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Tort Trial & Insurance Practice Section  
American Bar Association



# Student TIPster

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## CONVERSATIONS WITH COUNSEL

### ETHICS IN INSURANCE LAW – CLIENT IDENTIFICATION

### INTERVIEW WITH PROFESSOR SUSAN MARTYN, ESQ.

BY NICHOLAS WITTENBERG

The legal profession prides itself on ethical considerations. This article of Conversations with Counsel discusses the ethical issues that can arise in the insurance defense setting. Specifically, a failure to appropriately identify the client can lead to numerous ethical conflicts. I had the opportunity to discuss with Professor Susan Martyn, Esq. some of the ethical issues that can arise when not properly identifying the client as well as some measures that can be taken to help prevent uncertainty in this area. Professor Martyn is the Stoepler Professor of Law and Values, having a rich and accomplished background in legal ethics. She has published numerous books and articles about legal ethics, most recently *The Ethics of Representing Organizations* (Oxford 2009) with Lawrence J Fox. Professor Martyn also serves on the American Bar Association’s Standing Committee on Ethics. This fascinating discussion is shared below.

Nicholas Wittenberg (W): What are some the ethical dilemmas that lawyers face with insurance cases and the assumption of who is your client?

Professor Susan Martyn (M): First of all, the cases are split in the jurisdictions about a defense lawyer hired by an insured, and whether that lawyer has one client or two clients. It is very clear, everybody agrees that the insured is the client. What’s not clear is whether it is a joint client circumstance with the insurer and the insured. Or, whether the insurer should not be considered a client, but should be more properly characterized as a third party payer of the lawyer for the insured.

**W.** How does the third-party payer concept come into play in regard to ethical conflicts when an insurance company may want to limit a defense when the insured wants to expand the defense?

**M.** There are so many layers of conflict. The first layer is that the lawyer has an obligation to the 5 Cs: to be competent, to communicate with the client, to avoid and resolve conflicts of interest, to keep confidences, and to assure the requested amount of control over decisions by the client. But, the next layer is a conflict built into the insurance contract. The insurer agrees “to defend” the insured, and the insured gives up some right to control the defense. The question is, at what point can you give up that control to the third-party payer, or co-client, and still be providing competent representation and still be deemed “to defend” the insured. Defense means you get a lawyer with ordinary fiduciary duties. So the conflict built into the insurance company contract is a duty to defend provided by a lawyer with the 5Cs versus ceding some sort of control to the insurance

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## ***TIPS MEETINGS & EVENTS***

### **2010 ABA Annual Meeting**

August 5-10

Hotel: Grand Hyatt Hotel, San Francisco, CA

### **2010 TIPS Fall Leadership Meeting**

October 12-17

Hotel: Four Seasons Hotel, Dallas, TX

### **2011 TIPS Spring Leadership Meeting**

May 18-22

Hotel: Ritz Carlton Hotel, Amelia Island, FL

For information and registration,  
contact Felisha Stewart: (312) 988-5672

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# TEN TIPS FOR SUMMER CLERKS

Robert J. Caldwell, Esq., KOLESAR & LEATHAM, CHTD., Las Vegas, Nevada

## #1: Never Turn In A Draft

Even if you are asked to prepare a “draft” of a document, never turn what you would consider to be a draft. Every piece of work product bearing your name should be your final and finished product – your best work. Proofread everything and check for typographical errors. In addition, try not to turn in an incomplete assignment, even if you might have a valid excuse as to why it is not complete. Remember that you will be evaluated on all of your work, even if the attorney calls it a draft. Take pride in your work and take the time needed to fully complete an assignment, even when under tight deadlines.

## #2: Treat Staff With Respect

From the legal secretaries and the receptionist, to the court runners and copy room personnel, always treat staff members with respect. Attending law school does not give you the right to talk down to anyone or act like you are more important or smarter than others. For starters, treating people with respect is the right thing to do. Additionally, staff members can be of invaluable assistance to you. If a partner asks you to write some obscure motion, his or her legal assistant or paralegal can usually give you an example of a similar motion they’ve written in the past. Remember that staff members have been around longer than you. If you disrespect them, the partners will hear about it, and your future employment with the firm will be in jeopardy. The same is true, and possibly even more important, when dealing with court staff members. If you are considered rude or disrespectful, good luck getting an order signed or obtaining a hearing date when you need it most.

