

PRACTICE EXAM 32: MPRE SIMULATION

Time Allotted: 2 hours

Format: Rule Identification / Governing Authority. Each question presents a scenario and asks which Model Rule (or Model Code provision) provides the governing framework for analyzing the conduct. The candidate selects the most directly applicable rule. Other options may reference rules that touch the scenario tangentially, govern related but distinguishable conduct, or appear superficially relevant but are not the operative doctrinal source.

1. Lawyer represents two co-defendants in a criminal trial. Their interests are clearly adverse because each is likely to blame the other for the offense. Lawyer obtained no informed consent. Which Model Rule provides the governing framework for analyzing this conduct?

- A. Rule 1.9 — former-client conflicts, prohibiting adverse representation in the same or substantially related matter
- B. Rule 1.7 — current-client concurrent conflicts, including the consentability analysis and informed-consent-confirmed-in-writing requirements
- C. Rule 1.10 — imputation of one lawyer's conflict to all lawyers in the firm
- D. Rule 1.18 — prospective clients, limiting subsequent adverse representation based on significantly harmful information

2. Lawyer at trial settles Client's civil case without consulting Client about the settlement decision. Which Model Rule provides the governing framework for analyzing the lawyer's authority?

- A. Rule 1.4 — communication obligations, including reasonably prompt status updates
- B. Rule 1.3 — diligence, requiring reasonable promptness in representing the client
- C. Rule 1.5 — fees, including reasonableness and communication of fee arrangements

D. Rule 1.2(a) — allocation of authority between client and lawyer, expressly reserving to the client the decision whether to settle a civil matter

3. Lawyer files a complaint asserting a claim known to be barred by the statute of limitations, with no good-faith argument for legal change. Which Model Rule provides the governing framework?

A. Rule 3.1 — meritorious claims and contentions, requiring a basis in law and fact that is not frivolous, including a good-faith argument for extension or modification of existing law

B. Rule 3.3 — candor toward the tribunal regarding statements made to the court

C. Rule 3.4 — fairness to opposing party and counsel during litigation

D. Rule 4.1 — truthfulness in statements to others during the course of representation

4. Lawyer reveals confidential client information at a CLE panel discussion without client consent. Which Model Rule provides the governing framework?

A. Rule 1.18 — duties to prospective clients who consult with the lawyer

B. Rule 1.9(c) — restrictions on use and disclosure of former-client information

C. Rule 1.6 — confidentiality of information, including the broad protection of "information relating to the representation" and the enumerated Rule 1.6(b) exceptions

D. Rule 4.4 — respect for the rights of third persons in litigation and transactions

5. Lawyer accepts a complex tax matter despite no tax experience and takes no steps to acquire competence. Which Model Rule provides the governing framework?

A. Rule 1.1 — competence, requiring legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation, with acquisition permitted through study or association

B. Rule 1.3 — diligence and promptness in representing clients

C. Rule 1.5 — fees, requiring reasonableness and communication of the basis or rate

D. Rule 5.1 — supervisory responsibilities of partners over other lawyers in the firm

6. Lawyer admitted only in State A maintains a permanent office in State B handling State B matters for State B clients, without seeking State B admission. Which Model Rule provides the governing framework?

- A. Rule 5.5 — unauthorized practice and multijurisdictional practice, prohibiting establishment of an office or systematic presence without admission, with temporary practice exceptions
- B. Rule 8.5 — disciplinary authority and choice of law in multijurisdictional matters
- C. Rule 5.4 — professional independence, including limits on associations with non-lawyers
- D. Rule 8.4 — misconduct, prohibiting violations of the rules and dishonesty

7. Lawyer previously represented Client A in setting up Client A's business. Five years later, Lawyer accepts representation of Client B against Client A in a substantially related matter without informed consent. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts and consent requirements
- B. Rule 1.10 — imputation of conflicts within a firm to all lawyers associated
- C. Rule 1.9 — duties to former clients, prohibiting adverse representation in the same or substantially related matter absent informed consent confirmed in writing
- D. Rule 1.11 — special conflicts for former and current government officers and employees

8. Lawyer accepts a new client without communicating any fee arrangement until the first invoice arrives. The client had not previously been represented by Lawyer. Which Model Rule provides the governing framework?

- A. Rule 1.2 — scope of representation and allocation of authority
- B. Rule 1.4 — communication, including prompt status updates and responses to client inquiries
- C. Rule 1.5(b) — fee communication, requiring communication of the scope and the basis or rate of the fee preferably in writing before or within a reasonable time after commencing the representation
- D. Rule 1.15 — safekeeping property, including separate trust accounts

9. Lawyer at trial knowingly elicits false testimony from her own client on a material issue and takes no remedial action. Which Model Rule provides the governing framework?

- A. Rule 3.4 — fairness to opposing party and counsel during litigation
- B. Rule 3.3 — candor toward the tribunal, prohibiting offering known false evidence and requiring reasonable remedial measures upon learning of falsity
- C. Rule 3.5 — impartiality and decorum of the tribunal, restricting ex parte contacts
- D. Rule 8.4(c) — conduct involving dishonesty, fraud, deceit, or misrepresentation

10. Lawyer's firm website states "Our lawyers have the highest success rate of any personal injury firm in the state" without objective basis. Which Model Rule provides the governing framework?

- A. Rule 7.1 — communications concerning a lawyer's services, prohibiting false or misleading communications including unverifiable superlative claims
- B. Rule 7.2 — advertising, including required identification of responsible lawyers
- C. Rule 7.3 — solicitation of clients, governing direct contact with prospective clients
- D. Rule 7.6 — political contributions to obtain government legal engagements

11. Lawyer learns that another lawyer at her firm has been routinely lying to clients about case status, raising a substantial question about that lawyer's honesty. Which Model Rule provides the governing framework for analyzing Lawyer's reporting obligations?

- A. Rule 8.3 — reporting professional misconduct, including the substantial-question threshold and the Rule 1.6 confidentiality exception
- B. Rule 8.4 — misconduct, including the catalog of prohibited conduct by lawyers
- C. Rule 5.1 — supervisory responsibilities of partners over other lawyers in the firm
- D. Rule 5.2 — responsibilities of a subordinate lawyer regarding partners' instructions

12. Lawyer previously served as a government lawyer and personally and substantially participated in a matter. Lawyer is now in private practice and is offered the same matter on the opposite side. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts and consent requirements
- B. Rule 1.9 — duties to former clients in the same or substantially related matter

C. Rule 1.11 — special conflicts for former and current government officers and employees, requiring informed consent confirmed in writing from the appropriate government agency

D. Rule 1.12 — former judge, arbitrator, mediator, or other third-party neutral

13. Lawyer's solo practice has become unmanageable. Lawyer routinely misses deadlines, and multiple clients have suffered prejudice. Which Model Rule provides the governing framework?

