

PRACTICE EXAM 15 : MPRE SIMULATION

Time Allotted: 2 hours

Format: Crossover multi-subject scenarios. Each fact pattern touches two or more Pro Resp domains. Identify the rule that most directly governs the specific question asked — even when other rules also touch the facts. Be alert to distractor rules that are technically relevant but not the controlling authority.

1. Lawyer Andrea represented Client X in a commercial dispute. During the representation, she learned confidential information about X's business practices. Three years after the matter concluded, Andrea is approached by Client Y, who wants to sue X in a substantially related matter. Y has offered Andrea a substantial retainer. Which doctrine primarily governs whether Andrea can take Y's representation?

- A. Rule 1.6, because the question is fundamentally about disclosing X's confidential information without consent
- B. Rule 1.7, because X and Y are now adversaries with their interests in direct conflict
- C. Rule 1.8, because Y's retainer offer creates a financial relationship that triggers special rules
- D. Rule 1.9, because X is now a former client and the substantial-relationship test controls

2. Lawyer Bruno represents Client Carmen, who has limited English proficiency. Bruno conducts all substantive case strategy discussions only through Carmen's adult daughter, who serves as translator. Carmen later complains that she did not understand certain decisions made on her behalf. Which rule most directly governs Bruno's primary failure?

- A. Rule 1.4, because the communication duty runs to the client, and Bruno failed to ensure Carmen understood through a qualified interpreter
- B. Rule 1.1, because Bruno's competence to handle non-English-speaking clients is the threshold issue

C. Rule 1.7, because the daughter has a personal interest creating a material limitation on the representation

D. Rule 5.3, because the daughter functions as a nonlawyer assistant who must be appropriately supervised

3. Lawyer Diana represents Plaintiff at trial. Her client testifies and gives an answer Diana knows from prior confidential discussions to be materially false. Opposing counsel does not catch the falsehood. Which rule most directly controls Diana's next step?

A. Rule 1.6, because Diana must preserve the client's confidential communications from disclosure

B. Rule 4.1, because the false statement is a misstatement of fact in litigation proceedings

C. Rule 3.3(a)(3), because the duty of candor to the tribunal applies to material false testimony and expressly overrides Rule 1.6 confidentiality

D. Rule 1.7, because the tension between loyalty and the duty to the court is irreconcilable

4. Lawyer Elias represents Spouse 1 in a divorce. Spouse 2, who is unrepresented, attends a settlement conference and tells Elias, "If you wrap this up quickly, I'll pay you a \$5,000 bonus on top of what Spouse 1 pays." Spouse 1 is unaware of the offer. Which rule primarily governs Elias's response?

A. Rule 1.5, because the offer is fundamentally a fee arrangement that must be reasonable in amount

B. Rule 1.8(f), which prohibits accepting compensation from a third party without the client's informed consent and other protections

C. Rule 4.3, because Spouse 2 is unrepresented and Elias must not give legal advice except to seek counsel

D. Rule 5.4, which addresses prohibited fee-sharing arrangements with nonlawyers and similar third parties

5. Lawyer Felicia, admitted in State A, has been suspended for one year for misappropriation. During suspension she answers a friend's casual legal question at a dinner party about state landlord-tenant law. Which rule primarily governs whether Felicia's conduct is permissible?

A. Rule 5.5(a), which prohibits a lawyer from practicing law in a jurisdiction in violation of regulations of the legal profession in that jurisdiction

B. Rule 1.1, because the issue is whether Felicia maintains the competence required to advise on landlord-tenant law

C. Rule 7.3, because the social setting may raise concerns about solicitation of a prospective client

D. Rule 8.4, because all conduct during a disciplinary suspension is automatically professional misconduct

6. Lawyer Gabriel represents Defendant in a criminal trial. Defendant tells Gabriel in confidence that he plans to commit a violent crime against the prosecutor next week. Gabriel believes the threat is credible. Which rule most directly governs whether Gabriel may disclose to authorities?

A. Rule 3.3, because the threat affects future court proceedings involving the same prosecutor

B. Rule 1.6(b)(1), which permits disclosure that the lawyer reasonably believes necessary to prevent reasonably certain death or substantial bodily harm

C. Rule 4.1, because Gabriel must not knowingly make false statements to third parties or the tribunal

D. Rule 8.3, because reporting another person's intended misconduct is required when the lawyer has knowledge

7. Lawyer Hannah served as a court-appointed neutral arbitrator in a contract dispute between Buyer and Seller. After the arbitration concluded, Seller asks Hannah to represent Seller in unrelated litigation against a different third party. Which rule primarily controls?

A. Rule 1.7, because Hannah may now have a concurrent conflict with the other party she once neutrally served

B. Rule 1.9, because Buyer is now Hannah's former client by virtue of the prior arbitration role

C. Rule 1.12, which specifically governs former third-party neutrals and restricts subsequent representation in matters previously handled in that role

D. Rule 5.7, which addresses law-related services provided by lawyers in non-traditional roles

8. Lawyer Ines represents Plaintiff in a product liability case. Ines learns that Defendant's expert witness, Dr. Klein, is currently under investigation for fraud in unrelated matters and that Klein's prior testimony has been called into question. Which rule most directly governs whether Ines may cross-examine Klein on these matters?

- A. Rule 3.4(e), which restricts trial conduct but generally permits cross-examination on credibility within evidentiary rules
- B. Rule 1.6, because the information about Dr. Klein may relate to past confidential client matters
- C. Rule 4.4, because cross-examination involves a third party whose rights must be respected
- D. Rule 8.4, because attacking an expert's character without sound basis may involve dishonest conduct

9. Lawyer Jorge has represented Client Lina for years. Lina pays Jorge a flat fee for an ongoing matter and writes "earned upon receipt" on her check. Jorge deposits the check in his operating account. Lina later terminates the representation before Jorge completes the work. Which rule most directly controls the disposition of the unearned portion?

- A. Rule 1.5, which addresses reasonableness of fees but does not specifically address refund obligations
- B. Rule 1.15, which governs the safekeeping of funds regardless of how the fee was characterized at receipt
- C. Rule 1.7, because the dispute over fees now creates a conflict between Jorge and his former client
- D. Rule 1.16(d), which requires refund upon termination of any advance payment that has not been earned

10. Lawyer Marco accepts a complex tax matter despite having no tax law experience. He spends 200 hours self-studying tax law on his own time, does not bill for the study time, and ultimately delivers the work product. The client is satisfied. A bar complaint challenges Marco's initial undertaking. Which rule primarily governs?

- A. Rule 1.5, because the question is whether Marco's billing under these circumstances was reasonable
- B. Rule 1.1, because the question is whether Marco was competent at the time he accepted under Comment 2
- C. Rule 7.4, because Marco may have implicitly held himself out as a specialist in tax law
- D. Rule 8.4(c), because accepting a matter beyond his experience may have involved dishonesty

11. Lawyer Naya works for a non-profit legal aid organization. The by-laws state that lawyers must clear new matters with a board that includes two non-lawyers, sharing the matter's subject area and client's name. Which rule most directly governs this arrangement?