## #3: Dress For Success

Always remember that at most law firms, government offices or corporate legal departments, you will be judged on your appearance. Until you get to know your co-workers, and they get to know you, wear conservative and professional attire. When in doubt, round up – wear a suit or a dress. If you *look* successful, people will often assume that you *are* successful. As the saying goes, you never get a second chance to make a first impression.

## #4: Arrive Early, Stay Late

At traditional firms, one key to a young associate’s success is often arriving before most of the partners arrive and staying until after most of the partners have departed. While longer hours are not always expected of summer clerks, remember that the partners and associates will notice the hours you keep. Show your level of dedication and commitment by keeping professional hours and keeping summer absences to a minimum. Try not to leave early on Fridays, even if others do; late evenings and Friday afternoons are often when partners let down their guard and may get to know you on a personal level. Also, try not to stay out for lunch for more than an hour. Remember that if you are away the one hour someone needs your help, they may forget about the long hours you’ve worked the rest of the summer and instead develop an unfair perception of you as a slacker.

## #5: Always Ask For A Deadline

When you are given an assignment, always ask for a specific deadline. In the eyes of an attorney, “as soon as possible” can mean 15 minutes or 2 months. Don’t guess, ask. Whenever possible, exceed expectations by turning in your assignment early. When you simply cannot complete a project in time, make sure to give the attorney enough notice so that the project can be reassigned if the deadline cannot be extended.

## #6: Try To Accept Every Assignment

Make an effort to accept every assignment you are given. In traditional firms, it is a cardinal sin to turn down an assignment, especially from a senior partner. Less traditional firms aren’t quite as strict, but being given an assign-

ment is an honor – the attorney wants *your* help, not help from someone else. When your workload is just too heavy to take on another assignment, instead of flatly rejecting the project, just let the attorney know your workload and your current projects and deadlines. Often the attorneys will discuss among themselves your workload and then reassign matters or extend deadlines to assist you. Communication with the attorneys is the key.

## **#7: Prioritize Your Workload**

Along with always asking for deadlines and trying to accept every assignment, make sure to prioritize your “to do” list. Projects with impending court-imposed deadlines are generally most important. Otherwise, all things being equal, priority rests in the order of the seniority of the assigning lawyer. (If in doubt, check a firm’s letterhead, website or firm brochure). Assignments from partners usually come first. If you are loaded up with assignments from partners, let assigning associates know. Most partners would not like to be told that your project is not complete because you are working on a project for one of the firm’s associates. However, remember that even lower priority assignments become more important as time passes or as deadlines approach.

## **#8: Don’t Hand Off Assignments To Other Clerks**

Remember that if you’re kept busy during your clerkship, it’s a good sign. It means you’re doing a good job. Never pass off an assignment to another clerk without the permission of the attorney who gave you the assignment, even if you’re busy and someone else is not. As a general rule, try not to even ask the assigning attorney if it’s permissible to do so. You’re given an assignment because the attorney wants your help, not the help of your colleagues. Asking to pass off an assignment to someone else may be interpreted by the assigning attorney as his or her work not being important to you or that you do not have the skills to balance a busy caseload.

## **#9: Participate In Social Events**

If possible, never turn down an opportunity to attend firm social events, outings or informal events with firm attorneys and their families. Many law clerks fail to understand that work product is only one part (albeit an important part) of what a firm is evaluating in a candidate for employment. Firms also want to make sure that prospective attorneys can interact in a social environment, attract new clients with their interpersonal skills and social abilities, and generally get along with the other attorneys in the firm. Sometimes, the best way to evaluate you in this regard is on the golf course, at lunch, or at a firm picnic. If the attorneys like you as a person, they are much more likely to hire you as an associate.