A. Rule 1.1 — competence, including knowledge, skill, thoroughness, and preparation

B. Rule 1.4 — communication obligations to keep clients informed

C. Rule 1.5 — fees, including reasonableness and contingency arrangements

D. Rule 1.3 — diligence, requiring the lawyer to act with reasonable diligence and promptness, with Comment 2 emphasizing workload control to ensure competent handling

14. Lawyer represents Client in litigation. Mid-representation, the lawyer-client relationship has irreparably deteriorated. Lawyer wishes to withdraw. Which Model Rule provides the governing framework?

A. Rule 1.1 — competence, including the knowledge necessary for the representation

B. Rule 1.4 — communication, including consultation with the client about means

C. Rule 1.7 — concurrent conflicts of interest among current clients

D. Rule 1.16 — declining or terminating representation, including mandatory and permissive withdrawal grounds and the protective steps required upon termination

15. Lawyer receives a \$50,000 settlement check payable to Client. Which Model Rule provides the governing framework for handling the funds?

A. Rule 1.15 — safekeeping property, requiring a separate trust account, prompt notification, prompt distribution, and proper documentation

B. Rule 1.5 — fees, including reasonableness and contingency arrangements

C. Rule 1.8 — specific conflicts of interest, including business transactions with clients

D. Rule 5.3 — responsibilities regarding nonlawyer assistants in the firm

16. Lawyer at trial states during closing argument: "I personally know my client is telling the truth." Which Model Rule provides the governing framework?

- A. Rule 3.3 — candor toward the tribunal regarding statements of fact and law
- B. Rule 3.4 — fairness to opposing party and counsel, including Rule 3.4(e)'s prohibition on asserting personal knowledge of facts in issue or stating a personal opinion on witness credibility
- C. Rule 3.5 — impartiality and decorum of the tribunal, restricting ex parte contacts
- D. Rule 3.6 — trial publicity, restricting extrajudicial statements about pending cases

17. Judge accepts a \$300 personal gift from a lawyer who has multiple cases pending before her court. Which Model Code provision provides the governing framework?

- A. Rule 1.3 — avoiding abuse of the prestige of judicial office for personal benefit
- B. Rule 2.4 — external influences on judicial conduct and ruling
- C. Rule 3.1 — extrajudicial activities in general by the judge
- D. Rule 3.13 — acceptance and reporting of gifts, loans, bequests, benefits, or other things of value, including restrictions on gifts from parties or lawyers who have come or are likely to come before the judge

18. Lawyer is consulted by a prospective client about a potential representation. After the consultation, Lawyer declines to take the case. Later, the opposing party asks Lawyer to represent her in the same matter. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts among existing clients
- B. Rule 1.9 — duties to former clients in the same or substantially related matter
- C. Rule 1.18 — duties to prospective clients, limiting subsequent adverse representation when the lawyer received information that could be significantly harmful
- D. Rule 1.10 — imputation of conflicts within a firm to all lawyers associated

19. Lawyer is sued by a client for legal malpractice. Lawyer wants to reveal client confidential information to defend herself against the claim. Which Model Rule provides the governing framework?

- A. Rule 1.6 — confidentiality of information, including Rule 1.6(b)(5)'s exception permitting disclosure to establish a defense to a civil claim against the lawyer based on conduct in which the client was involved
- B. Rule 1.7 — current-client concurrent conflicts of interest
- C. Rule 1.16 — declining or terminating representation
- D. Rule 8.4 — misconduct prohibitions applicable to lawyers

20. Lawyer represents Client. Lawyer reasonably believes Client has become incapacitated due to advanced dementia. Which Model Rule provides the governing framework for Lawyer's protective obligations?

- A. Rule 1.6 — confidentiality of information relating to the representation
- B. Rule 1.7 — current-client concurrent conflicts of interest
- C. Rule 1.16 — declining or terminating representation in various circumstances
- D. Rule 1.14 — client with diminished capacity, requiring reasonably necessary protective action including consultation with authorized parties and seeking guardian or other protective measures

21. Lawyer represents Plaintiff. Lawyer contacts Defendant directly to discuss settlement, knowing Defendant is represented by counsel. Which Model Rule provides the governing framework?

- A. Rule 4.1 — truthfulness in statements to others during representation
- B. Rule 4.3 — dealing with unrepresented persons during the representation
- C. Rule 4.4 — respect for the rights of third persons in litigation
- D. Rule 4.2 — communication with person represented by counsel, prohibiting communication about the subject of the representation absent that counsel's consent or other authorization

22. Lawyer at trial makes ex parte contact with the presiding judge to discuss the merits of pending motions. Which Model Rule provides the governing framework?

- A. Rule 3.3 — candor toward the tribunal regarding factual and legal statements
- B. Rule 3.4 — fairness to opposing party and counsel in trial conduct

C. Rule 3.5 — impartiality and decorum of the tribunal, including Rule 3.5(b)'s prohibition on ex parte communication with judges, jurors, or prospective jurors during the proceeding absent legal authorization

D. Rule 3.6 — trial publicity and extrajudicial statements about pending cases

23. Lawyer represents Client. Client's case requires multiple status updates and important decision points over a six-month period. Which Model Rule provides the governing framework for Lawyer's communication obligations?

A. Rule 1.2 — scope of representation and allocation of authority

B. Rule 1.4 — communication, requiring reasonably prompt status communication, prompt response to reasonable client inquiries, and consultation about means by which client objectives are accomplished

C. Rule 1.6 — confidentiality of information relating to the representation

D. Rule 1.3 — diligence and promptness in representing clients

24. Lawyer represents an organization. The CEO of the organization asks Lawyer to also represent the CEO personally in a separate matter. Which Model Rule provides the governing framework?

A. Rule 1.7 — current-client concurrent conflicts of interest generally

B. Rule 1.13(g) — organization as client, dual representation, requiring informed consent from the organization through an appropriate official other than the constituent

C. Rule 1.18 — duties to prospective clients seeking consultation

D. Rule 1.8 — specific conflicts of interest including business transactions

25. Lawyer is offered a fee-sharing arrangement with a non-lawyer who refers business to Lawyer. Which Model Rule provides the governing framework?

A. Rule 1.5 — fees, including reasonableness and communication requirements

B. Rule 5.5 — unauthorized practice of law and multijurisdictional practice

C. Rule 5.4(a) — professional independence, prohibiting sharing legal fees with a non-lawyer subject only to enumerated narrow exceptions

D. Rule 7.2 — advertising and identification of responsible lawyers

26. Lawyer is diagnosed with a serious mental health condition that materially impairs her ability to represent clients competently. Which Model Rule provides the governing framework for Lawyer's continued representation obligations?