- A. Rule 5.4(c), which prohibits a lawyer from permitting one who recommends, employs, or pays the lawyer to direct or regulate the lawyer's professional judgment
- B. Rule 1.6, because client names and the matter's subject area may sometimes constitute confidential information
- C. Rule 1.7, because the non-lawyer board members may have personal conflicts with the lawyer's clients
- D. Rule 5.7, which addresses law-related services and non-traditional service delivery models

12. Lawyer Oren served as Deputy Attorney General for State X from 2020-2024, personally participating in litigation against ABC Corp. Oren is now in private practice and is asked to represent DEF Corp (no relation to ABC) in an unrelated administrative matter before the State X Department of Revenue. Which rule most directly governs?

- A. Rule 1.11(a), which restricts a former government lawyer from representing a client "in connection with a matter" of personal and substantial prior participation
- B. Rule 1.9, which governs former-client conflicts generally and applies whenever a lawyer represented a former client
- C. Rule 1.10, which addresses firm-wide imputation when a conflicted lawyer joins or works at a private firm
- D. Rule 5.5, which governs unauthorized practice when lawyers act outside their jurisdiction of admission

13. Lawyer Petra represents Plaintiff. She wants to interview Yves, an unrepresented non-party witness with personal knowledge of the events. Petra asks Yves to sign a written witness statement she has drafted. Which rule most directly governs Petra's interaction with Yves?

- A. Rule 3.4, because the witness statement is part of trial preparation and discovery conduct
- B. Rule 4.2, because the witness may be considered a represented party under the no-contact rule
- C. Rule 8.4, because pressuring a witness to sign a prepared statement may involve professional misconduct
- D. Rule 4.3, which governs dealings with unrepresented persons and limits the legal advice the lawyer may give

14. Lawyer Quincy represents Client Rose, an elderly woman who has shown signs of dementia. Rose insists on transferring her home to a distant acquaintance she just met. Quincy believes the transfer is not in Rose's best interests. Which rule most directly governs Quincy's response?

- A. Rule 1.14, which addresses clients with diminished capacity and permits reasonably necessary protective action
- B. Rule 1.2, because client autonomy is paramount and Quincy must follow Rose's stated instructions
- C. Rule 1.7, because Quincy's substituted judgment about Rose's interests may create a conflict of loyalty
- D. Rule 1.16, because Quincy must withdraw if she fundamentally disagrees with the client's decision

15. Lawyer Sami sends targeted text messages to people recently injured in car accidents, identified from police reports she purchased. The messages identify her firm, offer free consultations, and contain "Advertising Material" labeling. Which rule most directly governs whether this is permissible?

- A. Rule 4.4, because Sami is contacting people for transactional gain without prior relationship
- B. Rule 7.1, because text messages may be inherently misleading about the nature of legal services
- C. Rule 7.3, which governs solicitation and now permits targeted written contact with required labeling
- D. Rule 8.4, because soliciting injury victims by purchasing police reports may involve misconduct

16. Lawyer Tara represents Big Bank in defending consumer-fraud claims. Big Bank's CEO asks Tara to also represent him personally in a separate dispute with a different bank. Tara has never handled the type of dispute the CEO needs. Which is the threshold analysis Tara must undertake?

- A. Rule 1.7 alone, because the concurrent conflict question precedes all other ethical concerns
- B. Rule 1.1 alone, because competence is the gatekeeper of every legal engagement undertaken
- C. Rule 1.8(a), because Tara's new representation of the CEO would be a business transaction
- D. Rule 1.7 AND Rule 1.1 together — Tara must independently analyze both the concurrent conflict and her competence

17. Lawyer Uma settles a personal injury case for Client Vera. The \$200,000 settlement check arrives, payable to Uma. Vera owes Uma's firm \$30,000 in legal fees and a third-party medical lien holder claims

\$15,000 from the settlement. The lien is disputed. Which rule most directly governs Uma's handling of the funds?

- A. Rule 1.16, because the underlying case is now concluded and termination obligations apply
- B. Rule 1.7, because the dispute over the medical lien creates a conflict requiring address
- C. Rule 1.15, which requires prompt distribution of undisputed amounts and holding of disputed amounts in trust
- D. Rule 5.4, because the medical lien holder is a non-lawyer claimant against the settlement funds

18. Lawyer Wendy is hired by Client Xander to handle his criminal defense. After investigation, Wendy concludes the prosecution's case is weak. She tells Xander she will not need to prepare a substantive defense because the case will likely be dismissed. The day before trial, the prosecution proceeds and Wendy is unprepared. Which rule most directly governs her failure?

- A. Rule 1.4, because she may not have adequately communicated her trial strategy assessment to Xander
- B. Rule 1.1, because lack of trial preparation is fundamentally a competence concern in criminal defense
- C. Rule 1.3, which requires reasonable diligence and promptness — failure to prepare for trial despite the case proceeding is a paradigm violation
- D. Rule 3.1, because she may have effectively brought a frivolous defense by failing to prepare alternatives

19. Lawyer Yara consults with Prospective Client Zach about a possible employment discrimination claim. Yara declines to take the case. One month later, the employer asks Yara to defend the same type of discrimination claim against another former employee. Which rule most directly governs whether Yara can take this representation?

- A. Rule 1.18, which addresses duties to prospective clients and prohibits subsequent adverse representation if significantly harmful information was received
- B. Rule 1.6, because the prior consultation involved confidential information that Yara learned from Zach
- C. Rule 1.7, because both parties are now potential adverse clients in the same general subject area
- D. Rule 1.9, because Zach is now a former client triggering substantial-relationship analysis

20. Lawyer Aaron represents Plaintiff. During discovery, opposing counsel inadvertently sends Aaron an email containing what appears to be privileged communication between opposing counsel and her client. The email is highly damaging to Plaintiff's case. Which rule most directly controls Aaron's next step?

- A. Rule 3.4, because the inadvertent transmission may relate to evidence and discovery conduct in the proceeding
- B. Rule 4.4(b), which requires the receiving lawyer to promptly notify the sender of an inadvertent transmission
- C. Rule 4.2, because the email involves communication with a represented party through inadvertent channels
- D. Rule 8.4, because using the inadvertently received email may involve dishonest conduct toward the sender

21. Lawyer Bea previously represented Cliff in setting up his real estate business. Cliff terminated the relationship five years ago. Bea now represents Drew in a contract dispute against Cliff arising from that business. Drew's claim involves the business structure Bea once set up. Which rule most directly governs?

- A. Rule 1.9(a), which prohibits adverse representation in the same or substantially related matter absent informed consent
- B. Rule 1.7, because Cliff and Drew are now functionally adverse parties to the same dispute Bea is handling
- C. Rule 1.6, because confidential information from Cliff's prior representation is implicated in the new matter
- D. Rule 8.4, because changing sides between a former client and a current adversary may be deceitful

22. Lawyer Eric represents an organization in a regulatory matter. During the investigation, Eric interviews several lower-level employees who are not separately represented. He tells them, "I'm the organization's lawyer, and these conversations are not necessarily privileged from the company." Which rule most directly controls?

