UNPLUGGED I

Bachelor of Laws LLB [2504110] SEP-2023 U1-NLL.1.S.A

Area Dispute Resolution and Legal Practice
Number of sessions: 15
Academic year: 23-24
Degree course: FIRST
Number of credits: 3.0
Semester: 1º
Category: COMPULSORY
Language: English

Professor: **ELENA GARRIGUES**

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At a glance:

- A global managing director and multifaceted profesional, Elena started her career as a journalist but later moved on to financial services and wealth management (Chase Manhattan, JPMorgan).
- She then moved on to applied legal research and has also worked in corporate reputation, CSR, pro bono work, and innovation (Garrigues law firm). Her current job is in the legal field, as an international consultant.
- Elena serves on three non-profits boards: Robert F. Kennedy Human Rights Foundation Spain; Nantik Lum -inclusive entrepreneurship-; and ANAR -protection of children and adolescents at risk-.

International professional scope:

- New York (12 years); London (3 years); Brussels (2 years) and Madrid.

Speaker and mentor:

- IE, IESE, ESADE, Harvard Law School, Porto Business School.

Languages:

- Spanish; English; French (fluent); German; Italian (conversational).

Education:

- MS in Journalism from Columbia University (NY).
- LLM in International Law from Vrije Universiteit Brussel (Brussels).
- Law degree and Business Administration diploma from Universidad de Comillas, ICADE (Madrid).

Executive Education:

- Digital Transformation (Berkeley Law/ICADE).
- Board members executive program (ESADE/PwC).

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03th July 2023

- Digital Technologies (Centro de Estudios Garrigues).
- Making Innovation Happen (London Business School).
- General Management Program (IESE Business School).
    Please see me after class or contact me at egarrigues@faculty.ie.edu

SUBJECT DESCRIPTION

In the current era of inequality and artificial intelligence, public and private sectors are working together more than ever in the advancement of solutions to social challenges. At the same time, the levels of trust in public and democratic institutions such as the government and the media are at an all-time low. Business, in the meantime, becomes the only trusted institution according to Edelman Trust Barometer, 2021. In this environment, the legal world has a crucial role to play.

In this context, showing increasing levels of ethics, transparency and governance becomes more important than ever to recover the public's trust. There is a utilitarian component in the current levels of investment in ethics and transparency initiatives as research shows that it is effective to boost institutional trust. However, law firms, corporates, and institutions in general should also search for legitimate moral and ethical references to genuinely commit to a public purpose that advances the well-being of citizens.

LEARNING OBJECTIVES

1. Students will develop essential knowledge about ethics to be able to discern and think critically regarding highly complex issues that arise in the legal, financial, and public sectors.
2. They will become familiar with current trends in public and corporate ethics, and their main obstacles.
3. They will learn the different institutional systems and tools to build an ethics-based culture.
4. They will be exposed to personal capabilities associated with ethical leadership.
5. They will become familiar with some aspects of the profession very related to the legal practice.
6. They will learn that, in every aspect of the legal profession, the lawyer should think which solution is better under an ethical approach.

TEACHING METHODOLOGY

IE University teaching method is defined by its collaborative, active, and applied nature. Students actively participate in the whole process to build their knowledge and sharpen their skills. Professor's main role is to lead and guide students to achieve the learning objectives of the course. This is done by engaging in a diverse range of teaching techniques and different types of learning activities such as the following:

The integrated methodology of the course incorporates **three elements**: class discussions based on previous readings, movies and case studies; working in groups on a specific project and its public presentation in class; and a final exam.

Class discussions

The students are required to read the assigned literature before each session. The readings in this course include book chapters and journal articles. The first 45 minutes or first hour of each session will consist of a general introduction of the topic by me. For the remaining 45 or 20 minutes of each session, we will discuss the theoretical concepts around specific questions and around specific case studies.

Group presentation

Sessions 13 and 14 will be Asynchronous and will be devoted to working in groups. Students are required to work in groups of 4-5 to come up with innovative solutions to a dilemma related to public ethics. They will publicly present their ideas before the rest of the class and will be exposed to other students' critical questions.

Final exam

The final exam requires students to focus on a particular ethical issue that may arise in the legal, financial, or public sector. The issue should be related to the contents of the course.

Teaching methodology weighting

Estimated time a student should dedicate to prepare for and participate in:

- Lectures 53.33 % 40 hours
- Discussions 26.67 % 20 hours
- Exercises 13.33 % 10 hours
- Group work 6.67 % 5 hours
- Other individual studying 0.0 % 0 hours
- TOTAL 100.0 % 75 hours

Learning Activity	Weighting	Estimated time a student should dedicate to prepare for and participate in
Lectures	53.33 %	40.0 hours
Discussions	26.67 %	20.0 hours
Exercises in class, Asynchronous sessions, Field Work	13.33 %	10.0 hours
Group work	6.67 %	5.0 hours
Individual studying	0.0 %	0.0 hours
TOTAL	100.0 %	75.0 hours

PROGRAM

SESSION 1 (LIVE IN-PERSON)

What is Ethics?

In this session I will give a 45-min introduction to ethics and will leave time for discussion based on my introduction, the readings and the movie.

Book Chapters: Blackburn, Simon (2001): Being Good. A Short Introduction to Ethics. Oxford

University Press Read the Introduction and Part I. Seven Threats to Ethics (See Bibliography)

SESSION 2 (LIVE IN-PERSON)

Ethics systems from a philosophical perspective: Utilitarianism

In this session I will give a 45-min introduction to utilitarianism and will leave time for discussion based on my introduction, the readings, and the movie.