## **#10: Enjoy Your Work**

Remember, not only is your firm evaluating you, you are evaluating the firm. Make sure that it is an enjoyable place to work. Have fun. Enjoy the company of your fellow clerks and co-workers. Help each other out. At the end of the summer, if you have been miserable, look somewhere else for a job – the place you have been working may not be the right place for you. ●

Mr. Caldwell is a shareholder with Kolesar & Leatham, Chtd. in Las Vegas, Nevada. He is a current member of TIPS’ Governing Council and the former Chair of both its Business Litigation Committee and its Task Force on Outreach to Law Students. Mr. Caldwell graduated from the University of Alabama School of Law in 1999.

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# SPOTLIGHT CHICAGO: Getting Your First Job in Tort, Trial and Insurance

By: Christopher Shelton

On March 31st, TIPS held a lunchtime program entitled “Getting Your First Job in Tort, Trial, and Insurance Law” at The John Marshall Law School in downtown Chicago, Illinois. The five panelists at the program included Mark Wojcik, a professor at John Marshall; Doug Albritton, a partner at Reed Smith LLP; James Borkman, chair of the Law Student Division, Stephen Ellenbecker, a trial attorney at The Gloor Law Group LLC and Ryan Liebl, an associate at Mayer Brown LLP. The program attracted over 80 law students who listened to the panel outline ways in which law students can be proactive in their job search.

The panelists, drawing on their experience both as law students and active members within TIPS, outlined key steps for how law student can find their first job in Tort, Trial, and Insurance Law. The following are few of the suggestions from the afternoon:

**Network:** The panelists agreed that it is important to meet as many people as possible in the legal field in which a student is seeking a job. They suggested that students begin doing this as soon as possible and not wait until they need a job. The panel explained that the best type of contacts are developed over an extended period of time, as a relationship needs to be established before an attorney can feel comfortable in hiring or recommending a law student.

**Turn In Your Best Work:** Another important point that was raised by the panel was the necessity of a student turning in their best work. Whether a current or potential employer, each of the panelists strongly argued that a student should turn in work as if it was going straight to a client. Each attorney explained they use small assignments (e.g., newsletters and casenotes) as a method of determining what the student is capable of.

**Ask Questions:** The panelists also agreed that students should ask questions “early and often.” In receiving an assignment, each of the panelists explained that it is crucial for the student to be on the same page as the attorney. In example, if there is a question as to the assignment, the panelists suggested that the student ask for clarification. A few of the panelists recounted stories in which they had to redo an assignment because a law clerk did not understand the original instructions.

**Be Available:** Although this was directed more at new associates, the panelists believed that being consistently available to a current or future employer is extremely important to students as well. The full panel explained that as technology has changed, both clients and employers want solutions quicker. Therefore, by being readily available, a student can differentiate themselves as being more prepared than their peers.



**John Marshall Law School Professor Mark Wojcik introduces the panel to the students**

Photo by Mike Kelly



**The panelists discuss their experiences in practicing law and the importance of networking. From left to right, John Borkman, Ryan Liebl, Douglas Albritton and Steven Ellenbecker**

Photo by Mike Kelly

**Join Your Local and State Bar Associations and the American Bar Association:** The biggest, and most emphasized, point of the afternoon was that the student should join their local, state and national bar associations, like the ABA. The panelists suggested that students join sections within the Associations that align with their interests. From there, students should attend meetings and offer to assist attorneys on publications and other special projects to show their interest in the field. After doing so, the panelists explained that doing these projects often “open-up doors” to a number of other opportunities, including employment.

These are only a few of the great suggestions given by the panelists at the John Marshall event. If you have questions regarding TIPS, or getting involved in a specific committee, please contact Chris Shelton at [CShelton@luc.edu](mailto:CShelton@luc.edu). ●

*Christopher Shelton is a third year part-time law student at Loyola University Chicago. He is the current American Bar Association Law School Division liaison to TIPS and is a member of the Business Litigation Committee and the Task Force on Outreach to Law Students*



Photo by Mike Kelly Photo

**John Borkman and Doug Albritton answer student’s questions after the program.**

## CONVERSATIONS WITH COUNSEL

*Continued from page 1*

company, and that might mean that the lawyer is pressured to provide less than competent representation.