- A. Rule 1.1 — competence, requiring legal knowledge, skill, and preparation
- B. Rule 1.16(a)(2) — mandatory withdrawal when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client
- C. Rule 1.6 — confidentiality of information relating to the representation
- D. Rule 8.3 — reporting professional misconduct of other lawyers

27. Lawyer has a business transaction directly with a client — Lawyer is buying property from Client. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts of interest generally
- B. Rule 1.8(a) — specific prohibition on business transactions with a client, requiring fair and reasonable terms, full disclosure in writing, written advice to seek independent counsel, and informed consent confirmed in writing
- C. Rule 1.10 — imputation of conflicts within a firm to all associated lawyers
- D. Rule 1.15 — safekeeping client property in a separate trust account

28. Lawyer at trial offers an exhibit that Lawyer knows is a forgery created by Lawyer's own client. Which Model Rule provides the governing framework?

- A. Rule 3.1 — meritorious claims and contentions in litigation
- B. Rule 3.4 — fairness to opposing party and counsel in trial conduct
- C. Rule 4.1 — truthfulness in statements to others during representation
- D. Rule 3.3 — candor toward the tribunal, including Rule 3.3(a)(3)'s prohibition on offering known false evidence and the requirement to take reasonable remedial measures including disclosure to the tribunal if necessary

29. Lawyer represents Client in a complex commercial dispute. Lawyer wishes to limit the engagement to a specific subset of the legal issues, with Client's consent. Which Model Rule provides the governing framework?

- A. Rule 1.1 — competence requirements for the representation
- B. Rule 1.2(c) — limitation of the scope of representation, permitting limitation if reasonable under the circumstances and the client gives informed consent
- C. Rule 1.3 — diligence and promptness in representing the client
- D. Rule 1.5 — fees, including reasonableness and communication requirements

30. Lawyer represents Client. Client tells Lawyer in confidence that Client is about to commit a violent act on a third party. Lawyer reasonably believes the threat is imminent. Which Model Rule provides the governing framework for the disclosure question?

- A. Rule 1.13 — organization as client and reporting up obligations
- B. Rule 1.14 — client with diminished capacity and protective action
- C. Rule 1.6(b)(1) — confidentiality exception permitting disclosure to the extent the lawyer reasonably believes necessary to prevent reasonably certain death or substantial bodily harm
- D. Rule 8.4 — misconduct prohibitions applicable to lawyers

31. Lawyer sends targeted text messages to people identified as recently injured in car accidents, offering legal consultation. Which Model Rule provides the governing framework?

- A. Rule 7.1 — communications concerning a lawyer's services generally
- B. Rule 7.3 — solicitation of clients, governing direct contact with prospective clients and the labeling requirements for targeted written or electronic solicitations
- C. Rule 7.2 — advertising and identification of responsible lawyers in the firm
- D. Rule 4.3 — dealing with unrepresented persons in representation matters

32. Lawyer formerly served as a court-appointed mediator in a divorce. After mediation fails, one party asks Lawyer to represent her in litigation against the other party over the same divorce. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts of interest among existing clients
- B. Rule 1.12 — former judge, arbitrator, mediator, or other third-party neutral, prohibiting representation in connection with the matter on which the lawyer served as a neutral absent informed consent confirmed in writing from all parties
- C. Rule 1.11 — former and current government officers and employees
- D. Rule 1.9 — duties to former clients in the same or substantially related matter

33. Lawyer's partner at the firm represents a party adverse to one of Lawyer's clients in a separate matter. Which Model Rule provides the governing framework for evaluating whether Lawyer's conflict is imputed throughout the firm?

- A. Rule 1.7 — current-client concurrent conflicts and consent requirements
- B. Rule 1.9 — duties to former clients in substantially related matters
- C. Rule 1.10 — imputation of conflicts of interest, imputing one lawyer's conflict to all lawyers associated in the firm, subject to specific exceptions
- D. Rule 1.11 — special conflicts for government lawyers and former government lawyers

34. Lawyer at trial communicates with a sitting juror during a courthouse recess about the case. Which Model Rule provides the governing framework?

- A. Rule 3.3 — candor toward the tribunal regarding statements made to the court
- B. Rule 3.5 — impartiality and decorum of the tribunal, including Rule 3.5(b)'s prohibition on ex parte communication with a juror during the proceeding absent legal authorization
- C. Rule 3.6 — trial publicity and extrajudicial statements
- D. Rule 8.4(d) — conduct prejudicial to the administration of justice

35. Lawyer receives \$30,000 from Client for legal fees as an advance retainer to be drawn down as work is performed. Which Model Rule provides the governing framework for handling the advance fee?

- A. Rule 1.5 — fees, including reasonableness and communication requirements

- B. Rule 1.15(c) — safekeeping property as applied to advance fees, requiring deposit in the trust account with withdrawal only as fees are earned, with proper documentation and periodic accountings
- C. Rule 1.4 — communication obligations to keep clients informed
- D. Rule 1.8 — specific conflicts of interest including business transactions

36. Lawyer represents Client. Client wishes to plead guilty in her criminal case. Lawyer believes Client should not plead guilty. Which Model Rule provides the governing framework?

- A. Rule 1.2(a) — allocation of authority, expressly reserving to the client the decision in a criminal case whether to plead, waive jury trial, or testify
- B. Rule 1.3 — diligence and promptness in representing the client
- C. Rule 1.4 — communication obligations to keep client informed
- D. Rule 1.16 — declining or terminating representation in various circumstances

37. Lawyer is investigated by the state bar following a client complaint. Lawyer is asked to respond to specific allegations. Which Model Rule provides the governing framework for Lawyer's response obligations?

- A. Rule 8.1 — bar admission and disciplinary matters, requiring the lawyer not to knowingly fail to respond to a lawful demand for information from a disciplinary authority, subject to Rule 1.6
- B. Rule 8.3 — reporting professional misconduct of other lawyers
- C. Rule 8.4 — misconduct prohibitions applicable to lawyers
- D. Rule 8.5 — disciplinary authority and choice of law in multijurisdictional matters

38. Lawyer's spouse, who is also a lawyer, represents a party adverse to one of Lawyer's clients. Which Model Rule provides the governing framework?

- A. Rule 1.6 — confidentiality of information relating to the representation
- B. Rule 1.8 — specific conflicts of interest in particular transactions

C. Rule 1.7(a)(2) — concurrent conflicts including personal-interest conflicts, with Comment 11 specifically addressing relationships between opposing counsel including spouses, parents, children, and siblings

D. Rule 1.10 — imputation of conflicts within a firm to all associated lawyers

39. Lawyer accepts representation that requires significant time investment over months. Lawyer must reasonably manage her workload and tracking systems to meet obligations. Which Model Rule provides the governing framework for diligent practice management?

