

Attorney obligation

Law



Ethical Obligations of a Defense and Prosecuting Attorney Ethical Obligations of a Defense and Prosecuting Attorney According to Merryman (2006), attorneys are entitled to ethical obligations, closely related to their professional code of conduct. It is upon each and every practicing attorney to adhere to these ethical obligations as set by the state bar associations. If the attorney acts contrary to what has been stipulated he or she is liable to face disciplinary action from the bar.

Defense Attorney

According to Goldman (2006) the defense attorney is charged with the responsibility of representing people who are facing criminal charges. The three ethical obligations that bind the defense attorney include confidentiality, zealous representation and to avoid conflict of interest. The attorney is entitled to keep any information provided by client confidential. The attorney should ensure that they feel strongly about the client; that they portray enthusiasm about the case they are handling. The attorney is expected to wholly represent and be loyal to the client avoiding any conflict of interest in their role as the defense attorney.

Prosecuting Attorney.

Goldman (2006) states that the prosecuting attorney who is usually appointed by the judicial district is charged with the responsibility of conducting legal obligations on behalf of people or the state. He or she is entitled to ethical obligations just like the defense attorney. These obligations include: To ensure the person the person being prosecuted is the individual who committed the crime; to ensure the constitutional rights of the individual being prosecuted are upheld at all times; and to ensure that all individuals are treated equally, irrespective of their power or wealth.

<https://assignbuster.com/attorney-obligation/>

Reference

Goldman, S. (2006). *Temptations in the office: Ethical Choices and Legal Obligations*. United States of America: Greenwood Company

Merryman, J. (2007). *The Civil Law Tradition: An Introduction to the Legal Systems of Europe and Latin America*. Stanford: Stanford University Press.