

Institute of Advanced Legal Studies,
(School of Advanced Study, University of London)
Cleveland State University College of Law
University of Westminster School of Law

Regulating and Deregulating Lawyers

Thursday 3 June and Friday 4 June, 2010

Venue: Institute of Advanced Legal Studies, 17 Russell Square, London WC1B 5 DR

Revised Programme

(1 June 2010)

Thursday 3 June, 2010

8:45 am Welcome

Baroness Deech, Chair, Bar Standards Board
Charles Plant, Chair, Solicitors Regulation Authority
Professor Dan Barnhizer, Michigan State University

9:00-11:00 am

What Lawyers are Supposed to Be

Chair: Andrew Boon

Thomas Morgan, Oppenheim Professor of Antitrust & Trade Regulation Law,
George Washington University,
"The Vanishing American Lawyer"

Russell G. Pearce, Edward & Marilyn Bellet Professor of Legal Ethics,
Morality, and Religion, Fordham University School of Law,
***"Law Practice as a Morally Responsible Business: Reintegrating
Ethics into Economics and Law"***

Susan Martyn, Stoepler Professor of Law and Values, University of Toledo
"The Death of Ethics"

Julian Webb, Professor of Legal Education & Director UK Centre for Legal
Education, University of Warwick; Senior Associate Research Fellow, IALS
"The Moral Economy of Professional Regulation"

Discussant: **Andrew Boon**

11:00-11:15 am Coffee break



Cleveland State University
engaged learning

UNIVERSITY OF
WESTMINSTER



11:15-1:15 pm

Comparing Regulation Across Legal Cultures

Chair: Avrom Sherr

James Moliterno, Vincent Bradford Professor of Law, Washington & Lee University,

“The Costs and Benefits of Exporting American Legal Ethics”

Michael Churgin, Raybourne Thompson Centennial Professor, University of Texas School of Law,

“Our Federalism: The United States and the Regulation of Lawyers”

Richard Devlin, Professor & University Research Professor, Schulich School of Law, Dalhousie University,

“Reactive Self-Regulation: Tales from the Frozen North”

Gordon Turriff, Q.C., Canada,

“The Consumption of Lawyer Independence”

Discussant: Avrom Sherr

1:15-2:00 pm

Lunch

2:15-4:15 pm

The Rapidly Changing Nature of Legal Practice

Chair: Julian Webb

Hilary Sommerlad, Professor of Law and Society, Director, Centre for Research into Diversity in the Professions, Leeds Metropolitan University,

This paper will draw on research undertaken (with Dr Peter Sanderson) for the Ministry of Justice (MOJ) on the regulation of publicly funded lawyers.

Matthias Kilian, Senior Research Fellow, Cologne University,

“Bringing Change To The German legal profession – An empirical analysis of the 2007-2009 regulatory reforms and how change has come to the lawyers’ profession in Germany”

Taiwo Oriola, Lecturer in Law, University of Ulster, Londonderry,

“The use of legal software by non-lawyers and the perils of the unauthorized practice of law”

Nicholas Johnson, Glaisyers Solicitors LLP, and, **Dr Zhou**, Sheffield University Law Department,

“Regulating referrals in British legal Profession: an economic and legal analysis”

Steve Mark and Gary Tamsitt, New South Wales Govmt. and Australian National University

“Preserving ethics and the integrity of the legal profession in an evolving market: A Regulatory Response”

Discussant: Julian Webb

4.15 to 4.30

Tea

4.30 to 6.30 pm

Judges, Tribal Courts, Immigrants and Competition

Chair: Dan Barnhizer

Margaret C. Tarkington, Associate Professor of Law, J. Reuben Clark Law School, Brigham Young University,
"Preserving the Role of the Attorney through the Protection of Attorney Speech"

Anna Williams Shavers, Cline Williams Professor of Citizenship Law, University of Nebraska College of Law,
"Regulating the Unauthorized Practice of Law and Particularly Vulnerable Populations: The Immigration Example"

Scott A. Taylor, Professor at the University of St. Thomas School of Law (Minnesota, USA) and Justice of the Court of Appeals of the Prairie Island Indian Community (Minnesota, USA),
"The Regulation of Lawyers in Tribal Courts within the United States: Learning from Examples"

Dr. Ida Wendt, LL.M., Sectie Europees recht, Erasmus School of Law, Erasmus Universiteit Rotterdam, Kamer L6-73,
"The competitiveness of the legal professions and their rules in integrating markets"

Paper only – no presentation:

Mr Benedict Sheehy; Dr Alperhan Babacan; Dr Donald Feaver, Graduate School of Business & Law, RMIT University, Melbourne Australia
"The Regulation of Incorporated Legal Practices in Victoria: A Regulatory Analysis"

Discussant: **Dan Barnhizer**

Conference Dinner

7.30pm (for those who have booked only)

Friday 4 June, 2010

9:00-11:00 am

Strategies for Reform I

Chair and Discussant: Hilary Sommerlad

Alan Paterson, Professor of Law, University of Strathclyde and Director of the Centre for Professional Legal Studies,
"Holding professionals to account? Regulating the legal profession in the 21st century"

Lester Brickman, Professor of Law, Yeshiva University,
"The Collaborative Effort of Judges and Rent-Seeking Lawyers in Expanding Tort Liability: A Modest Proposal for Reform"

Aviva Abramovsky, Associate Professor of Law, Syracuse University College of Law,
"The American Lawyer-Politician: A Disciplinary Problem Unaddressed"

Lisa Webley, Reader, University of Westminster,
"Gate-Keeper, Supervisor or Mentor? The Role of Professional Bodies in the Regulation and Professional Development of Solicitors and Family Mediators Undertaking Divorce Matters in England and Wales"

11:00-11:15 am

Coffee break

11:15 -1:15 pm

Strategies for Reform II

Chair: Avrom Sherr

Alan Weinstein, Professor of Law, Cleveland State University,
“Strategies for effective regulatory adaptations”

David Barnhizer, Professor of Law Emeritus, Cleveland State University; Senior Associate Research Scholar, IALS; Visiting Professor (2009-2012) University of Westminster,
“The Strategies of Effective Regulation”

Alex Roy, Research Manager, Legal Services Board, UK
“Improving access to justice – can changing regulation help?”

John Flood, Professor, Westminster University and Daniel Muzio, Lecturer in Employment Relations, Leeds University,
“The Regulatory Implications of the Legal Services Act and its implementation”

Andrew Boon, Dean & Professor, University of Westminster,
“Legal Regulation and Professional Ethics in England and Wales”

Discussant: **Avrom Sherr**

1:15-2:15 pm

Lunch

2:15-4:15 pm

Where To Go From Here?

Reflections and Responses Led by Avrom Sherr, Daniel Barnhizer, Roger Burridge

Avrom Sherr, Director, Institute of Advanced Legal Studies; Commentator

Daniel Barnhizer, Michigan State University College of Law, Rapporteur and Commentator

GENERAL REGISTRATION FORM
Regulating and Deregulating Lawyers in the 21st Century
Thursday 3 June-Friday 4 June 2010

First name(s):		Title (Prof, Dr, etc):									
Surname:											
University, College or Company:											
Position:											
Address:	Tel:										
	Fax:										
	Email*:										
Signed:		Date:									
<p>Fee enclosed:</p> <p><input type="checkbox"/> Full Fee: £100.00 per day (£200 for both days)</p> <p><input type="checkbox"/> Reduced Fee for Academics/NGOs/Charities: £60.00 per day (£120 for both days)</p> <p><input type="checkbox"/> Student Fee: £40.00 per day (£80 for both days)</p> <p><input type="checkbox"/> Dinner on Thursday 3 June (optional): £35.00 per person</p> <p>I wish to book additional dinner places for</p>											
<p>Method of Payment:</p> <p><input type="checkbox"/> Cheque enclosed for £ _____</p> <p><i>Cheques should be made payable to UNIVERSITY OF LONDON. We cannot accept payment in foreign currency. Bank Drafts must be in pounds sterling and drawn on a UK bank. Cheques together with this form should be returned to: Belinda Crothers, IALS, 17 Russell Square, London WC1B 5DR</i></p> <p><input type="checkbox"/> Invoice: Please indicate clearly which university/organisation is paying the invoice and the exact address the invoice should be sent to</p> <p><input type="checkbox"/> Charge my debit/credit card:</p> <p style="text-align: center;"><input type="checkbox"/> Visa; <input type="checkbox"/> Mastercard; <input type="checkbox"/> Delta; <input type="checkbox"/> Switch/Maestro; <input type="checkbox"/> Solo</p> <p style="text-align: center;"><i>American Express/Diners Club are NOT accepted</i></p> <p style="text-align: center;">Credit Card Payments must reach IALS by MONDAY 24 MAY 2010</p>											
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Cardholder's Billing Address		IN CAPITALS									
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Please return by Thursday 27 May to **Belinda Crothers, IALS, 17 Russell Square, London WC1B 5DR.**
Tel: 020 7862 5841. Email: Belinda.Crothers@sas.ac.uk
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