- A. Rule 1.13(f), which requires a lawyer for an organization to clarify identity when interests may be adverse to constituents
- B. Rule 4.2, because the employees may be considered represented by the organization's counsel under the rule

C. Rule 4.3, because the employees are unrepresented and may be in conflict with Eric's organizational client

D. Rule 1.6, because privilege concerns are fundamentally a question of confidentiality protection

23. Lawyer Faye is a sole practitioner with declining mental acuity due to age-related cognitive impairment. She has begun missing deadlines on multiple cases. Her colleagues have raised concerns, but Faye dismisses them. Which rule most directly addresses Faye's situation?

A. Rule 1.16(b)(2), which permits permissive withdrawal when the lawyer cannot effectively continue the engagement

B. Rule 5.1, because supervisors are expected to monitor competence within firms and partnerships

C. Rule 8.3, because Faye's colleagues have an obligation to report her impaired conduct to authorities

D. Rule 1.16(a)(2), which requires mandatory withdrawal when the lawyer's physical or mental condition materially impairs representation

24. Lawyer Garth previously served as a judge on a state trial court. While on the bench, he presided over a divorce case between Han and Ida. Garth has now retired from the bench and entered private practice. Han approaches Garth to represent her in an unrelated business matter. Which rule most directly governs?

A. Rule 1.7, because Han is a potential current client whose interests must be evaluated for adversity

B. Rule 1.9, which governs former-client conflicts in private-practice successive representation generally

C. Rule 1.11, which addresses former government lawyers transitioning from public to private practice

D. Rule 1.12, which addresses former judges and other adjudicative officers in subsequent representation

25. Lawyer Jaden represents Client Karim in a contract dispute. Mid-representation, Karim asks Jaden to also draft a will for him. Jaden has not previously practiced in estate planning. Karim insists Jaden handle the will because of their established trust. Which rule most directly governs Jaden's primary obligation?

A. Rule 1.2(c), which permits the lawyer to limit the scope of representation if reasonable and the client gives informed consent

B. Rule 1.6, because the client trust that motivates Karim's request is fundamentally a confidentiality concept

- C. Rule 1.7, because handling two simultaneous matters for the same client creates a concurrent conflict
- D. Rule 1.16, because Jaden must withdraw from the contract matter to take on the estate planning work

26. Lawyer Linda is admitted in State A. She accepts a client in State B in a transactional matter that involves only State A law. She works exclusively from her State A office and never travels to State B. Which rule most directly governs whether her conduct is permissible?

- A. Rule 5.5(c)(4), which permits temporary practice arising out of or reasonably related to the lawyer's home-state practice
- B. Rule 1.1, because competence in the relevant subject matter is the threshold inquiry for any new engagement
- C. Rule 7.1, because Linda may be effectively advertising her services to clients in State B
- D. Rule 1.5, because the fee arrangement and reasonableness in a cross-state matter is the central concern

27. Lawyer Mira represents Plaintiff in a complex commercial trial. Two days before trial, her key witness becomes unexpectedly unavailable. Mira files an emergency motion making representations to the court about her diligent efforts to secure the witness when in fact her efforts have been minimal. Which rule most directly governs Mira's misrepresentation?

- A. Rule 1.1, because Mira's lack of preparation for witness contingencies is fundamentally a competence concern
- B. Rule 1.3, because diligence is the central concept implicated by Mira's failure to track the witness
- C. Rule 3.3(a)(1), which prohibits a lawyer from knowingly making a false statement of fact or law to a tribunal
- D. Rule 8.4(c), which addresses dishonesty in conduct generally but is broader than the tribunal-specific rule

28. Judge Nelson sits on a state court. She accepts a free dinner from a lawyer who frequently appears before her, valued at \$150 (including her spouse's portion). The lawyer's name appears on Judge Nelson's regular docket. Which rule most directly governs?

- A. Rule 4.1 of the Model Code, which addresses political activity by judges and judicial candidates

- B. Rule 3.5 of the Model Code, which addresses general extrajudicial activities affecting impartiality
- C. Rule 1.2 of the Model Code, which addresses promoting public confidence in the judiciary
- D. Rule 3.13 of the Model Code, which specifically addresses gifts to judges from parties and lawyers

29. Lawyer Otis joins Big Firm. While at his previous firm, Otis personally represented Quincy Corp in a major dispute. Big Firm currently represents Reed Inc. in a substantially related matter against Quincy. Big Firm wants to keep both Otis and the Reed matter. Which rule most directly governs Big Firm's options?

- A. Rule 1.10(a)(2), which permits the firm to continue with timely screening, no fee apportionment, and written notice
- B. Rule 1.7, because both clients are now adverse and require informed consent confirmed in writing
- C. Rule 1.9, because Quincy is now a former client of Otis personally for whom protections apply
- D. Rule 5.1, because the firm must supervise the screening procedures within the engagement

30. Lawyer Paul represents Client Quinn in litigation. Quinn instructs Paul to file a motion that Paul believes is legally frivolous and lacks any good-faith basis under existing law or a non-frivolous extension. Which rule most directly governs Paul's response?

- A. Rule 1.2(a), because the client decides the objectives and the lawyer must abide by those choices
- B. Rule 1.4, because Paul must communicate his legal analysis to Quinn about the proposed motion
- C. Rule 1.16, because Paul may withdraw rather than comply with the client's frivolous instruction
- D. Rule 3.1, which prohibits asserting an issue without a basis in law and fact that is not frivolous

31. Lawyer Quentin's firm operates a website with practice-area pages. A potential client, Rita, contacts Quentin after seeing the site, which states "expert representation in family law." Quentin has handled some family law cases but is not board-certified. Quentin agrees to represent Rita in a contested custody matter. Which rule most directly governs the website language?

- A. Rule 1.1, because the question is whether Quentin has the competence to handle Rita's particular custody matter
- B. Rule 7.3, because Rita responded to a solicitation that resulted in her becoming a client of the firm

C. Rule 7.1, which prohibits false or misleading communications and is implicated by the "expert" claim without verifiable basis

D. Rule 8.4(c), which addresses dishonesty generally but is broader than the specific advertising context

32. Lawyer Robin serves as outside counsel for ABC Corporation. The CEO asks Robin to attend a private meeting where ABC's executives will discuss restructuring options that could affect employees adversely. The CEO instructs Robin to advise each executive individually during the discussion. Which rule most directly controls?

A. Rule 1.7, because Robin would effectively be representing multiple individual clients at the same meeting

B. Rule 1.6, because the restructuring meeting involves confidential information needing protection

C. Rule 4.3, because some of the executives at the meeting may be functionally unrepresented persons

D. Rule 1.13, which provides that the organizational lawyer represents the entity, with separate constituent representation governed by 1.13(g)

33. Lawyer Sasha takes on a federal antitrust matter beyond her experience. She does not associate with experienced antitrust counsel, does not undertake significant study, and the matter goes poorly for her client. The client sues for malpractice and Sasha argues her conduct met the standard because she "tried her best." Which rule most directly addresses her threshold ethical obligation?

