

# Ethics At-Risk Test II - Lawyers

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Ever wonder how close you are to blundering over the ethics edge and possibly harming your clients, yourself, and/or the profession? This test may help. Check (✓) the items below that are true about you. Add the number checked and use the key for Group I to estimate your level of pile-up risk. Work on the items you checked so you can lower your level of risk. Any of the items checked in Group II pose high risk.

None of the items in either group are in themselves unethical, but all may lead to harm.

## Group I - Risks that may pile-up and result in trouble:

- 1. You have **never** taken an academic course emphasizing practice ethics.
- 2. Honestly, you are unfamiliar with some parts of the latest additions to the Ethics Rules.
- 3. The Ethics Rules interfere somewhat with the quality of your legal or judicial work.
- 4. You have considered sending a false bill or a padded expense report.
- 5. You are asked to provide legal services to those who work closely with you including clerks and employees.
- 6. You have considered falsifying a CLE report.
- 7. You do not know the position of the Bar Association on ...???
- 8. Your job and/or personal financial situation cross your mind when making case management decisions.
- 9. You or those close to you consider your drinking, drug use, or gambling an issue of concern.
- 10. You are presently taking medication that may interfere with your legal work.
- 11. A client has given you an expensive gift or frequently gives you inexpensive gifts.
- 12. You are behind on your work.
- 13. You gossip a little about clients with close friends and/or family.
- 14. You sometimes fail to review clients' court documents (custody, divorce, parole).
- 15. Client family members or associates tell you secrets that compromise you.
- 16. You don't always follow through on reporting incidents of violence or abuse of others.
- 17. Unresolved tension exists in your work group.
- 18. You sometimes take off jewelry, remove shoes, loosen your tie, or become more informal during appointments.
- 19. The office environment where you practice communicates a tone of informality.
- 20. You are considering a business proposition that may create a conflict of interest.
- 21. You have stopped attending workshops and/or staying up-to-date with advances in the field.
- 22. You are considering doing work in addition to your full time responsibilities.
- 23. You have plagiarized in the past (used others' words or ideas without credit).
- 24. You think reporting a Rules violation could be harmful to your career or more hassle than you are willing to endure.
- 25. You think the Ethics Rules on conflict of interest are unnecessarily restrictive.
- 26. You think the Ethics Rules on confidentiality create too many artificial boundaries.
- 27. You are sure you have violated the Rules on confidentiality or conflict of interest at some time.

0 -Excellent, you are nearly risk free.

0-2 -Re-read the Ethics Rules. Look for CLE opportunities on ethics.

2-3 -Review your practice and personal life for problem areas. Consider needed changes.

3-4 -Seek consultation. Risks are piling to an unmanageable level.

4+ -You are in a high-risk style of practice. Make immediate changes!

## Group II – Risks that by themselves may result in trouble:

- A. You fantasize about a present client.
- B. You think about borrowing money from a client escrow account.
- C. You are tempted to romance an ex-client.
- D. Presently, you socialize more than casually with a client.
- E. Presently, you are struggling with a personal, family, or legal crisis.
- F. You consider going ahead with providing professional services when you are hung over from alcohol or other drugs, even if only a little.
- G. You need to seek consultation about your practice with a colleague or supervisor but fear doing so will be harmful or embarrassing to you.
- H. If colleagues knew all of what goes on in your practice or personal life, they would worry that you are so vulnerable to risk that you might harm clients, yourself, or the profession.
- I. You feel angry, frustrated, and/or manipulated by a current client.

— If you checked (✓) any of the items in Group II, seek supervision immediately! —

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