



Moderator: Judge Robert Durham

Presenters: Judge Brian Addington
Judge Joshua Baker
Judge Audrey Headrick
Judge Pamela B. Johnson
Judge Lisa A. Lowe
Judge Amber Luttrell

“Decorum in the Court”

Act II – The Employee Strikes Back

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Video

- <https://www.youtube.com/watch?v=9dWI1U0ztJ8>



Let's break it down

What ethical violations did you see?

Ethical Considerations

- **Ethical Considerations in the Commercial**
 - Television Commercials
 - Other Forms of Advertising
 - Use phrasing including “the Best,” “Most Tenacious”
 - Portrayal of Insurance Companies
 - Access to Favorable Opinions from Experts
 - Use of Social Media by Lawyers
 - Advancing Litigation Costs

Ethical Considerations

➤ **Ethical Considerations in the Intro**

- Good cop/ Bad cop
- Comments against the Tribunal and Legal System
- Outrage against the Judge and the System
- Leading the Witness in telling his story

Ethical Considerations

- **Ethical Considerations in the Pitch**
 - Coaching the Witness
 - Assisting with Recalling Facts, or Symptoms
 - Shaping the Testimony
 - Concealing Negative History
 - Encouraging/ Allowing False Testimony
 - “Help Me, Help You”
 - “Get your ‘mind right’”

Ethical Considerations

- **Ethical Considerations in the Close**
 - Lawyer's Responsibility for Non-lawyer Staff
 - Calculated Actions to Close the Sale
 - Encouraging Closing Future Medicals
 - Attorney's Fees
 - Written Fee Arrangements
 - Client Communications by Non-lawyer Staff
 - Discouraging Return-to-Work
 - Unrealistic estimation of claim conclusion
 - Referrals to non-lawyer third-party vendors

Cast

(In order of Appearance)

Andy Greenwood	Judge Brian Addington
Susan Greenwood	Judge Pamela B. Johnson
Factory Worker	Judge Audrey Headrick
Narrator	Judge Joshua Baker
Attorney Nicky Payne	Judge Robert Durham
Defense Attorney	Judge Robert Durham
Insurance Adjuster	Judge Audrey Headrick
Doctor	Judge Joshua Baker
Nurse	Judge Audrey Headrick
Jogger	Judge Audrey Headrick
Weight Lifter	Judge Audrey Headrick
Rochelle	Judge Lisa A. Lowe

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Questions?



THANK YOU!