A. Rule 1.3, because diligence in pursuing the client's case is the central concept implicated here

B. Rule 1.1, which requires legal knowledge, skill, thoroughness, and preparation reasonably necessary for the matter

C. Rule 1.5, because the fee charged by Sasha for incompetent work may have been unreasonable in amount

D. Rule 8.4, because rendering incompetent representation while accepting payment may itself be dishonest conduct

34. Lawyer Theo represents Client Una in litigation. Theo writes a memo about Una's case to share with his paralegal. The memo discusses confidential strategy. The paralegal accidentally emails the memo to opposing counsel. Which rule most directly governs Theo's primary responsibility?

- A. Rule 5.3, which addresses a lawyer's responsibility for the conduct of nonlawyer assistants in the firm
- B. Rule 1.6(c), which requires lawyers to make reasonable efforts to prevent inadvertent or unauthorized disclosure
- C. Rule 4.4, because the disclosure affects opposing counsel and triggers the inadvertent-transmission framework
- D. Rule 8.4, because the unauthorized disclosure of confidential information may have been dishonest conduct

35. Lawyer Tessa represents Client Una in a contract dispute. Una refuses to accept Tessa's recommendation to settle but also refuses to communicate with Tessa for weeks. Tessa needs to make a critical decision about whether to file a motion. Which rule most directly governs Tessa's primary obligation in this moment?

- A. Rule 3.1, because the substantive merits of the contemplated motion are the central issue Tessa must evaluate
- B. Rule 1.2(a), because client autonomy in setting representational objectives is the paramount concern here
- C. Rule 1.16(b), which permits permissive withdrawal when the client persistently fails to engage with counsel
- D. Rule 1.4, which requires the lawyer to consult about means and respond to reasonable requests for information

36. Lawyer Vance, admitted in State A, is hired by a corporation to serve as in-house counsel at its headquarters in State B. Vance never appears in State B courts and works exclusively for this single corporate employer. He does not seek State B admission. Which rule most directly governs his authority to practice in this capacity?

- A. Rule 1.1, because the threshold question is whether Vance is competent to handle his employer's matters
- B. Rule 5.4, which prohibits sharing legal fees with nonlawyer employees of the corporate employer
- C. Rule 5.7, which addresses law-related services delivered by lawyers in non-traditional contexts
- D. Rule 5.5(d), which provides a specific safe harbor for in-house counsel admitted in another jurisdiction

37. Lawyer Wendy represents both spouses in a planned amicable divorce. As negotiations proceed, one spouse confidentially reveals to Wendy that he has hidden assets from his spouse and from the disclosure required by court. Which rule most directly controls Wendy's response?

- A. Rule 1.6, which requires confidentiality of all information learned during representation of a client
- B. Rule 1.7, which governs the concurrent conflict now revealed by the hidden-asset disclosure
- C. Rule 3.3, because Wendy must be candid with the court about asset disclosures in the matter
- D. Rule 8.4, because the husband's deception may itself constitute dishonest conduct prejudicial to the matter

38. Lawyer Yves represents Client Zara in a defamation suit. After two years, Zara terminates Yves and hires new counsel. Yves's bill is \$80,000. Zara refuses to pay, claiming Yves's work was substandard. Yves wants to retain Zara's case file as security for the unpaid fee. Which rule most directly governs whether Yves may withhold the file?

- A. Rule 1.5, which addresses the reasonableness of legal fees in the underlying engagement agreement
- B. Rule 1.15, which addresses the safekeeping of client property generally during representation
- C. Rule 1.7, because the dispute over fees creates a conflict between Yves and his former client Zara
- D. Rule 1.16(d), which requires reasonable steps to protect the client's interests upon termination, including file return

39. Lawyer Bart's trust account is subject to a routine bar audit. The auditor asks to see deposit and disbursement records for all clients. Bart hesitates because the records reveal client identities and amounts of advance fees. Which rule most directly governs the audit obligation?

- A. Rule 1.6, because client identities and fee amounts may constitute information relating to the representation
- B. Rule 5.4, because the audit involves financial accounting matters in the lawyer's practice operations
- C. Rule 1.15(a), which requires complete records of trust account funds, with audits operating under a recognized framework
- D. Rule 8.1, which addresses cooperation with bar disciplinary and admissions authorities generally

40. Lawyer Cindy works at a firm. The senior partner asks Cindy to represent a client whose interests are materially adverse to a former client of Cindy's from her old firm in a substantially related matter. The partner says, "We need this billable. Just do it." Which rule most directly governs Cindy's response?

- A. Rule 5.2, which provides that a subordinate lawyer is bound by the Rules notwithstanding direction by another person
- B. Rule 1.7, because the partner is treating the conflict casually and Cindy must analyze the concurrent issue
- C. Rule 5.1, because partners must supervise associates and ensure they comply with the Rules of Professional Conduct
- D. Rule 8.4, because the senior partner's instruction may itself involve assistance in misconduct violating the Rules

41. Lawyer Dora handles personal injury cases. Her practice has grown rapidly and she has begun using AI tools to draft demand letters. The AI software stores client information on third-party cloud servers. Dora uses the tools without investigating the security or terms of service. Which rule most directly governs Dora's primary obligation?

- A. Rule 5.3, because AI software functions analogously to a nonlawyer assistant requiring oversight
- B. Rule 1.6, because the confidentiality of client information stored on third-party servers is implicated
- C. Rule 1.1, including Comment 8 on the duty to keep abreast of changes in technology relevant to practice
- D. Rule 1.4, because the client should be informed of the lawyer's use of AI tools during the representation

42. Lawyer Ezra represents Client Felicity. Felicity tells Ezra that she has cheated on her taxes for years. Felicity will not stop. The fraud is ongoing, but Ezra's services have not been used in connection with the tax fraud. Which rule most directly governs whether Ezra may disclose to the IRS?

- A. Rule 1.6(b)(1), which addresses disclosure to prevent reasonably certain death or substantial bodily harm
- B. Rule 1.6(b)(2) and (3), which require client use of the lawyer's services in furtherance of crime or fraud
- C. Rule 1.13, because the IRS is a governmental entity to which special disclosure rules sometimes apply
- D. Rule 8.4(c), because tax fraud is inherently dishonest conduct in which the lawyer cannot assist

43. Prosecutor Gary, an ADA, is about to charge a defendant with armed robbery. Gary has evidence that the victim's identification of the defendant was based on a suggestive lineup procedure that may have tainted the identification. The DA's office considers the identification sufficient. Which rule most directly governs Gary's primary obligation?

- A. Rule 3.1, which addresses bringing frivolous claims and proceedings generally in civil and criminal contexts
- B. Rule 3.8(a), which prohibits a prosecutor from prosecuting a charge known to be unsupported by probable cause
- C. Rule 4.4, because the defendant's rights are at issue and the prosecutor has duties to non-clients
- D. Rule 8.4, because suppressing or ignoring the lineup procedure flaws may involve dishonest conduct

44. Judge Hattie is presiding over a complex commercial case. Her brother is a senior partner at one of the firms appearing before her, though her brother is not personally involved in the litigation. Hattie has socialized with her brother twice in the past month. Which rule most directly governs whether disqualification is required?