Book Chapters: Blackburn, Simon (2001): Being Good. A Short Introduction to Ethics. Oxford University Press Read Chapter 11. Pleasure and Chapter 12. The Greatest Happiness of the Greatest Number (See Bibliography)

SESSION 3 (LIVE IN-PERSON)

Ethics systems from a philosophical perspective: Rights and deontology.

In this session I will give a 45-min introduction to rights, deontology, and Kant's categorical imperative and will leave time for discussion based on my introduction, the readings, and/or the movie.

Book Chapters: Blackburn, Simon (2001): Being Good. A Short Introduction to Ethics. Oxford University Press Read Chapter 15 Rights and Natural Rights and 18. The Categorical Imperative Movie (See Bibliography)

SESSION 4 (LIVE IN-PERSON)

Ethics systems from a philosophical perspective: Justice

In this session I will give a 45-min introduction to Rawls's justice approach and will leave 45 min for discussion based on my introduction, the readings and the movie.

Book Chapters: Blackburn, Simon: Being Good. A Short Introduction to Ethics. Oxford University Press, Oxford, 2001. Read Chapter 19. Contracts and Discourse (See Bibliography)

SESSION 5 (LIVE IN-PERSON)

Ethics systems from a philosophical perspective: Virtue ethics.

In this session I will give a 45-min introduction to Aristotle's virtue ethics and will leave time for discussion based on my introduction, the readings and/or the movie.

Book Chapters: Blackburn, Simon: Being Good. A Short Introduction to Ethics. Oxford University Press, Oxford, 2001. Read Chapter 17. Being Good and Living Well (See Bibliography)

SESSION 6 (LIVE IN-PERSON)

External stakeholders shaping public ethics: The media

In this session I will give a 45 min introduction about the media and its impact on public ethics and governance and will leave time for discussion based on my introduction and the movie.

SESSION 7 (LIVE IN-PERSON)

Obstacles to an ethics-based culture: Corruption

In this session I will give a 45-min presentation about corruption and will leave time for discussion based on my introduction, the movie, and the readings.

SESSION 8 (LIVE IN-PERSON)

Institutional systems and tools to design and implement an ethics-based culture: Business ethics and ethical leadership

In this session I will give a 45-min presentation about the relevance of business ethics and ethical leadership and will leave time for discussion based on my introduction, the movie, and the readings.

SESSION 9 (LIVE IN-PERSON)

Institutional systems and tools to design and implement an ethics-based culture: Transparency and governance

In this session I will give a 45-min presentation about transparency and governance and will leave timefor discussion based on my introduction, the movie, and/ or readings.

SESSION 10 (LIVE IN-PERSON)

Institutional systems and tools to design and implement an ethics-based culture: CSR, compliance and ESG

In this session I will give a 45-min presentation about CSR, compliance and ESG and will leave time for discussion based on my introduction, readings and/or movie.

SESSION 11 (LIVE IN-PERSON)

Deontology in the legal profession I: Ethics in the legal profession. Conflicts of interest

In this session I will give a 45-min presentation about deontology in the legal profession and will leave timefor discussion based on my introduction, movie, and/or readings.

SESSION 12 (LIVE IN-PERSON)

Deontology in the legal profession II: Legal professional privilege

In this session I will give a 45-min presentation about deontology in the legal profession and will leave time for discussion based on my introduction, movie, and/or eadings.

SESSION 13 (LIVE IN-PERSON)

Group Presentations and Discussion Forum

SESSION 14 (LIVE IN-PERSON)

Group Presentations and Discussion Forum

SESSION 15 (LIVE IN-PERSON)

Final exam

EVALUATION CRITERIA

According to the nature of this class the students will be evaluated on both their theoretical knowledge and their practical skills.

- The date of the exam will not be changed.
- Each student has four attempts over two consecutive academic years to pass this course.
- Students must attend at least 70% of the sessions. Students who do not comply with the 70% attendance rule will fail the course on the ordinary and extraordinary call and will have to go

directly to the 3rd call (they will need to enroll again in this course next academic year).

- Students who are in third or fourth call should contact the professor during the first two weeks of the course.

criteria	percentage	Learning Objectives	Comments
Final Exam	30 %		
Intermediate tests	30 %		
Group Presentation	20 %		
Class Participation	20 %		

RE-SIT / RE-TAKE POLICY

If a student's course grade is below 5.0 on the ordinary call, the student is required to take the extraordinary exam to pass the course. The final grade of the student in the extraordinary exam period will be adjusted according to the following rules:

- The maximum grade that students can obtain in the retake exam period is 8.0

- The retakes will consist of a comprehensive exam or paper. The grade will depend only on the performance on this exam/ paper; continuous evaluation over the semester will not be taken into account.

- The third attempt will require the student to complete: (i) a written exercise and (ii) a final exam.

BIBLIOGRAPHY

Compulsory

- Blackburn, Simon (2001). (2003). *Being Good. A Short Introduction to Ethics.* Oxford University Press. ISBN 9780192853776 (Printed)

BEHAVIOR RULES

Please, check the University's Code of Conduct here. The Program Director may provide further indications.

ATTENDANCE POLICY

Please, check the University's Attendance Policy here. The Program Director may provide further indications.

> As per the IE University policy, bachelor and master degree students must attend at least 70% of sessions. This policy applies to any type of session: live in-person sessions on campus, asynchronous sessions, or remotely online as planned in the syllabus. Students attending less than 70% of sessions will be graded with a FAIL for the course. For Bachelor-degree programs, this fail will apply to the ordinary and extraordinary calls of the current academic year.

ETHICAL POLICY

Please, check the University's Ethics Code here. The Program Director may provide further indications.