A. Rule 1.3 — diligence, requiring the lawyer to act with reasonable diligence and promptness, with Comment 2 emphasizing that a lawyer's workload must be controlled so each matter can be handled competently

B. Rule 1.1 — competence and the knowledge necessary for representation

C. Rule 5.1 — supervisory responsibilities of partners over other firm lawyers

D. Rule 5.3 — responsibilities regarding nonlawyer assistants in the firm

40. Judge has a financial interest — direct stock holdings — in a corporate party appearing before her court. Which Model Code provision provides the governing framework?

A. Rule 2.10 — judicial statements on pending cases and trial publicity

B. Rule 2.11(A)(3) — disqualification, requiring a judge to disqualify in any proceeding in which the judge or specified relatives has an economic interest in the subject matter or a party

C. Rule 2.4 — external influences on judicial conduct and rulings

D. Rule 3.13 — gifts and benefits, including restrictions on judicial gifts

41. Lawyer at trial intends to introduce expert testimony. The expert is being paid a contingency fee tied to the outcome of the case. Which Model Rule provides the governing framework?

A. Rule 3.4 — fairness to opposing party and counsel, including Rule 3.4(b)'s prohibition on offering an inducement to a witness that is prohibited by law (limiting expert witness compensation tied to outcome)

B. Rule 3.3 — candor toward the tribunal regarding factual and legal statements

C. Rule 1.8 — specific conflicts of interest including business transactions

D. Rule 4.1 — truthfulness in statements to others during representation

42. Lawyer serves as a third-party neutral in mediation involving multiple parties. Some of the parties are unrepresented. Which Model Rule provides the governing framework?

A. Rule 1.7 — current-client concurrent conflicts of interest among existing clients

B. Rule 4.3 — dealing with unrepresented persons in the lawyer's representation

C. Rule 2.4 — lawyer serving as third-party neutral, including the requirement to inform unrepresented parties that the lawyer is not representing them

D. Rule 1.12 — former judge, arbitrator, mediator, or other neutral

43. Lawyer receives a document containing privileged information from opposing counsel that was inadvertently sent. Which Model Rule provides the governing framework?

A. Rule 1.6 — confidentiality of information relating to the lawyer's representation

B. Rule 4.1 — truthfulness in statements to others during representation

C. Rule 4.4(b) — respect for rights of third persons, requiring a lawyer who receives a document or electronically stored information relating to the representation that the lawyer knows or reasonably should know was inadvertently sent to promptly notify the sender

D. Rule 8.4(d) — conduct prejudicial to the administration of justice

44. Lawyer wishes to claim a specialty designation — "Certified Civil Trial Specialist" — on her firm website. Which Model Rule provides the governing framework?

A. Rule 7.2(c) — communications about a lawyer's services regarding claims of certification or specialization, permitting such claims only when certified by an appropriately approved or accredited organization with that organization clearly identified

B. Rule 7.1 — general prohibition on false or misleading communications about lawyer services

C. Rule 7.3 — solicitation of clients and direct contact with prospective clients

D. Rule 7.6 — political contributions to obtain government legal engagements

45. Lawyer represents Client. Lawyer's paralegal will assist with research and document review. Which Model Rule provides the governing framework for ensuring the paralegal's compliance with confidentiality?

- A. Rule 1.6 — confidentiality of information relating to the representation generally
- B. Rule 5.1 — supervisory responsibilities of partners over other lawyers in the firm
- C. Rule 5.2 — responsibilities of a subordinate lawyer regarding superiors' instructions
- D. Rule 5.3 — responsibilities regarding nonlawyer assistants, requiring lawyers with managerial or supervisory authority to make reasonable efforts to ensure the nonlawyer's conduct is compatible with the lawyer's professional obligations including confidentiality

46. Lawyer is asked to represent two co-buyers in a transactional matter with potentially aligned but separately advisable interests. Both buyers will give informed consent. Which Model Rule provides the governing framework?

- A. Rule 1.8 — specific conflicts of interest in particular transactions
- B. Rule 1.9 — duties to former clients in the same or substantially related matter
- C. Rule 1.10 — imputation of conflicts within a firm to all lawyers associated
- D. Rule 1.7(b) — concurrent conflicts cured by informed consent, requiring the lawyer's reasonable belief in competent representation, no prohibition by law, no client-vs-client litigation, and informed consent confirmed in writing from each

47. Lawyer's representation results in damage to Client due to Lawyer's failure to meet the standard of care. Client sues Lawyer for malpractice in civil court. Which Model Rule provides the governing framework for the disciplinary analysis of Lawyer's competence?

- A. Rule 1.16 — declining or terminating representation in various circumstances
- B. Rule 1.1 — competence, governing the professional standard of legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation — the same standard whose violation may also support a civil malpractice claim
- C. Rule 8.4 — misconduct prohibitions applicable to lawyers generally
- D. Rule 1.3 — diligence and promptness in representing the client

48. Lawyer who is a prosecutor makes a public statement to the media about a criminal case Lawyer is prosecuting, identifying the defendant's prior convictions in detail. Which Model Rule provides the governing framework?

- A. Rule 3.3 — candor toward the tribunal regarding factual and legal statements
- B. Rule 3.5 — impartiality and decorum of the tribunal, restricting ex parte contacts
- C. Rule 1.6 — confidentiality of information relating to the representation
- D. Rule 3.6 — trial publicity, restricting extrajudicial statements that the lawyer knows or reasonably should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding

49. Lawyer is suspended from practice for 60 days. During the suspension, Lawyer continues to perform legal work for paying clients. Which Model Rule provides the governing framework?

- A. Rule 8.4 — misconduct prohibitions applicable to lawyers generally
- B. Rule 8.1 — bar admission and disciplinary matters response obligations
- C. Rule 5.5(a) — unauthorized practice of law, prohibiting a lawyer from practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, including practicing during a suspension
- D. Rule 5.4 — professional independence and limits on associations with non-lawyers

50. Lawyer receives a \$50,000 check that is partly payable to Client and partly subject to a known third-party hospital lien. Which Model Rule provides the governing framework?

- A. Rule 1.5 — fees, including reasonableness and communication of fee arrangements
- B. Rule 1.15(a) — separate trust account for client property generally
- C. Rule 1.15(c) — advance fees in trust pending earning
- D. Rule 1.15(d)–(e) — safekeeping property where third parties have an interest in the funds, requiring notification of all parties with an interest, prompt distribution to those entitled, and retention in trust of disputed portions pending resolution

51. Lawyer is asked to provide pro bono representation to a low-income client. Which Model Rule provides the governing framework for Lawyer's pro bono obligations?

