

LAWYERS AND ETHICS IN LEGAL PROFESSION: AN OVERVIEW

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the works of others.

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ABSTRACT

Legal Profession itself is a vast topic. The preamble to the Bar Council Malaysia's Legal Profession Act 1976, introduces the interpretation of the legal profession with the words, "Advocate and solicitor of the High Court admitted and enrolled under this Act or under any written law prior to the coming into operation of this Act".

An Advocate and solicitor are also known as Barrister and solicitor, attorney or lawyer. Lawyers should promote the public interest, serve the cause of justice, be faithful to the client's trust, maintain the authority, be courteous and candid with others and be true to good conscience. Lawyers are more than only a citizen. They are qualified person in the Judicial and Legal service. So, they are obliged to serve justice and fairness in the most ethical ways like what was laid down under several regulations.

However, the professionalism of lawyers was seen as a joke by the public recently as there are many issues and conflicts arise about their unethical manner in the legal profession. These are discussed throughout the chapters with references to several regulations that covered the ethics of lawyers in their profession, and also with views from other countries which has similar rules.

Some arguments and comments of different people in different areas are also included. This opens up to debates over the effectiveness of the existing laws that safeguarded the lawyer's ethics in the country. In addition to that, recommendations are given to fill in some lacuna that is found in the effectiveness of the rules and other measures, to make sure that the justice and fairness could be served thoroughly by the honest lawyers.

TABLE OF CONTENTS

Aknowledgement	(ii)
Abstract	(iii)
List of Statutes	(vi)

CHAPTER 1: INTRODUCTION

1.1	Introduction	2
1.2	Problem Statement	3
1.3	Objective Of The Study	4
1.4	Research Methodology	4
1.5	Limitation Of The Study	5
1.6	Significance Of The Study	6
1.7	Conclusion	6

CHAPTER 2: AN OVERVIEW OF LAWYER'S ETHICS IN LEGAL PROFESSION

2.1	Introduction	10
2.2	Terminologies	10
2.3	Ethics Of Lawyers In Legal Profession	13
	2.3.1 Rules And Regulations	13
	2.3.2 Public's Perspectives	18
2.4	Lawyer's Duties	19
	2.4.1 As Legal Practitioner	19
	2.4.2 To The Court	20
	2.4.3 To Clients Or Public	21
2.5	Conclusion	22

CHAPTER 3: ISSUES AND CASES OF LAWYER'S ETHICS IN LEGAL PROFESSION

3.1	Introduction	26
3.2	Unethical Conducts Of Lawyer	26
	3.2.1 To The Court	26
	3.2.2 To The Clients	28
	3.2.3 Among Lawyers	30
3.3	Reasons And Causes Of The Unethical Conducts Of Lawyer	31
3.4	View's On Lawyer's Ethics	32
	3.4.1 Legal Views	32
	3.4.2 Morality Views	34
3.5	Conclusion	34

CHAPTER 4: EFFECTIVENESS OF THE LAWS THAT REGULATING LAWYER'S CONDUCTS IN LEGAL PROFESSION

4.1	Introduction	37
4.2	Actions Towards Misconduct Of Lawyer	37
	4.2.1 Laws And Regulations	37
	4.2.2 Other Approaches	41
4.3	Related Issues And Cases	45
4.4	View's On The Effectiveness	47
4.5	Conclusion	50

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1	Introduction	53
5.2	Recommendations	53
	5.2.1 Legal Approach	53
	5.2.2 Sociological Approach	56
	5.2.3 Educational Approach	57
5.3	Conclusion	58