- A. Rule 2.11(A) of the Model Code, which requires disqualification when the judge's impartiality might reasonably be questioned
- B. Rule 2.10 of the Model Code, which addresses judicial speech and commentary about pending cases generally
- C. Rule 3.7 of the Model Code, which addresses participation in extrajudicial activities by sitting judges
- D. Rule 1.7 of the Model Rules, because the brother's firm has a potential conflict in appearing before Hattie

45. Lawyer Iris represents Plaintiff. Opposing counsel sends Iris a discovery response that omits a key document. Iris later learns through her own client that the omitted document exists and is highly damaging to Plaintiff's case. The omission was inadvertent on opposing counsel's side. Which rule most directly addresses Iris's obligation regarding her own client's documents?

- A. Rule 3.3, which governs candor to the tribunal in proceedings before a court or arbitrator
- B. Rule 3.4, which prohibits altering, destroying, or concealing material of potential evidentiary value
- C. Rule 4.1, which prohibits false statements to third parties during representation of a client

D. Rule 1.6, which protects client confidences from disclosure absent an applicable exception

46. Lawyer Jeff represents Client Kira in a personal injury case on a 33% contingent fee. Kira tells Jeff she wants to settle for \$50,000. Jeff believes the case is worth \$200,000+. Jeff refuses to communicate Kira's settlement authorization to opposing counsel. Which rule most directly addresses Jeff's failure?

A. Rule 1.5, because the contingent fee structure is what creates Jeff's adverse financial interest in this settlement

B. Rule 1.2(a), which reserves to the client the decision whether to settle in a civil matter

C. Rule 1.7, because Jeff's financial interest in a larger fee creates a personal conflict requiring address

D. Rule 1.4, which addresses lawyer-client communication about decisions and the status of the matter

47. Lawyer Lara purchases lead-generation services from a company that obtains potential clients' contact information and forwards "qualified leads" to her. The company charges Lara a per-lead fee plus a percentage of any fees generated from converted leads. Which rule most directly governs the propriety of this arrangement?

A. Rule 7.3, because the underlying lead-generation activity involves solicitation of prospective clients

B. Rule 7.1, because the leads obtained through the service may themselves involve misleading information

C. Rule 7.2(b), which restricts giving anything of value for a recommendation, including percentage arrangements

D. Rule 5.4, because the lead generator is a nonlawyer involved in the lawyer's practice and revenue

48. Lawyer Mateo is investigated by the state bar. He receives a formal request for information related to the investigation. Mateo refuses to respond, asserting his Fifth Amendment privilege. Which rule most directly governs Mateo's obligation?

A. Rule 1.6, because attorney-client privilege may apply to some of the information requested

B. Rule 8.1(b), which prohibits failing to respond to a lawful disciplinary demand but preserves Fifth Amendment rights

C. Rule 8.4(d), which addresses conduct prejudicial to the administration of justice in disciplinary proceedings

D. Rule 8.3, which addresses the reporting of other lawyers' professional misconduct to bar authorities

49. Lawyer Naomi receives a check from a client. The check bounces a week after Naomi deposits it in her trust account but after she has already paid out funds from the account on related expenses. The trust account is briefly negative. Which rule most directly governs Naomi's primary obligation?

A. Rule 1.15(a) and (b), which require holding client property separately and not commingling personal funds

B. Rule 8.4(b), which addresses criminal conduct reflecting adversely on the lawyer's fitness as a lawyer

C. Rule 5.3, because Naomi may have failed to supervise her staff handling the bounced check transaction

D. Rule 1.8, which addresses lawyer-client business transactions and the lawyer's financial dealings with clients

50. Lawyer Owen accepts a complex federal patent case. He works diligently but his client communications are sporadic — sometimes weekly, sometimes only after a month of silence. Owen meets all court deadlines and produces high-quality work. The client complains to the bar that Owen is "unprofessional." Which rule most directly addresses any violation?

A. Rule 1.3, which requires reasonable diligence and promptness in the representation of every client

B. Rule 1.4, which requires reasonably prompt communication about the matter and prompt response to requests

C. Rule 1.1, because the competence inquiry encompasses the overall conduct of the representation generally

D. Rule 1.5, because client dissatisfaction with the lawyer's responsiveness often implicates fee reasonableness

51. Lawyer Petra is asked to serve on the local bar's grievance committee screening disciplinary complaints. She is also asked to take on additional pro bono cases for indigent clients. She has limited time available. Which rule most directly addresses both of these opportunities?

A. Rule 5.1, because grievance committee work involves supervisory duties over other lawyers' conduct

- B. Rule 6.1, which expresses the aspirational professional responsibility to provide public-interest legal services
- C. Rule 7.1, because grievance committee participation may involve communications about the lawyer's services
- D. Rule 8.4, because public service is a mandatory obligation under the Rules of Professional Conduct

52. Lawyer Quentin previously served as general counsel for ABC Corporation from 2018-2023. While there, he personally drafted ABC's standard non-disclosure agreement template. Quentin is now in private practice. Former ABC employee Riya asks Quentin to help her challenge the NDA she signed at ABC, which uses the same template Quentin drafted. Which rule most directly governs?

- A. Rule 1.7, because Quentin still has loyalties to ABC as a recent and significant former employer-client
- B. Rule 1.10, because of the firm-wide imputation of conflicts that may apply to Quentin's new firm
- C. Rule 1.9(a), which prohibits adverse representation in the same or substantially related matter without consent
- D. Rule 1.11, because Quentin was a government lawyer for purposes of the prior-employment analysis

53. Lawyer Selene represents Plaintiff. She wants to interview Defendant's witness, an unrepresented former employee named Tyrone. During the interview, Tyrone offers to share what he believes is privileged information from his time at Defendant. Which rule most directly governs Selene's response?

- A. Rule 4.2, because Tyrone may still be considered represented by Defendant's organizational counsel
- B. Rule 1.6, because Tyrone's information may be privileged and protection applies broadly to confidences
- C. Rule 4.4(a), which prohibits methods of obtaining evidence that violate the legal rights of a third person
- D. Rule 8.4, because eliciting privileged information from a former employee may involve dishonest conduct

54. Judge Una, sitting on a state appellate court, accepts an invitation to speak at a CLE seminar on appellate practice. The provider offers her a \$5,000 honorarium. The audience consists primarily of lawyers who may appear before Una's court. Which rule most directly governs?

- A. Rule 1.2 of the Model Code, which addresses promoting public confidence in the judiciary as an institution
- B. Rule 2.10 of the Model Code, which addresses judicial speech about pending or impending matters generally
- C. Rule 3.7 of the Model Code, which permits teaching, lecturing, and writing subject to certain enumerated limits
- D. Rule 3.12 of the Model Code, which addresses compensation for permitted extrajudicial activities, with disclosure under 3.15

55. Lawyer Vince represents Client Wanda in litigation. Wanda is impatient and demands daily updates. Vince responds politely but starts cutting corners on his preparation to make time for the constant communications. Two weeks before trial, Vince realizes he is unprepared and cannot finish the work. Which rule most directly addresses Vince's primary failure?