**W.** If the lawyer meets that duty to defend and the insured wants to go another route that is more expensive for litigation strategy, what controls in that situation?

**M.** The insurance contract controls it if it is within the range of ethical obligations of the lawyer. If the lawyer is worried that she may be acting incompetently the lawyer has to warn both the insurer and the insured. If the lawyer really believes that competent representation cannot be provided the lawyer has to withdraw from the representation. But, there is a wide range of competence and the clients are not entitled to a “Cadillac” defense when the contract agrees to a “Chevrolet” defense. The fact question is, where is the line drawn? For a lawyer in practice that is often a judgment call.

**W.** Is it safe to say the insurance contracts and state statutes have evolved recognizing these

unintended conflicts between insurance companies and insured parties?

**M.** Well, I don’t think there are any statutes that have. I do think two things have evolved. First, the contract itself in insurance law will be construed against the drafter. Over a period of time insurance companies have learned through contract litigation that if there is a built-in conflict they better let the lawyer take the insured’s point of view or they might suffer the remedy of what is called bad faith refusal to settle or bad faith in interpretation of a contract. If that happens they have to pay the full amount of the judgment not just the insured amount. That is a common law hammer over the insurance company.

The other thing that has changed is the lawyers’ ethics rule in response to this. There is a specific mention in § 134 of the Restatement of the Law Governing Lawyers about insurance defense as an example of what happens when a third party pays for the representation of somebody else. I brought along with me today two rules to show you, one in Florida

and one in Ohio which specifically provide in their versions of Rule 1.8 that there has to be a specific informed consent or as Florida calls it “a statement of insured client’s rights.” This must be given by the defense lawyer to every insured who that lawyer represents. Ohio provides a similar rule and the idea here is try to give the insured some notice of what is often called a “tri-partite relationship.” If the client-insured is worried about the representation, this is sort of a continual reminder of when the client should raise an issue about the representation.

**W.** What steps can lawyers take to be proactive in avoiding conflicts before it is too late in this setting, and what effect does a reservation of rights have in the initial insurance contract to specify and identify issues?

**M.** Usually a reservation of rights would not be in the insurance contract, but it would be a separate letter later. It would arise at the point where there has been a claim that is covered and another claim issue in the same set of facts that is not covered by the policy. The best example would be one claim for intentional tort and one for negligence and the policy only covers the negligence claim. The company must provide a defense for the covered conduct, the negligence. But there is a built in conflict of interest because from the insured’s point of view everything should count as negligence to be sure the policy will cover. From the insurance company’s point of view they want it to be called intentional so as to have a policy defense and not have to pay at all.

Regardless of the issue’s resolution, the insurance company has a duty to defend. That means it has to provide a lawyer whose sole loyalty is to the insured’s interest under the contract, and then the insurance company can have its own lawyer to look after its own interest in that circumstance. The reservations of rights letter is a way to put the insured on notice that

not everything that is claimed in the complaint is covered under the policy. What it says to the insured as to the uncovered conduct, the intentional tort, you can hire your own lawyer but the insurance company is not responsible to provide a defense about that; the insurance company is only responsible to provide a defense, without conflict, as to the covered conduct.

**W.** How do engagement letters help specify who the client is?

**M.** Well the lawyer has to know in his or her jurisdiction what the law states about who the client is, identifying the actual client, and disclosing to the client that the lawyer has been hired by the insurance company to represent the insured. It is an important part of what needs to be done. This is the first thing that the Florida and Ohio rules do: identify the client. Then typically the engagement letter states that this not a fee contract because the fee is being paid by the insurance company; but the lawyer is disclosing to the insured the potential conflicts. So if there are litigation guidelines that the insurance company has about defense costs in the litigation, the insured has a right to know what they are and to receive a copy of those guidelines. If there is a policy defense, the insured has a right to know about that, and due to confidentiality, the lawyer can not divulge what it learns from the insured to the insurance company. All of these rights should be part of the initial engagement letter whether they are required or not. For lawyers who do not know where to begin, they can look at these two rules in Florida and Ohio and get a sense at least of the issues they have to address in their engagement letters. ●

Nicholas Wittenberg is a second year law student at the University of Toledo College of Law. He currently serves as the law student vice-chair on the TIPS Insurance Coverage Litigation Committee and is also a member of the Task Force on Outreach to Law Students.