- A. Rule 6.2 — accepting appointments by tribunal in various circumstances
- B. Rule 6.3 — membership in legal services organizations and related obligations
- C. Rule 6.4 — law-reform activities affecting client interests and lawyer participation
- D. Rule 6.1 — voluntary pro bono publico service, recommending that every lawyer aspire to render at least 50 hours of pro bono publico legal services per year, with priority to persons of limited means and organizations serving them

52. Prosecutor learns that the prosecution's case rests on a confession that may have been coerced in a manner destroying probable cause. Which Model Rule provides the governing framework?

- A. Rule 3.8 — special responsibilities of a prosecutor, including the prohibition on prosecuting a charge known to lack probable cause and the obligation to timely disclose evidence that tends to negate guilt
- B. Rule 3.3 — candor toward the tribunal regarding factual and legal statements generally
- C. Rule 3.4 — fairness to opposing party and counsel in litigation conduct
- D. Rule 1.13 — organization as client and reporting-up obligations

53. Lawyer represents Client. Lawyer's representation has concluded. Lawyer is preparing to close the file and return Client's property. Which Model Rule provides the governing framework?

- A. Rule 1.4 — communication obligations during representation
- B. Rule 1.15 — safekeeping property in a separate trust account generally
- C. Rule 1.5 — fees, including reasonableness and communication requirements
- D. Rule 1.16(d) — declining or terminating representation, requiring the lawyer to take steps reasonably practicable to protect a client's interests upon termination, including reasonable notice, time to obtain other counsel, surrendering papers and property, and refunding unearned fees

54. Lawyer represents a client in a matter. Lawyer wishes to acquire literary or media rights to a portrayal or account based on information learned in the representation, while the representation is ongoing. Which Model Rule provides the governing framework?

- A. Rule 1.7 — current-client concurrent conflicts of interest generally

B. Rule 1.8(d) — specific conflicts, prohibiting a lawyer from making or negotiating an agreement giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation prior to conclusion of the representation

C. Rule 1.6 — confidentiality of information relating to the representation

D. Rule 8.4(c) — conduct involving dishonesty or misrepresentation

55. Lawyer represents Client in a business transaction. Lawyer discovers during the representation that Client is using Lawyer's services to perpetrate a financial fraud that will cause substantial injury to a third party. Which Model Rule provides the governing framework for analyzing whether Lawyer may disclose information to prevent or rectify the fraud?

A. Rule 1.6(b)(1) — preventing reasonably certain death or substantial bodily harm

B. Rule 1.6(b)(4) — securing legal advice about Lawyer's own compliance with the rules

C. Rule 1.6(b)(6) — complying with other law or court order requiring disclosure

D. Rule 1.6(b)(2) and (b)(3) — preventing a client's crime or fraud reasonably certain to result in substantial financial injury in furtherance of which the client has used the lawyer's services, and preventing, mitigating, or rectifying such injury already caused

56. Judge is invited to speak at a CLE seminar and is offered a \$5,000 honorarium. The audience consists primarily of lawyers who may appear before Judge's court. Which Model Code provision provides the governing framework?

A. Rule 3.13 — gifts and benefits, including restrictions on judicial gifts from parties

B. Rule 3.7 — participation in educational, religious, charitable, fraternal, or civic organizations and activities

C. Rule 3.12 and Rule 3.15 — compensation and reporting for permitted extrajudicial activities, requiring compensation not be excessive or appear to undermine independence and requiring public reporting of compensation received

D. Rule 2.4 — external influences on judicial conduct and rulings

57. Lawyer publishes a newspaper advertisement promoting her firm's services with the phrase "Best lawyers in the city, guaranteed results." Which Model Rule provides the governing framework?

- A. Rule 7.2 — advertising and identification of responsible lawyers generally
- B. Rule 7.3 — solicitation of clients and direct contact with prospective clients
- C. Rule 7.1 — communications concerning a lawyer's services, prohibiting false or misleading communications including unverifiable superlatives and claims that may create unjustified expectations about results
- D. Rule 8.4(c) — conduct involving dishonesty, fraud, deceit, or misrepresentation

58. Lawyer represents Plaintiff in litigation. Lawyer wishes to contact current employees of Defendant Corporation (which is represented by counsel) to interview them about their work. Which Model Rule provides the governing framework?

- A. Rule 4.1 — truthfulness in statements to others during representation
- B. Rule 4.3 — dealing with unrepresented persons during the representation
- C. Rule 4.4 — respect for rights of third persons in litigation and transactions
- D. Rule 4.2 — communication with person represented by counsel, with Comment 7 specifically defining the scope of "represented party" for organizational clients (supervisors, those who direct the organization's lawyer, those whose acts may be imputed, those whose statements may constitute admissions)

59. Lawyer publishes an op-ed accusing a sitting judge of corruption based on no factual basis. Which Model Rule provides the governing framework?

- A. Rule 8.2(a) — judicial and legal officials, prohibiting statements about judges that the lawyer knows to be false or makes with reckless disregard as to truth or falsity
- B. Rule 8.4(c) — conduct involving dishonesty, fraud, deceit, or misrepresentation
- C. Rule 8.4(d) — conduct prejudicial to the administration of justice generally
- D. Rule 6.4 — law-reform activities affecting client interests and lawyer participation

60. Lawyer accepts a federal regulatory matter despite no prior federal regulatory experience. Lawyer associates with experienced co-counsel and undertakes substantial study to acquire competence. Which Model Rule provides the governing framework for Lawyer's competence-acquisition pathway?

