

Course Unit: 9242507 – Professional Ethics and Deontology

Year 1 Semester 2 ISCED Code: 380 ECTS: 5,0

Type of Course Unit: Compulsory Delivery Mode: Face-to-face Language of Instruction: Portuguese

COURSE COORDINATOR: Elionora Cardoso

HOURS OF WORK

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
150		30	15		30				75

Prerequisites (if applicable): Not applicable

LEARNING OUTCOMES (knowledge, skills and competence)

It is intended that the student, at the end of the u.c.,:

1. Master the general principles of ethics and the profession of solicitor.
2. Know the most relevant legal relationships and duties of professionals
3. Know the course of the disciplinary process to which solicitors and enforcement agents must be subject.
4. Be able to exercise and know the profession of solicitor and execution agent.

CONTENTS

- 1 - ETHICS and DEONTOLOGY - Genesis and development of the theme:
 - Universal Values;
 - The exercise of the profession with ethics;
- 2 - THE ORDER OF THE APPLICANTS
 - Legal nature of OSAE and its representation;
 - Study of the Main Bodies - election, composition and competence;
 - Rights and Duties of Solicitors before OSAE, colleagues and other legal professionals;
 - Internship and Registration
 - Suspension and Cancellation of Registration (reactivation of registration and re-registration);
- 3 - THE ILLEGAL ATTORNEY
 - The illegal practice and the criminal offense. Law 49/2004 of 24 August.
- 4 - PROFESSIONAL SECRET / SECRET
 - The object of professional secrecy;
 - Responsibility for professional secrecy;
 - The extension of the duty of confidentiality;
 - Dismiss Professional Secret.

5- THE REPORTS ON FEES

- The Regulation of Reports on Solicitors' Fees;

6 - DISCIPLINARY ACTION:

- Disciplinary regulation;

- Disciplinary Responsibility, Penalties, Processes and Resources;

DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES

1. The limitation of professional ethics. - Objective 1

2. Deontological duties and principles. - Objective 2

3. Professional secrecy and secrecy; illicit attorneys - Objective 2

4. From a systematic point of view, the subject of the disciplinary process - Objective 3 and 4

5. The fee reports. - Objective 4

TEACHING METHODOLOGIES

- Exhibition (using the most diverse means: oral, written and with multimedia projection).

- Presentation and discussion of case studies in the classroom with the participation of students

- Analysis of OSAE opinions, through a guided debate with students.

- Simulation of activities

DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES

Exhibition (using the most diverse means: oral, written and with multimedia projection) - objective 1 to 4 .:

- Presentation and discussion of case studies in the classroom with the participation of students - objective 2 to 4;

- Analysis of opinions, through a guided debate with students - objective 2 to 4;

- Simulation of activities - objectives 2 and 4.

EVALUATION METHODS

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.

2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.

3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

MAIN BIBLIOGRAPHY

ARNAUT, António - Iniciação à Advocacia. Coimbra: Coimbra Editora, 2009. 10^a ed.

CARDOSO, Augusto Lopes - Segredo Profissional na Advocacia. Lisboa: CELOA, 1998.

PERELMAN, Chaïm - Ética e Direito. Lisboa: Instituto Piaget Editora, 2009.

RODRIGUES, Benjamim Silva - Estatuto (da Câmara) dos Solicitadores (e Agentes de Execução) Anotado e Comentado - Legislação e Regulamentação Complementares. Lisboa: Quid Juris, 2010. 2.^a ed.