of ethical principles, moral reasoning, and professional responsibility within the legal field. Split into three parts, it explores foundational concepts in ethics and morality, examines the ethical obligations specific to legal practitioners, and deals with the unique ethical challenges faced by judges.</p> <p>In the first part, led by Dr. Jakub Łakomy, students will engage with the core concepts of morality and ethics, as well as justice. Key philosophical frameworks—such as deontology, consequentialism, virtue ethics, and discourse ethics—are introduced to provide a foundation for ethical reasoning in law.</p> <p>The second part, taught by Prof. Przemysław Kaczmarek, addresses the social role and professional responsibilities of lawyers. Students will discuss the principles of professional ethics, including the moral responsibilities of lawyers within their relationships with clients, the implications of authority, and the distinct ethical standards expected in the legal professions.</p> <p>In the third part, Dr. Mateusz Wojtanowski focuses on the ethical responsibility of judges. This section covers established standards of judicial behavior, the dilemma surrounding judicial freedom of expression, and the ongoing debate on judges' roles in public discourse. Students will also analyze real-world disciplinary cases to understand the implications of judicial ethics and the boundaries of acceptable behavior in the judiciary.</p> <p>Through lectures, case studies, and discussions, students will gain insights into the moral and ethical</p>

	<p>landscapes that define the responsibilities of lawyers and judges in contemporary society.</p>
<p>Schedule</p>	<p>Dr Jakub Łakomy – 1st part: “Ethics, morality and law”</p> <ol style="list-style-type: none"> 1. Morality and ethics. Definitions and relations between concepts. Basic ethical concepts and the problem of justice - 2 hours. 2. Main currents in contemporary philosophy of morality: deontology, consequentialism (utilitarianism), ethics of virtues, ethics of discourse - 4 hours 3. Infrastructure of moral reasoning in law: basics of theory of argumentation, critical reason, the role of discourse, the role of tradition. – 2 hours <p>Prof. Przemysław Kaczmarek – 2nd part: „Social role and professional responsibility of the lawyer”</p> <ol style="list-style-type: none"> 4. Professional ethics - the concept, ethics of legal professions, the separatist thesis – 2 hours 5. Obedience and authority and moral responsibility of lawyers – 2 hours 6. Models of client - lawyer relations in the contemporary philosophy of morality – 2 hours 7. The role of the judge. The limits of judicial power – 2 hours <p>Dr Mateusz Wojtanowski – 3rd part: „Ethical responsibility of a judge”.</p> <ol style="list-style-type: none"> 8. Outline of standards of judicial behavior: examination of the established standards of judicial ethics as set forth in constitutional and international law, as well as international soft law. – 2 hours 9. The judge's freedom of expression as a dilemma of liberal democracy: the meeting will focus on the juxtaposition of civil rights and freedoms owed to all citizens (including judges) on the one hand, and specific restrictions on the behavior of judges on the other. The reasonable observer test will be presented as a potential remedy - 2 hours

	<p>10. The question of challenging the culture of judicial silence: the proposal to broaden the permissible scope of judicial expression, which has emerged as a topic of discussion in several countries in recent years, will be examined. The discussion will focus on the participation of judges in public debates on legal issues and their generally understood involvement in social life. - 2 hours</p> <p>11. Judicial ethics in the light of disciplinary case law: the class will discuss disciplinary decisions on unethical behavior by judges. The judgments will be drawn from a database maintained by Global Freedom of Expression, Columbia University – 2 hours</p>
Materials/Recommended readings	<p>Stanford Encyclopedia of Philosophy https://plato.stanford.edu/ - selected entries. W.B. Wendel, Ethics and Law. An Introduction, Cambridge 2014 Basic Principles on the Independence of the Judiciary (1985) Bangalore Principles of Judicial Conduct (2002) Commentary on the Bangalore Principles of Judicial Conduct (2007)</p>
Assessment/Exam	<p>open-ended questions formulated directly to the topics discussed in our course</p>