**Legal Ethics, Business Law and Corporate Social Responsibility:**

**The Intersection**

**Lecturer**:William Gwire (USA) **– guest professor**

**Introduction**

This course will examine how three separate, but interrelated fields, legal ethics, business law and corporate social responsibility, intersect in the business world. The purpose of this course is to raise law students’ awareness of the ethically challenging events they may face as attorneys helping their clients navigate and resolve complex business problems that involve legal, business and social issues.

**The Essentials**

This will be a 10-session course taught every day for two hours over the two-week period from Sept. 23 to Oct. 4, 2019. The class will be taught entirely in English and all course material (written as well as visual) will be presented in English.

Some theory will be taught, but the main focus of each class will be on examining practical, real life business, social and legal problems faced by businesses. The classes will be conducted in an interactive style, meaning that students will be asked to actively participate and (in a non-judgmental and reassuring way) encouraged to openly discuss the issues, ask questions and speak their minds freely. Recognizing that language ability will vary among the students, I will encourage even those not fluent in English to speak during class and ask the more fluent English speakers to assist in translating.

There will be a strong use of videos (TED type talks), news clips and even films to provide background and context, illustrate issues and stimulate discussion. There may be guest speakers from the local business, educational and legal communities to come in and offer insights into how particular issues impact companies.

**The Course Work**

The specific day to day classes have not been finalized, but will proceed roughly as follows:

Days One and Two: General introduction to the course and class work. Overview of what legal ethics, business ethics and corporate social responsibility mean and how they operate in the modern world. We will look at various codes of lawyer conduct and responsibility in the United States and other countries. We will broadly examine the principal issues that confront lawyers in representing companies, such as fiduciary duties, confidentiality, avoiding self-dealing and various types of conflicts of interest that can arise and how lawyers must deal with them.

Days Three and Four: We will more closely examine the concept of corporate social responsibility and its place in the modern business world. We will look at the legal implications of social forces on corporations including boycotts, protests, strikes, private monitoring by social and non-political organizations. We will look at the increasing use and impact of media on business decisions and the legal requirements and ethics associated with media use and public relations.

Days Five, Six, Seven and Eight: On each day the class will examine a single, real world event where legal, business and social issues have intersected and how companies and their lawyers have dealt with them, good or bad.

Day Nine: The class will be conducted in an open, unstructured format where the students will be allowed to ask any questions they have about the course topics, about me, about the general practice of law in the U.S., and, to the extent I can offer an intelligent answer, any other questions they may have about the American legal system.

Day Ten: The last session will be devoted to the final examination. For the final exam, the students would put into operation what they have learned in class. Teams of students will act as a combined board of directors and attorneys of a company facing a crisis situation having legal, business and social implications. Each team would have one half hour to work together to come up with a solution which the entire team would present to the entire class. A winning team would be selected, either by me alone or, if available, a select group of judges from the faculty. Grades will be given based on the solution devised and the presentation.

**Homework and Grading**

There will be no homework assignments. Grading will be based on overall class participation (50%), the final examination (30%) and attendance (20%). There may be some reading in advance of a particular class, but that has not been finalized. If there are reading requirements, they will be handed out at least several days in advance.

**William Gwire – Brief Bio**

William Gwire has been a trial attorney since he started practicing law in 1974 and has focused on the legal malpractice and ethics fields since 1989. He has maintained his own firm located in the San Francisco Bay Area since 1989. The firm was 7 attorneys at its largest and was considered the preeminent plaintiff’s legal malpractice firm in California.

Mr. Gwire has tried to judgment, arbitrated and settled legal malpractice and fee dispute cases with a combined value to clients of over $50,000,000. The cases have covered a wide array of practice areas which has provided Mr. Gwire with experience in almost every field of law.

Mr. Gwire and the firm hold a number of honors and distinctions including being listed (for many years) in the Bar Registry of Preeminent Lawyers; been rated a California Super Lawyer for 14 consecutive years; for over 20 years held an AV rating (the highest rating that can be given) by the Martindale Hubbell registry of lawyers; holding the rating of “Superb” (the highest rating given) by AVVO, an independent lawyer evaluation service; selected as one of the Top 100 Lawyers in the United States by Worth Magazine for 3 years in a row.

Mr. Gwire has lectured before Bar Associations, client groups, and professional and industry associations in the United States, Europe and Asia on the subjects of legal malpractice, attorney ethics and legal fee matters. He has been a visiting professor for the Center for International Studies. He has written on the subject of legal malpractice, billings and ethics, with his articles appearing in national business and legal journals and periodicals. He organized, moderated and was a speaker at the full day seminars entitled, "Controlling Your Outside Legal Costs", presented to corporate counsel in the United States, Great Britain and Hong Kong, and has acted as an expert witness and in numerous fee dispute and legal malpractice cases.

In 1996, in Michigan State Court, Mr. Gwire tried to judgment what is believed to be the largest legal fee dispute in history, the $100,000,000 dispute between Dow Corning Corporation and a consortium of insurance companies arising out of the breast implant litigation. Mr. Gwire, representing the insurance companies, achieved a $13,700,000 reduction in the attorney fee claim.

In 2010, in Los Angeles Superior Court, Mr. Gwire obtained a $52,000,000 jury verdict against Shell Oil Company (later reduced on appeal) on a fraud case that he successfully took through two trials and an appeal against some of the country’s largest and (self-proclaimed) most formidable litigation firms in the country.

He donates a significant amount of time doing pro bono work and has been an arbitrator and/or mediator on dozens of attorney conduct disputes for the State Bar of California and the San Francisco Bar Association as well as on private mediations.

Mr. Gwire served in the United States Air Force from 1966-1970 in Air Rescue and Recovery squadrons. He is an honors graduate of Boise State University (1971) and graduated in the top 10% of his class from Golden Gate University School of Law in 1974.