- A. Rule 1.1 and Comments 2 and 6 — the competence rule, recognizing acquisition of competence through reasonable study (Comment 2) and through association with a lawyer of established competence in the field (Comment 6)
- B. Rule 1.5 — fees, including reasonableness and communication of fee arrangements
- C. Rule 5.1 — supervisory responsibilities of partners over other lawyers
- D. Rule 5.4 — professional independence and limits on associations with non-lawyers

Practice Exam 32 — Answer Key and Explanations

- 1. B** — Rule 1.7 is the master rule for current-client concurrent conflicts and is the governing authority for analyzing joint representation of co-defendants with adverse interests. Rule 1.9 (A) governs former clients, Rule 1.10 (C) handles imputation after Rule 1.7 establishes a personal conflict, and Rule 1.18 (D) addresses prospective clients — none of which fits the current-client scenario here.
- 2. D** — Rule 1.2(a) is the precise allocation-of-authority rule that expressly reserves to the client the decision whether to settle a civil matter. Rule 1.4 (A) addresses communication broadly, Rule 1.3 (B) governs diligence, and Rule 1.5 (C) governs fees — none of which is the source of the settlement-authority allocation.
- 3. A** — Rule 3.1 is the meritorious-claims rule governing whether filings have a basis in law and fact, with an express good-faith-argument-for-change exception. Rule 3.3 (B) addresses statements to the tribunal once a matter is before the court, Rule 3.4 (C) governs fairness to opposing parties, and Rule 4.1 (D) addresses truthfulness in statements to others — none of which is the gateway rule for filing decisions.
- 4. C** — Rule 1.6 is the master confidentiality rule covering all "information relating to the representation" with enumerated Rule 1.6(b) exceptions. Rule 1.18 (A) is limited to prospective clients, Rule 1.9(c) (B) governs former clients specifically, and Rule 4.4 (D) addresses third persons' rights — none of which is the master confidentiality rule applicable here.
- 5. A** — Rule 1.1 is the competence rule, requiring legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation. Rule 1.3 (B) governs diligence (a related but distinct duty), Rule 1.5 (C) governs fees, and Rule 5.1 (D) governs partner supervision of other lawyers — none of which is the operative competence rule.
- 6. A** — Rule 5.5 is the master unauthorized-practice and multijurisdictional-practice rule, including the prohibition on establishing an office or systematic presence without admission. Rule 8.5 (B) addresses choice-of-law in disciplinary matters, Rule 5.4 (C) addresses professional independence and non-lawyer relationships, and Rule 8.4 (D) is the general misconduct rule.
- 7. C** — Rule 1.9 governs duties to former clients and is the precise authority for analyzing whether a current representation is materially adverse to a former client in a substantially related matter. Rule 1.7

(A) governs current-client conflicts, Rule 1.10 (B) handles imputation after the conflict is established, and Rule 1.11 (D) applies only to former government lawyers.

8. C — Rule 1.5(b) is the specific provision requiring communication of the scope of the representation and the basis or rate of the fee preferably in writing before or within a reasonable time after commencing the representation. Rule 1.2 (A) addresses scope generally, Rule 1.4 (B) addresses ongoing communication, and Rule 1.15 (D) addresses safekeeping property — none of which captures the fee-communication requirement specifically.

9. B — Rule 3.3 is the candor-to-the-tribunal rule, with Rule 3.3(a)(3) prohibiting offering known false evidence and requiring reasonable remedial measures. Rule 3.4 (A) governs fairness to opposing parties, Rule 3.5 (C) governs decorum and ex parte contacts, and Rule 8.4(c) (D) addresses dishonesty generally — none of which is the specific candor rule applicable here.

10. A — Rule 7.1 is the foundational prohibition on false or misleading communications about a lawyer's services, reaching unverifiable superlative claims that create unjustified expectations. Rule 7.2 (B), 7.3 (C), and 7.6 (D) address advertising, solicitation, and political contributions respectively — all are downstream of the Rule 7.1 misleading-communication test.

11. A — Rule 8.3 is the reporting rule, requiring a lawyer to inform the appropriate professional authority when she knows another lawyer has committed a violation that raises a substantial question about honesty, trustworthiness, or fitness — with a Rule 1.6 confidentiality exception. Rule 8.4 (B), 5.1 (C), and 5.2 (D) address misconduct, supervisory liability, and subordinate-lawyer responsibilities respectively.

12. C — Rule 1.11 is the specific rule for former and current government lawyers, prohibiting representation on a matter in which the lawyer personally and substantially participated as a government lawyer absent informed consent confirmed in writing from the agency. Rule 1.7 (A) and 1.9 (B) address current and former private clients respectively, and Rule 1.12 (D) addresses former neutrals — none of which captures the former-government-lawyer framework.

13. D — Rule 1.3 is the diligence rule, requiring reasonable diligence and promptness, with Comment 2 emphasizing workload control to ensure each matter can be handled competently. Rule 1.1 (A) addresses competence broadly, Rule 1.4 (B) addresses communication, and Rule 1.5 (C) addresses fees — none of which is the precise rule for missed deadlines and prejudice caused by inadequate diligence.

14. D — Rule 1.16 is the master rule for declining or terminating representation, including mandatory and permissive withdrawal grounds and the protective steps required upon termination. Rule 1.1 (A), 1.4 (B), and 1.7 (C) address competence, communication, and conflicts — all are separate doctrinal areas from withdrawal.

15. A — Rule 1.15 is the safekeeping property rule, requiring a separate trust account, prompt notification of receipt, prompt distribution, and proper documentation. Rule 1.5 (B), 1.8 (C), and 5.3 (D) address fees, specific conflicts, and nonlawyer assistants — none of which is the trust-account rule.

16. B — Rule 3.4 governs fairness to opposing party and counsel, and Rule 3.4(e) specifically prohibits a lawyer at trial from asserting personal knowledge of facts in issue or stating a personal opinion as to a

witness's credibility. Rule 3.3 (A), 3.5 (C), and 3.6 (D) address candor, ex parte contacts, and trial publicity — none of which captures the specific in-trial prohibition on personal vouching.

17. D — Rule 3.13 of the Model Code is the specific provision on judicial acceptance of gifts, including restrictions on gifts from parties or lawyers who have come or are likely to come before the judge. Rule 1.3 (A), 2.4 (B), and 3.1 (C) address abuse of judicial office, external influences, and extrajudicial activities generally — none of which is the operative gift-acceptance rule.

18. C — Rule 1.18 is the prospective-client rule, governing duties to persons who consult with the lawyer about possible representation and limiting subsequent adverse representation based on significantly harmful information received. Rule 1.7 (A), 1.9 (B), and 1.10 (D) address current clients, former clients, and imputation respectively — none of which is the prospective-client framework.

19. A — Rule 1.6 is the master confidentiality rule, and Rule 1.6(b)(5) provides the self-defense exception permitting disclosure to establish a defense to a civil claim against the lawyer based on conduct in which the client was involved. Rule 1.7 (B), 1.16 (C), and 8.4 (D) address current-client conflicts, withdrawal, and misconduct generally — none of which is the operative self-defense exception.

20. D — Rule 1.14 is the specific rule for clients with diminished capacity, requiring the lawyer to take reasonably necessary protective action including consultation with authorized parties and seeking guardian or other protective measures. Rule 1.6 (A), 1.7 (B), and 1.16 (C) address confidentiality, conflicts, and termination — none of which is the diminished-capacity framework.