- A. Rule 1.4, because the constant client communication is what triggered Vince's preparation difficulties
- B. Rule 1.16, because Vince may now need to withdraw given his inability to complete trial preparation
- C. Rule 1.1, which requires legal knowledge, skill, thoroughness, and preparation reasonably necessary for the matter
- D. Rule 1.3, because reasonable diligence in pursuing the case is the central concept implicated by missed preparation

56. Lawyer Wally hires a new associate, Xena. To bring her up to speed on a complex matter, Wally shares the case file with Xena and discusses confidential client information with her. Xena is bound by the firm's policies. Which rule most directly governs Wally's primary obligation regarding the sharing?

- A. Rule 5.1, because Xena is a subordinate lawyer who must be supervised by the senior firm members
- B. Rule 1.6, which prohibits any disclosure of confidential client information without express informed consent
- C. Rule 1.6(a) and its comments, which implicitly authorize disclosure to other firm lawyers to advance the matter
- D. Rule 5.3, because Xena's role in handling client information makes her analogous to a nonlawyer assistant

57. Lawyer Yolanda operates a firm Facebook page that engages with members of the public on legal topics. A potential client, Aaron, posts a question about his recent car accident. Yolanda responds publicly with general personal injury information, stating that "most cases settle for at least \$50,000." Which rule most directly governs the propriety of this communication?

A. Rule 7.3, because Aaron is essentially being solicited through Yolanda's public response on the firm page

B. Rule 7.1, which prohibits false or misleading communications about the lawyer's services and results

C. Rule 1.18, because Aaron may be a prospective client whose information should be protected from public exposure

D. Rule 1.6, because public communication on the firm page may inadvertently disclose confidential firm matters

58. Lawyer Zach represents Plaintiff at trial. Opposing counsel calls Zach as a witness on a peripheral fact unrelated to the trial outcome. Zach realizes his testimony may be needed. Which rule most directly governs Zach's obligation?

A. Rule 1.7, because dual roles as advocate and witness create a fundamental personal-interest conflict

B. Rule 1.9, because Zach's prior involvement with the case creates former-client considerations for testimony

C. Rule 3.7, which prohibits a lawyer from acting as advocate at a trial in which he is likely to be a necessary witness

D. Rule 1.6, because Zach's testimony may inadvertently disclose confidential client information at trial

59. Lawyer Abby represents an insurance company. She's negotiating with unrepresented claimant Brett. Brett mentions during negotiation that he hasn't decided whether to get a lawyer. Abby tells Brett, "You don't need a lawyer — this is a simple matter. I can explain the process and we can settle directly." Which rule most directly governs Abby's statement?

A. Rule 4.2, because Brett's uncertainty about retaining counsel may make him functionally represented

B. Rule 4.4, because Abby's statement may embarrass or burden Brett in his decision-making about representation

C. Rule 1.13, because Abby represents an organization, and her dealings with non-clients are governed accordingly

D. Rule 4.3, which addresses unrepresented persons and limits the legal advice the lawyer may give beyond seeking counsel

60. Lawyer Bryn publicly criticizes a recent appellate decision in a newspaper op-ed. She states that the court was "manipulated by political pressure" and that the judges acted in "bad faith." Bryn has no factual basis for these claims. Which rule most directly governs Bryn's statements?

A. Rule 3.6, which addresses trial publicity and limits extrajudicial statements about pending matters before tribunals

B. Rule 7.1, which addresses misleading lawyer communications about the lawyer's services and representations

C. Rule 4.1, which prohibits false statements of material fact or law to third parties in the course of representation

D. Rule 8.2(a), which prohibits false or reckless statements concerning the qualifications or integrity of judges

Practice Exam 15: Full Answer Key & Explanations

1. D — Rule 1.9 governs successive representation against a former client in the same or substantially related matter. Andrea's representation of X ended three years ago and Y's matter is substantially related, making Rule 1.9 — not Rule 1.6 or 1.7 — the controlling doctrine, with material adversity and substantial relationship as the analytical framework.

2. A — Rule 1.4 directs the communication duty to the client herself, not to family-member intermediaries with potentially adverse interests. Bruno's failure to ensure Carmen understood the matter through a qualified interpreter is a Rule 1.4 violation regardless of whether his underlying competence or supervision was otherwise adequate.

3. C — Rule 3.3(a)(3) requires the lawyer who has offered material evidence and comes to know of its falsity to take reasonable remedial measures, including disclosure to the tribunal if necessary. Rule 3.3(c) expressly overrides Rule 1.6 confidentiality in this tribunal context, making Rule 3.3 the most direct controlling authority over Rule 1.6.

4. B — Rule 1.8(f) prohibits accepting compensation for representing a client from a third party without the client's informed consent, no interference with independent professional judgment, and protection of

confidential information. Spouse 2's offer is a textbook third-party payment scenario that 1.8(f) was specifically designed to address.

5. A — Rule 5.5(a) is the foundational unauthorized-practice rule and controls during disciplinary suspension. The threshold question — whether casual personal advice during suspension constitutes the "practice of law" in the jurisdiction's regulation — is directly governed by Rule 5.5(a) rather than the broader Rule 8.4 misconduct framework.

6. B — Rule 1.6(b)(1) is the future-harm exception permitting disclosure necessary to prevent reasonably certain death or substantial bodily harm. Gabriel's credible information about an imminent violent crime against the prosecutor squarely fits within this permissive disclosure provision, making Rule 1.6 — not Rule 3.3 or 8.3 — the most direct authority.

7. C — Rule 1.12 is the rule specifically governing former arbitrators, mediators, and other third-party neutrals, restricting subsequent representation in matters previously handled in that role. Hannah's prior arbitration of the Buyer-Seller dispute is directly governed by Rule 1.12, which displaces the more general Rule 1.9 framework for adjudicative roles.

8. A — Rule 3.4(e) restricts trial conduct including improper allusion to matters outside the evidence, but does not prohibit legitimate cross-examination on credibility within evidentiary rules. Ines's cross-examination of Klein on fraud allegations affecting his credibility is permissible advocacy under Rule 3.4(e) and applicable evidence rules.

9. D — Rule 1.16(d) requires the lawyer upon termination to take reasonable steps to protect the client's interests, including refunding any advance payment of fee or expense that has not been earned. The "earned upon receipt" label does not override the substantive refund obligation when work remains unperformed.

10. B — Rule 1.1 Comment 2 expressly permits a lawyer to acquire competence through "necessary study," and Marco's 200-hour self-study plan is the type of study Comment 2 contemplates. The bar complaint focuses on Marco's threshold competence to undertake the matter, which Rule 1.1 directly governs.

11. A — Rule 5.4(c) prohibits a lawyer from permitting a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment. The non-profit board's pre-clearance process with non-lawyer members regulating case acceptance implicates Rule 5.4(c)'s core concern about non-lawyer interference.