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## Deep End

Fictional lawyers are starring on TV again, now in the new ABC series *The Deep End*. *The Deep End* has much not to recommend it, though it deserves some time to hit its stride. Meanwhile, let's place *The Deep End* in context, as we plan a silver jubilee for *L.A. Law*. And let's see if there is anything we can learn from make-believe lawyers.

Law school insiders are fond of telling how NBC's *L.A. Law*, 1986-1994, spurred a surge in law school applications—though scientific evidence of causation is lacking. The theory at least is that the sparkling solicitors of *L.A. Law* lived exciting lives, flush with financial reward and rich with romantic fury, all the while handling cases that raised compelling social issues and made for great TV. Early Gen-Xers, facing modest career prospects despite the '80s boom, might have regarded law school as the perfect jumping off point for both self-reflection and economic return, with a chance to save the world in the process—think the *Wonder Years* kid, Alex P. Keaton, and *The A-Team*, all with one graduate degree.

In the 1990s, legal TV took a turn for the criminal with heavy hitters *Law & Order* and *The Practice*. In these gritty dramas, the law tackled the darkest elements of our human nature; alcohol, ethics, greed, and idealism warred for the professional's soul. It's unclear that many prospective practitioners were driven to the criminal bar by these portrayals, which decidedly lacked the glimmer of their '80s forebears. But the '90s productions were important to the evolution of law in TV fiction at least as precursors to both the social-platform comedy-drama—see *The Practice*'s own spin-off, *Boston Legal*—and the still inexplicably proliferate criminal procedural.

Maybe all of these shows were necessary precursors to the turn-of-the-century star that, for my money, remains the apex of fictional TV lawyering: *Ally McBeal*. (Yes, I'm aware of the feminist criticism of *Ally McBeal*. No, I don't want to talk about it.) In only 112 episodes, *Ally McBeal* launched acting careers, electrified music markets, added words to the American language, and iconicized at least one dancing baby. More importantly, *Ally McBeal* somehow sucked viewer empathy into its absurd construct of reality as if through a straw, leaving the besotted viewer roiled in a heartrending mélange of laughter, tears, and abject wonder at the human condition, depending on the subplot. Echoes of *Ally McBeal* can be seen in the quirkiness of *Boston Legal* and in the optimism of *Eli Stone*. But *Ally McBeal* united the

romance of *L.A. Law*, the humor of *Night Court*, and the social edge of *The Practice* into a poignant and understated yet powerfully memorable TV formula that has not been replicated since.

*The Deep End* is the story of five new lawyers trying to put their own stamps on the law amid the stresses and egos of a high-powered L.A. firm: *L.A. Law* from the first-year associate's perspective. The premise has promise, but early episodes failed to develop characters as much more than types and fell flat with viewers. At least our protagonists were shown doing some real work—research and writing—between romantic trysts and snappy comebacks.

In fact, therein lies a cautionary tale for the TV aficionado and lawyer-to-be: All is not as it seems. Young lawyers will tell you that real-life lawyering is about bread-and-butter cases that pay the bills, about arduous time-keeping, and about a lot—a lot—of painstaking paperwork. Neither comical Denny Cranes and John Cages, nor idealistic Alan Shores and Eli Stones would generate enough billable hours to earn their keep. Law is a business.

But TV never promised reality; TV is a dream. TV is what we fear and what we wish for, and it is especially good at extinguishing the former with the latter. A lesson lies there, too. Behind big cases and colossal clients are real people with real needs and wants. A law license is empowerment to help those people, whether to do good, or to do ill.

The lawyers who win our hearts on TV are the ones who strive to do good. They show us that it's not always simple or easy. And in our real world, it's usually harder and takes a lot longer than an hour. Still, rather than be let down that reality is not the dream, we can be inspired by the dream that reality is not. We can let Denny remind us not to take ourselves too seriously, let Eli Stone remind us that we set out on this road with a purpose, and let *Ally McBeal* remind us that we do not have all the answers. Law is a business, but law is also a calling.