21. D — Rule 4.2 is the no-contact rule, prohibiting a lawyer from communicating about the subject of the representation with a person known to be represented by counsel absent that counsel's consent or other legal authorization. Rule 4.1 (A), 4.3 (B), and 4.4 (C) address truthfulness, dealings with unrepresented persons, and third-person rights — none of which is the operative no-contact rule.

22. C — Rule 3.5(b) prohibits a lawyer from communicating ex parte with a judge during a proceeding unless authorized to do so by law or court order. Rule 3.3 (A) addresses candor regarding statements, Rule 3.4 (B) addresses fairness to opposing parties, and Rule 3.6 (D) addresses trial publicity — none of which is the precise rule for ex parte contacts with judges.

23. B — Rule 1.4 is the master communication rule, requiring reasonably prompt status communication, prompt response to reasonable client inquiries, and consultation about means of accomplishing client objectives. Rule 1.2 (A), 1.6 (C), and 1.3 (D) address scope, confidentiality, and diligence respectively — none of which is the precise communication rule.

24. B — Rule 1.13(g) is the specific provision governing dual representation of an organization and a constituent, requiring informed consent from the organization through an appropriate official other than the constituent. Rule 1.7 (A), 1.18 (C), and 1.8 (D) address conflicts generally, prospective clients, and specific conflicts — none of which is the precise organization-constituent dual-representation rule.

25. C — Rule 5.4(a) is the precise prohibition on sharing legal fees with a non-lawyer, subject only to narrow enumerated exceptions. Rule 1.5 (A), 5.5 (B), and 7.2 (D) address fee reasonableness, unauthorized practice, and advertising — none of which is the fee-sharing prohibition.

- 26. B** — Rule 1.16(a)(2) requires mandatory withdrawal when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client. Rule 1.1 (A) addresses competence generally, Rule 1.6 (C) addresses confidentiality, and Rule 8.3 (D) addresses reporting other lawyers' misconduct — none of which is the operative mandatory-withdrawal rule for impairment.
- 27. B** — Rule 1.8(a) is the precise prohibition on business transactions with a client, requiring fair and reasonable terms, full disclosure in writing, written advice to seek independent counsel, and informed consent confirmed in writing. Rule 1.7 (A), 1.10 (C), and 1.15 (D) address conflicts generally, imputation, and trust accounts — none of which captures the specific business-transaction rule.
- 28. D** — Rule 3.3 is the candor-to-the-tribunal rule, with Rule 3.3(a)(3) prohibiting offering known false evidence and requiring reasonable remedial measures including disclosure if necessary. Rule 3.1 (A), 3.4 (B), and 4.1 (C) address meritorious claims, fairness to opposing parties, and truthfulness to others — none of which is the candor rule for offering false evidence.
- 29. B** — Rule 1.2(c) is the precise limited-scope rule, permitting limitation of the representation if reasonable under the circumstances and the client gives informed consent. Rule 1.1 (A), 1.3 (C), and 1.5 (D) address competence, diligence, and fees — none of which is the precise scope-limitation rule.
- 30. C** — Rule 1.6(b)(1) is the precise confidentiality exception permitting disclosure to the extent the lawyer reasonably believes necessary to prevent reasonably certain death or substantial bodily harm. Rule 1.13 (A), 1.14 (B), and 8.4 (D) address organizational clients, diminished capacity, and misconduct generally — none of which is the operative threat-disclosure exception.
- 31. B** — Rule 7.3 is the solicitation rule, governing direct contact with prospective clients and the labeling requirements for targeted written or electronic solicitations. Rule 7.1 (A), 7.2 (C), and 4.3 (D) address misleading communications generally, advertising, and unrepresented persons — none of which is the specific solicitation framework.
- 32. B** — Rule 1.12 is the precise rule for former judges, arbitrators, mediators, and other third-party neutrals, prohibiting representation in connection with the matter on which the lawyer served as a neutral absent informed consent confirmed in writing from all parties. Rule 1.7 (A), 1.11 (C), and 1.9 (D) address current clients, former government lawyers, and former private clients — none of which is the former-neutral rule.
- 33. C** — Rule 1.10 is the imputation rule, imputing one lawyer's conflict to all lawyers associated in the firm subject to specific exceptions. Rule 1.7 (A), 1.9 (B), and 1.11 (D) establish the underlying personal conflicts that Rule 1.10 then imputes — they are the predicate rules, not the imputation framework itself.
- 34. B** — Rule 3.5(b) prohibits ex parte communication with a juror during the proceeding absent legal authorization. Rule 3.3 (A), 3.6 (C), and 8.4(d) (D) address candor, trial publicity, and conduct prejudicial to justice — none of which is the precise rule for juror contact.
- 35. B** — Rule 1.15(c) is the precise provision applying the trust-account requirement to advance fees, with withdrawal only as fees are earned and proper documentation and periodic accountings. Rule 1.5 (A), 1.4

(C), and 1.8 (D) address fee reasonableness, communication, and specific conflicts — none of which is the advance-fee trust-handling rule.

36. A — Rule 1.2(a) reserves to the client in a criminal case the decision whether to plead, waive jury trial, or testify. Rule 1.3 (B), 1.4 (C), and 1.16 (D) address diligence, communication, and termination — none of which is the precise allocation-of-authority rule for fundamental criminal-case decisions.

37. A — Rule 8.1(b) prohibits knowingly failing to respond to a lawful demand for information from a disciplinary authority, subject to Rule 1.6 confidentiality. Rule 8.3 (B), 8.4 (C), and 8.5 (D) address reporting other lawyers' misconduct, the general misconduct rule, and choice-of-law — none of which is the lawyer's own response obligation in a disciplinary inquiry.

38. C — Rule 1.7(a)(2) addresses personal-interest conflicts, with Comment 11 specifically addressing relationships between opposing counsel including spouses. Rule 1.6 (A), 1.8 (B), and 1.10 (D) address confidentiality, specific transactional conflicts, and imputation — none of which is the precise rule for opposing-counsel spousal relationships.

39. A — Rule 1.3 is the diligence rule, with Comment 2 emphasizing that a lawyer's workload must be controlled so each matter can be handled competently. Rule 1.1 (B), 5.1 (C), and 5.3 (D) address competence broadly, partner supervision, and nonlawyer supervision — none of which is the precise workload-management framework.

40. B — Rule 2.11(A)(3) of the Model Code requires a judge to disqualify when she or specified relatives has an economic interest in the subject matter or a party. Rule 2.10 (A), 2.4 (C), and 3.13 (D) address pending-case statements, external influences, and gifts — none of which is the precise economic-interest disqualification rule.

41. A — Rule 3.4(b) prohibits offering an inducement to a witness that is prohibited by law, which includes contingent compensation for fact witnesses and limits on expert witness compensation tied to outcome. Rule 3.3 (B), 1.8 (C), and 4.1 (D) address candor, specific conflicts, and truthfulness to others — none of which is the specific witness-inducement rule.