12. A — Rule 1.11(a) restricts former government lawyers only from matters in which they personally and substantially participated as public officers, and the rule is matter-specific. DEF Corp's administrative matter is unrelated to Oren's prior involvement with ABC Corp litigation, so Rule 1.11(a) directly permits Oren to proceed.

13. D — Rule 4.3 governs a lawyer's dealings with unrepresented persons: the lawyer cannot state or imply disinterestedness, must correct misunderstandings about the lawyer's role, and may give no legal

advice other than to seek counsel. Petra's interaction with Yves is squarely within Rule 4.3's framework, not Rule 4.2's no-contact rule.

14. A — Rule 1.14 specifically addresses clients with diminished capacity and permits the lawyer to take reasonably necessary protective action when the lawyer reasonably believes the client cannot adequately act in her own interest. Rose's apparent dementia and seemingly improvident decision trigger Rule 1.14's framework, not Rule 1.2's autonomy presumption.

15. C — Rule 7.3, as amended in 2018, permits targeted written or electronic solicitation of prospective clients including text messages, when the communication is not false or misleading, does not involve coercion, duress, or harassment, and includes required "Advertising Material" labeling. Sami's targeted texts comply with this framework.

16. D — Both Rule 1.7 and Rule 1.1 must be analyzed independently before Tara can accept the CEO's matter. Rule 1.7 governs whether the concurrent representation creates a conflict with Big Bank, and Rule 1.1 governs whether Tara is competent to handle the new type of dispute. Neither analysis can substitute for the other.

17. C — Rule 1.15(d) requires prompt distribution of property the client is entitled to receive, and Rule 1.15(e) requires holding disputed amounts in trust until the dispute is resolved. Uma must release undisputed amounts to Vera and her firm while keeping the disputed medical-lien portion segregated until the lien claim is resolved.

18. C — Rule 1.3 requires reasonable diligence and promptness, and a lawyer's failure to prepare for trial — based on a confident prediction of dismissal — is a paradigmatic diligence violation regardless of whether the prediction was reasonable. The prosecution's continuation merely exposed the failure that occurred earlier when Wendy ceased substantive preparation.

19. A — Rule 1.18 specifically governs duties owed to prospective clients and prohibits subsequent adverse representation in the same or substantially related matter only if the lawyer received information that could be "significantly harmful" to the prospective client. Rule 1.18 — not Rule 1.6 or 1.9 — is the direct authority for consultation-based limitations.

20. B — Rule 4.4(b) directly governs inadvertent transmission and requires the lawyer who knows or reasonably should know that a document was inadvertently sent to promptly notify the sender. Aaron's recognition of inadvertence triggers the notification duty under Rule 4.4(b) without regard to the Rule 3.4 or 4.2 frameworks.

21. A — Rule 1.9(a) prohibits the lawyer from representing a client whose interests are materially adverse to a former client in the same or a substantially related matter, absent informed consent confirmed in writing. The contract dispute against Cliff arising from the business structure Bea once set up is substantially related to her prior work for him.

22. A — Rule 1.13(f) requires a lawyer for an organization to explain the identity of the client when the lawyer knows or reasonably should know that the organization's interests are or may be adverse to those

of the constituents with whom the lawyer is dealing. Eric's clarifying statement is the prototypical "Upjohn warning" that Rule 1.13(f) governs.

23. D — Rule 1.16(a)(2) requires mandatory — not permissive — withdrawal when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client. Faye's age-related cognitive impairment and missed deadlines satisfy the material-impairment threshold, triggering the mandatory withdrawal duty under Rule 1.16(a)(2).

24. D — Rule 1.12 specifically addresses former judges, arbitrators, mediators, and other third-party neutrals. Garth's prior judicial role triggers Rule 1.12's restrictions on subsequent representation in matters in which he participated personally and substantially as a judge, displacing the more general Rule 1.9 framework.

25. A — Rule 1.2(c) permits the lawyer to limit the scope of representation if the limitation is reasonable under the circumstances and the client gives informed consent. Jaden may decline the will work as outside the scope of his contract dispute engagement, with proper communication and consent to the limitation under Rule 1.2(c).

26. A — Rule 5.5(c)(4) permits a lawyer admitted in one U.S. jurisdiction to provide services on a temporary basis in another jurisdiction when the services arise out of or are reasonably related to the lawyer's practice in the home jurisdiction. Linda's State B client matter involving only State A law fits within Rule 5.5(c)(4)'s safe harbor.

27. C — Rule 3.3(a)(1) prohibits a lawyer from knowingly making a false statement of fact or law to a tribunal. Mira's misrepresentation in the emergency motion about her witness-securing efforts directly violates Rule 3.3(a)(1), which controls over the more general dishonesty provisions in Rule 8.4(c) for tribunal-directed conduct.

28. D — Rule 3.13 of the Model Code of Judicial Conduct specifically governs acceptance of gifts and other things of value by judges. It restricts acceptance from parties or lawyers likely to come before the judge, making Rule 3.13 the most direct rule for the dinner-from-frequent-litigator scenario rather than the broader Canon 1 framework.

29. A — Rule 1.10(a)(2) permits the firm to continue the substantially related matter if the personally disqualified lawyer is timely screened from any participation, apportioned no part of the fee, written notice is given to the affected former client, and compliance certifications are provided as required. This screening cure addresses migratory-lawyer conflicts.

30. D — Rule 3.1 directly prohibits a lawyer from bringing or defending a proceeding, or asserting or controverting an issue therein, unless there is a basis in law and fact for doing so that is not frivolous. Paul's analysis of Quinn's frivolous-motion request runs through Rule 3.1's substantive limit, not the client-decision rules of Rule 1.2(a).

31. C — Rule 7.1 prohibits false or misleading communications about the lawyer or the lawyer's services, including unverifiable claims of "expert" status. Without specialist certification, Quentin's website use of

"expert representation" creates a misleading impression of a verifiable expertise level, implicating Rule 7.1 directly.

32. D — Rule 1.13 establishes that the lawyer employed by an organization represents the organization acting through its duly authorized constituents, and Rule 1.13(g) addresses the lawyer's ability to also represent individual constituents. Robin's primary obligation is to recognize ABC as the client, not the individual executives the CEO directs her to advise.

33. B — Rule 1.1 requires legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation, and the standard is objective rather than effort-based. Sasha's "tried her best" defense is irrelevant under Rule 1.1 because best efforts without competence is itself the violation regardless of subjective intent.

34. B — Rule 1.6(c) requires a lawyer to make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client. Theo's primary responsibility runs to this safeguarding duty under Rule 1.6(c), of which supervision of nonlawyers under Rule 5.3 is a subset.

35. D — Rule 1.4 requires the lawyer to keep the client reasonably informed, consult about the means by which the client's objectives are to be accomplished, and promptly respond to reasonable requests for information. Tessa must address the communication breakdown with Una before proceeding with a significant case decision like filing the motion.