*The Deep End* deserves a chance, but it has a tall order to fill. The golden age of lawyers in TV fiction is probably already in the box, available wherever you buy DVDs. Bring some home and be inspired. ●

*Rick J. Peltz is a Visiting Professor, School of Law, University Georgia and the Faculty Liaison, ABA TIPS Task Force on Outreach to Law Students. He can be reached at [rjpeltz@ualr.edu](mailto:rjpeltz@ualr.edu)*

# Summer Study Abroad Tips: Geared Towards Success

By Jane Cynthia Graham

Munching on tapas and watching a flamenco show, exploring the streets of London and enjoying a pint of ale in a pub, and rowing a boat in the manicured gardens of Versailles castle in France: this is all possible and more if you attend a law school summer study abroad program. While many people spend their first year summer working unpaid or clerking for a judge, there is another great alternative- attending a summer study abroad program. In the summer of my first year, I studied abroad with the University of Miami Summer Study Abroad program in London and Barcelona. It was one of the most fun and interesting experiences of my life. However, a summer study abroad program can also be a trap if you are not careful. It is NOT a vacation. Here are some “Do’s” and “Don’ts” for summer study abroad programs:

## Before you go:

### **DO: Shop for a program**

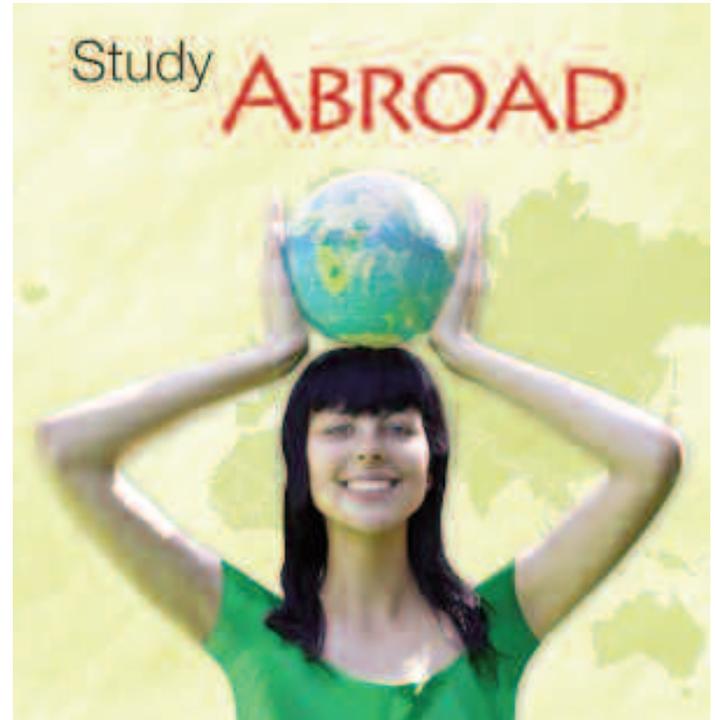
Lots of law schools offer study abroad programs, so you don’t have to limit yourself to the programs based from your own law school. If you are interested in a particular country, research the different programs schools offer. Most importantly, look at the course selection for the program. The courses you take should interest you and be something you are good at. Some schools have a pass/fail option for study abroad courses. This may be something to consider if you want less stress.

### **DON’T: Choose a program solely based on the country or city in which it is based**

If you are not careful, you may be stuck taking a course on international tax when your main interest is human rights. If you hate the class, you will be bored and miserable when you could be enjoying it, even if you are in an amazing foreign city. Remember, you will be interviewing for jobs next semester, and will have to explain why you did a summer study abroad program.

### **DO: Work or clerk for a judge before or after your program**

Lots of study abroad programs do not begin until early June, so you will have several weeks before to work. Take advantage of this time. You will be competing for positions in the fall with students who



worked all summer. It is really helpful if you can show some legal experience over the summer.

