

Name: KEY!!

November 11, 2020

Score: 20 / 20**QUIZ 3: Sources of Law and Ethics & Professional Responsibility!** (M&M chs. 4 & 5)*Given on Blackboard—remote semester*+2's
(22)
😊Instructions: Write the capital letters of the best answers. Each answer is worth two points.

A+B

1. Which of the following is/are true about primary sources of law and secondary sources of law? Select all that apply.

- A. Primary sources are the law.
- B. Secondary sources explain the law.
- C. Secondary sources are the law.
- D. Primary sources explain the law.

A

2. A source of law that a court must follow when deciding a case is called:

- A. mandatory (or binding) authority
- B. persuasive authority
- C. primary authority
- D. secondary authority

False!

3. True or false? It is possible for a secondary source to be mandatory (or binding) on a court.

A

4. The first ten amendments to the U.S. Constitution are called:

- A. the Bill of Rights
- B. the doctrine of federal preemption
- C. the Due Process Clause
- D. a citation

B

5. Law made by judges/courts is known as:

- A. stare deceses
- B. case law/common law
- C. an appeal
- D. administrative regulations

D

6. Which of the following is/are involved in determining the professional rules that govern attorneys?

- A. bar associations
- B. state legislatures
- C. state courts
- D. all of the above

D

7. Which of the following acts is/are unethical:

- A. mixing firm money and client money in the same account
- B. charging paralegal fees for clerical work
- C. charging attorney time for work a paralegal actually performed
- D. all of the above

- False!*
8. True or false? When a client asks a legal assistant for legal advice, it is acceptable for the legal assistant to give the client her legal opinion, as long as she makes it very clear to the client that she is not an attorney.
- D* 9. Attorney Anna spends a total of two hours in State Court waiting to argue a motion for her client Kanye. While Anna waits, she spends one-half hour reading documents for another client, Kim. She spends fifteen minutes talking to a judge's clerk about the case of a third client, Ke\$ha. Attorney Anna bills Kanye for two hours, Kim for one-half hour, and Ke\$ha for one-quarter hour (fifteen minutes). This is an example of ___ billing. (A) accurate (B) ethical (C) contingency (D) double

BONUS! one point each—ONLY if you answer ALL questions above!!

- B* Legal Assistant Luis brings Witness Wanda into his office for an interview. On Luis' desk is a deposition transcript and several letters from the case of Client Coleman. While interviewing Witness Wanda, Luis stops to take a phone call. While Luis talks on the phone, Witness Wanda gets bored so she picks up the transcript and letters from Client Coleman's file and reads them. Has Luis violated an ethical duty? (If you think he has violated more than one duty, choose the one he has most clearly violated.)
(A) Yes, duty of competence. (B) Yes, duty of confidentiality. (C) Yes, duty to avoid conflicts of interest. (D) No.
- B* Client Carolyn asks Paralegal Peter to lie in a court document he is preparing for Carolyn's case. Peter should:
(A) do what Carolyn says because "the client is always right."
(B) inform his supervising attorney of Carolyn's request, and tell Carolyn he will not lie in the document.
(C) pretend he didn't hear Carolyn, draft the document truthfully, and tell no one about the incident.
(D) draft the document with the lies, because no one will ever know except Carolyn and him.