36. D — Rule 5.5(d) provides a specific safe harbor permitting a lawyer admitted in another U.S. jurisdiction to provide legal services on a non-temporary basis when the lawyer is in-house counsel for an entity employer and the services are provided to that single employer. Vance's situation fits Rule 5.5(d) precisely without need for local admission.

37. B — Rule 1.7 governs the concurrent conflict that arises when one spouse's hidden-asset disclosure makes the joint representation untenable. The conflict — not the underlying confidentiality of the disclosure — is what compels Wendy's action, typically through withdrawal because the joint representation can no longer competently proceed.

38. D — Rule 1.16(d) requires the lawyer upon termination to take steps reasonably practicable to protect the client's interests, including surrendering papers and property to which the client is entitled. Most jurisdictions disallow retaining liens that would materially prejudice the client's matter, making Rule 1.16(d) the controlling authority.

39. C — Rule 1.15(a) requires lawyers to keep complete records of trust account funds and other property and to preserve those records for the period required by the jurisdiction's rules. Bar audits operate under recognized exceptions to confidentiality concerns, with the audit framework integrated into the rule's structure for trust-account oversight.

40. A — Rule 5.2 provides that a subordinate lawyer is bound by the Rules of Professional Conduct notwithstanding that the lawyer acted at the direction of another person. Cindy cannot evade Rule 1.9

analysis by following her partner's instruction; she must independently comply with the conflict rules regardless of internal firm pressure.

41. C — Rule 1.1 Comment 8 — added in the 2012 amendments — requires lawyers to keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology. Dora's failure to evaluate the AI tool's security and terms of service is a technology-competence violation under this framework.

42. B — Rule 1.6(b)(2) and (3) condition disclosure permission on the client having "used or is using the lawyer's services" in furtherance of the crime or fraud. Ezra's services were not used in connection with Felicity's tax fraud, so neither subsection authorizes the disclosure he is contemplating, even though the fraud is ongoing.

43. B — Rule 3.8(a) prohibits a prosecutor from prosecuting a charge that the prosecutor knows is not supported by probable cause. Gary's central question is whether the lineup-tainted identification still supports probable cause, which is the precise inquiry Rule 3.8(a) was designed to police in the charging decision.

44. A — Rule 2.11(A) of the Model Code requires disqualification when the judge's impartiality might reasonably be questioned. Hattie's brother's senior partnership at an appearing firm — together with the recent social contact — requires careful analysis under Rule 2.11(A), with attention to the firm's financial structure as relevant context.

45. B — Rule 3.4 prohibits a lawyer from unlawfully altering, destroying, or concealing material having potential evidentiary value, and from falsifying evidence or counseling assistance in such conduct. Iris's discovery obligations regarding her own client's responsive documents are governed by Rule 3.4 and the applicable procedural rules.

46. B — Rule 1.2(a) reserves to the client the decision whether to settle a civil matter. Jeff cannot substitute his judgment for Kira's by refusing to communicate her settlement authorization to opposing counsel, regardless of his belief about the case's value. The settlement decision belongs to the client under Rule 1.2(a).

47. C — Rule 7.2(b) provides that a lawyer may pay the reasonable costs of advertisements but generally restricts giving anything of value for a recommendation. Percentage-of-fees arrangements with lead generators typically run afoul of Rule 7.2's restrictions on payment for recommendations, making Rule 7.2(b) the most direct authority.

48. B — Rule 8.1(b) prohibits a lawyer from knowingly failing to respond to a lawful demand for information from a disciplinary authority, with an express carve-out preserving the lawyer's Fifth Amendment privilege against self-incrimination. Mateo's assertion of the privilege is recognized within the rule's structure rather than being a free-standing defense.

49. A — Rule 1.15(a) requires lawyers to hold client funds in a separate trust account, and Rule 1.15(b) limits depositing the lawyer's own funds to amounts necessary to pay bank charges. A briefly negative

trust account caused by a bounced check raises questions about whether Naomi held sufficient funds before disbursing.

50. B — Rule 1.4 requires reasonably prompt communication about the status of the matter, prompt response to reasonable requests for information, and sufficient explanation to allow the client to make informed decisions. Owen's high-quality work and met deadlines do not excuse the communication failure, which is governed by Rule 1.4 independent of competence or diligence.

51. B — Rule 6.1 expresses the legal profession's aspirational pro bono responsibility, which expressly includes participation in activities of the legal profession that serve the public. Both grievance committee work and pro bono cases for indigent clients fall within Rule 6.1's framework as aspirational guidance for fulfilling public-service obligations.

52. C — Rule 1.9(a) prohibits a lawyer from representing a client whose interests are materially adverse to a former client in the same or a substantially related matter, absent informed consent confirmed in writing. Quentin's drafting of the very NDA template that Riya seeks to challenge establishes the substantial relationship between the matters.

53. C — Rule 4.4(a) prohibits a lawyer from using means that have no substantial purpose other than to embarrass, delay, or burden a third person, or methods of obtaining evidence that violate the legal rights of such a person. Eliciting privileged information belonging to the represented organization violates the organization's legal rights to the privilege.

54. D — Rule 3.12 of the Model Code addresses compensation for permitted extrajudicial activities, requiring that compensation be reasonable and not such that it would appear to undermine the judge's independence or impartiality. Rule 3.15 separately requires public disclosure of such compensation, completing the framework for evaluating Una's \$5,000 honorarium.

55. C — Rule 1.1 requires legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation. Vince's preparation gap two weeks before trial is a competence failure regardless of how it arose from client communications, because adequate preparation is a non-negotiable element of competent representation independent of workload pressures.

56. C — Rule 1.6(a) authorizes disclosures impliedly authorized to carry out the representation, and Comment 5 specifically addresses sharing within a firm to advance the client's matter. Wally's sharing of confidential information with Xena to bring her up to speed on the matter is implicitly authorized, with Xena bound by Rule 1.6 herself as a firm lawyer.

57. B — Rule 7.1 prohibits a lawyer from making a false or misleading communication about the lawyer or the lawyer's services. Yolanda's "most cases settle for at least \$50,000" statement on the public Facebook page is a paradigmatic Rule 7.1 violation because it implies typical results to prospective clients without an accurate factual basis.

58. C — Rule 3.7 prohibits a lawyer from acting as advocate at a trial in which the lawyer is likely to be a necessary witness, with exceptions for uncontested issues, the nature and value of legal services, or

where disqualification would work substantial hardship. Zach's potential witness role triggers Rule 3.7's analysis directly rather than Rule 1.7's conflict framework.

59. D — Rule 4.3 addresses dealings with unrepresented persons: when the lawyer knows or reasonably should know that the unrepresented person misunderstands the lawyer's role, the lawyer must correct the misunderstanding and must not give legal advice other than to secure counsel. Abby's "you don't need a lawyer" statement violates Rule 4.3 directly.

60. D — Rule 8.2(a) prohibits a lawyer from making a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer, or judicial candidate. Bryn's baseless "political manipulation" and "bad faith" claims fall squarely within Rule 8.2(a)'s prohibition.