42. C — Rule 2.4 governs lawyers serving as third-party neutrals and includes the specific requirement to inform unrepresented parties that the lawyer is not representing them. Rule 1.7 (A), 4.3 (B), and 1.12 (D) address current-client conflicts, dealings with unrepresented persons in representation generally, and former-neutral conflicts — none of which is the neutral-role framework.

43. C — Rule 4.4(b) requires the lawyer who receives a document or electronically stored information relating to the representation that the lawyer knows or reasonably should know was inadvertently sent to promptly notify the sender. Rule 1.6 (A), 4.1 (B), and 8.4(d) (D) address confidentiality, truthfulness, and prejudice to justice — none of which is the precise inadvertent-receipt rule.

44. A — Rule 7.2(c) governs claims of certification or specialization, permitting such claims only when certified by an appropriately approved or accredited organization with that organization clearly identified. Rule 7.1 (B), 7.3 (C), and 7.6 (D) address misleading communications generally, solicitation, and political contributions — none of which is the specific specialty-claim rule.

45. D — Rule 5.3 is the nonlawyer-assistant supervision rule, requiring lawyers with managerial or supervisory authority to make reasonable efforts to ensure the nonlawyer's conduct is compatible with the lawyer's professional obligations including confidentiality. Rule 1.6 (A), 5.1 (B), and 5.2 (C) address confidentiality generally, partner supervision of other lawyers, and subordinate-lawyer obligations.

46. D — Rule 1.7(b) is the precise consent-cure provision for concurrent conflicts, requiring the lawyer's reasonable belief in competent representation, no prohibition by law, no client-vs-client litigation, and informed consent confirmed in writing. Rule 1.8 (A), 1.9 (B), and 1.10 (C) address specific transactional conflicts, former clients, and imputation — none of which is the joint-representation consent framework.

47. B — Rule 1.1 is the competence rule, governing the professional standard of legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation — the same standard whose violation may also support a civil malpractice claim. Rule 1.16 (A), 8.4 (C), and 1.3 (D) address termination, misconduct generally, and diligence.

48. D — Rule 3.6 is the trial-publicity rule, restricting extrajudicial statements that the lawyer knows or reasonably should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding. Rule 3.3 (A), 3.5 (B), and 1.6 (C) address candor, decorum, and confidentiality — none of which is the precise trial-publicity rule.

49. C — Rule 5.5(a) prohibits a lawyer from practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, which expressly reaches practicing during a suspension. Rule 8.4 (A), 8.1 (B), and 5.4 (D) address misconduct generally, disciplinary responses, and professional independence — none of which is the precise unauthorized-practice-during-suspension rule.

50. D — Rule 1.15(d)–(e) governs safekeeping property where third parties have an interest in the funds, requiring notification of all parties with an interest, prompt distribution to those entitled, and retention in trust of disputed portions pending resolution. Rule 1.5 (A), 1.15(a) (B), and 1.15(c) (C) address fees, separate trust accounts generally, and advance fees — none of which is the third-party-interest provision.

51. D — Rule 6.1 is the pro bono publico service rule, recommending every lawyer aspire to render at least 50 hours of pro bono publico legal services per year, with priority to persons of limited means. Rule 6.2 (A), 6.3 (B), and 6.4 (C) address accepting appointments, legal services organization membership, and law reform — none of which is the precise pro bono service framework.

52. A — Rule 3.8 governs special responsibilities of a prosecutor, including the prohibition on prosecuting a charge known to lack probable cause and the obligation to timely disclose evidence that negates guilt. Rule 3.3 (B), 3.4 (C), and 1.13 (D) address candor generally, fairness, and organizational clients — none of which is the precise prosecutor-responsibilities framework.

53. D — Rule 1.16(d) requires the lawyer upon termination of representation to take steps reasonably practicable to protect a client's interests, including reasonable notice, time to obtain other counsel, surrendering papers and property, and refunding unearned fees. Rule 1.4 (A), 1.15 (B), and 1.5 (C) address communication, property safekeeping generally, and fees — none of which is the precise termination-protection rule.

54. B — Rule 1.8(d) prohibits a lawyer from making or negotiating an agreement giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation prior to conclusion of the representation. Rule 1.7 (A), 1.6 (C), and 8.4(c) (D) address conflicts generally, confidentiality, and dishonesty — none of which is the specific literary-rights prohibition.

55. D — Rule 1.6(b)(2) and (b)(3) provide the precise exceptions for preventing a client's crime or fraud reasonably certain to result in substantial financial injury in furtherance of which the client has used the lawyer's services, and for preventing, mitigating, or rectifying such injury already caused. Rule 1.6(b)(1) (A), (b)(4) (B), and (b)(6) (C) address death/bodily harm, legal advice, and court order compliance — none of which is the operative financial-fraud exception.

56. C — Rules 3.12 and 3.15 of the Model Code govern compensation and reporting for permitted extrajudicial activities, requiring compensation not be excessive or appear to undermine independence and requiring public reporting of compensation received. Rule 3.13 (A), 3.7 (B), and 2.4 (D) address gifts, educational and civic participation, and external influences — none of which is the precise compensation-and-reporting framework.

57. C — Rule 7.1 is the foundational prohibition on false or misleading communications about a lawyer's services, reaching unverifiable superlatives and claims that may create unjustified expectations about results. Rule 7.2 (A), 7.3 (B), and 8.4(c) (D) address advertising, solicitation, and dishonesty generally — all are downstream of or distinct from the Rule 7.1 misleading-communication test.

58. D — Rule 4.2 is the no-contact rule, with Comment 7 specifically defining the scope of "represented party" for organizational clients — supervisors, those who direct the organization's lawyer, those whose acts may be imputed, and those whose statements may constitute admissions. Rule 4.1 (A), 4.3 (B), and 4.4 (C) address truthfulness, unrepresented persons, and third-person rights — none of which is the precise organizational-party rule.

59. A — Rule 8.2(a) prohibits statements about judges that the lawyer knows to be false or makes with reckless disregard as to truth or falsity. Rule 8.4(c) (B), 8.4(d) (C), and 6.4 (D) address dishonesty generally, conduct prejudicial to justice, and law reform — none of which is the precise rule for false statements about judges.

60. A — Rule 1.1 is the competence rule, with Comment 2 recognizing acquisition of competence through reasonable study and Comment 6 recognizing acquisition through association with a lawyer of established competence in the field. Rule 1.5 (B), 5.1 (C), and 5.4 (D) address fees, partner supervision, and professional independence — none of which is the precise competence-acquisition framework.