### **DO: Research the place you are going**

Travel guides are a great way to read up on landmarks, restaurants, and museums you would like to visit before you go. Ask any friends or family members who have visited the location where to go and also places to avoid. The United States State Department website is also a useful resource to look for travel warnings and dangerous areas in the country you are studying. Their website is [http://travel.state.gov/travel/cis\\_pa\\_tw/cis\\_pa\\_tw\\_1168.html](http://travel.state.gov/travel/cis_pa_tw/cis_pa_tw_1168.html). For example, it warned me to be careful at specific metro stations or touristy areas like “Las Ramblas” in Barcelona for muggings. I am happy I checked this because it made me be careful and more aware of my surroundings in shady places. Also, check out the Center for Disease Control Travel Advisory website at <http://www.cdc.gov/travel> for warnings on health risks, from mad cow to malaria.

### **DO: Pack your computer**

If you usually use a computer for taking notes, making outlines, and writing papers, pack it! I wish I had taken mine. It would have made my studies easier and more comfortable. Also, if you download Skype, you will be able to enjoy free video conversations

with your family and friends in the United States or anywhere else in the world for free. This is much better than buying an expensive phone card or cell phone.

### **DON'T: Over pack**

Nothing is worse than lugging around a gigantic suitcase of clothes you don't need or won't wear. It will be hard to keep track of what you have, what you bought over the summer, and what you lost.

### **DO: Brush up on your language skills**

Even if your study abroad courses are taught in English, learn some general phrases in the foreign country's language. Bring a small English/Foreign language dictionary to carry with you at all times.

## **WHILE YOU ARE THERE**

### **DO : Take your classes seriously!**

Study Abroad programs can be a dangerous trap if you are not careful. Your professors may even tell you "Relax, this class will be easy so that you can enjoy your time in this country". Do not listen. Repeat. Do not listen. If anyone tells you this, they are either deluded or don't care about you. Study abroad courses are regular law school courses and should be treated as such. I know of students who did not go to classes or study, and when grades came back, they were shocked and disappointed. A study abroad course will be on your permanent transcript, so you need to make sure you put the work in to get the results you need. If you decide on a program where there is a pass/fail option, this may make your time a bit easier.

### **DON'T: Use it as an excuse to party too hard**

It is in the summer after a harrowing year in law school. You are in a foreign country with your friends and a crowd of students. This equation can be dangerous if you are not careful. I heard of a student who drank so much that he passed out on a stranger's yard miles away from the group's hotel at 3:00 AM in Mykonos. The owner of the house called the police in the morning and the student was escorted by the local police to the police station. The Study Abroad program was contacted. Escapades like this will wind up on your record, and you will have to report it to the Bar when you apply for the Bar exam. This is not to mention that it is embarrassing and hurts your reputation.

### **DO: Be careful with spending**

The exchange rate in foreign countries may be horrendous. By the time you are finished taking care of your necessities, you could be close to broke. When I was in London, the exchange rate was one British Pound equaled two American Dollars, and you spend pounds like dollars. This meant that you would run out of money in half the time. It's important to budget.

### **DON'T: Limit yourself to friends you already know.**

This is a great way to meet people and make new friends. Students from around the United States will be in your study abroad program. Traveling abroad and experiencing new things is a great way to bond with people. I still keep in touch with a couple students I met from New York and Denver. Talking to local students is also a great way to find out about fun places, good restaurants, and interesting things to do. This is especially helpful if you speak some of the native language or if you meet someone who is learning English. However, be careful who you talk to and what their motivation may be for being friendly. I will spare you the details, but your humble author will say this: they may try to marry you for your United States citizenship.

If you enroll in a study abroad program that fits your needs and expectations, take your classes seriously, and have a fun time without going overboard. You will have a great time in a summer study abroad program. Bon Voyage!

Jane Graham is a recent graduate of the University of Miami School of Law, and is planning to practice law in South Florida.

Special Note: Over the last several years the International Committee has become a dynamic organization within TIPS. Among other activities, the International Committee sponsored a teleconference on global securities class actions and co-sponsored, with Temple University, a conference in Japan, which attracted over 130 Japanese lawyers seeking to educate themselves as to the legal issues affecting non-US companies looking to do business in the US. We have several other planned events in the works, focusing on international corporate law, political risks and insolvency proceedings. Currently, the International Committee is focusing on 6 areas.

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