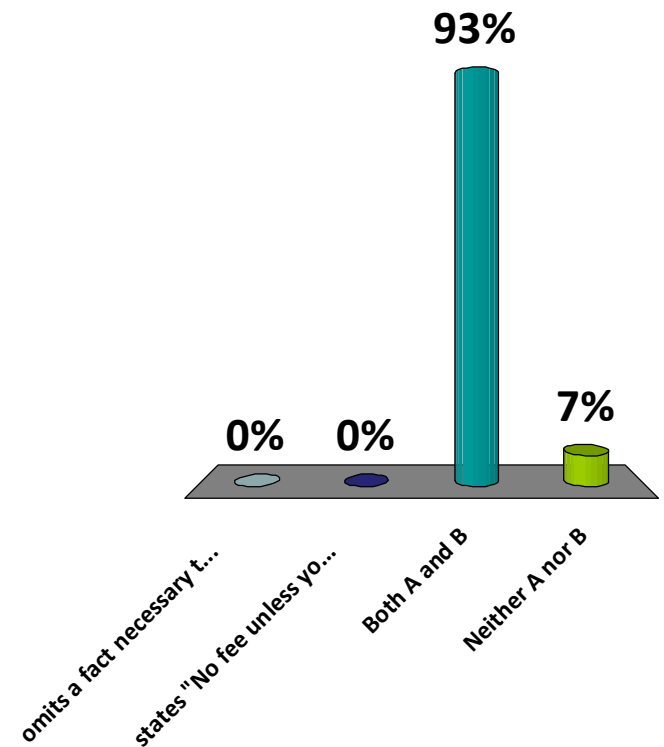


## CLASS FOUR QUIZ

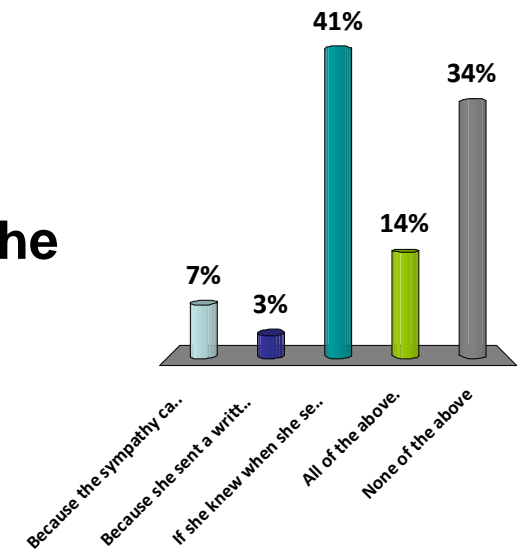
1. A lawyer can be disbarred for placing an ad in a daily newspaper which

- A. omits a fact necessary to make the ad not materially misleading
- B. states "No fee unless you win" without further explanation
- C. Both A and B-CORRECT
- D. Neither A nor B



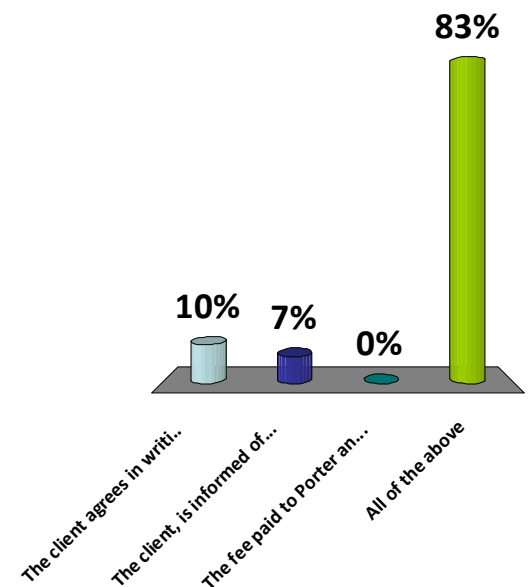
2. Lawyer reads in the newspaper that a person she had represented on a traffic ticket five years ago was the victim of a hit and run accident the day before. Lawyer waits a month and then sends a sympathy card and writes at the bottom, "I hope your recovery is coming along. When you are feeling better, I suggest you set up an appointment to discuss your possible legal options." Lawyer can be disbarred:

- A. Because the sympathy card was not plainly marked "Advertisement."
- B. Because she sent a written communication for the purpose of obtaining legal employment directly to a known victim of a personal injury.
- C. If she knew when she sent the card that the victim was still in a physical state such that he could not exercise reasonable judgment in employing a lawyer. **CORRECT**
- D. All of the above.
- E. None of the above



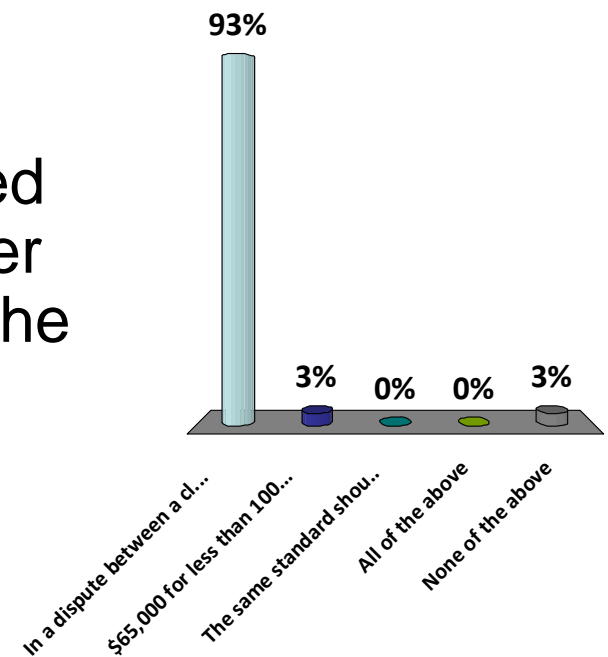
3. Blum wants to sue her former employer for sex discrimination and contacts Porter, a solo general practitioner, asking for representation on a 30% contingent fee basis. Porter contacts Day, a well known specialist in employment law, and says that Porter will allow Day to retain 75% of any contingent fee earned if they represent Blum together but Day is lead counsel. Porter can be disciplined for this fee arrangement unless:

- A. The client agrees in writing to be represented by both Porter and Day.
- B. The client, is informed of the 75%/25% split of the fee between Day and Porter and does not object.
- C. The fee paid to Porter and the fee paid to Day when added together are a reasonable fee for the client to pay.
- D. All of the above -- CORRECT



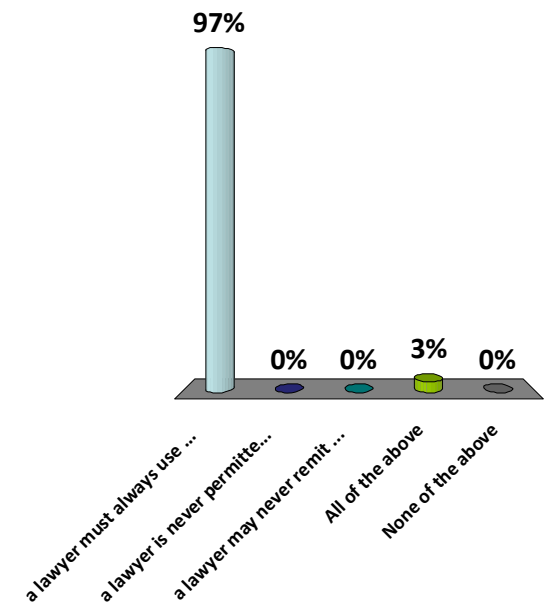
4. In McKenzie Construction v Maynard, the 3rd Circuit held that

- A. In a dispute between a client and lawyer over the fee, the burden of proving that the fee is reasonable is on the lawyer -CORRECT
- B. \$65,000 for less than 100 hours of work was a clearly excessive fee
- C. The same standard should be applied as would be used in deciding whether to discipline the lawyer for violating the disciplinary rules regarding fees
- D. All of the above
- E. None of the above



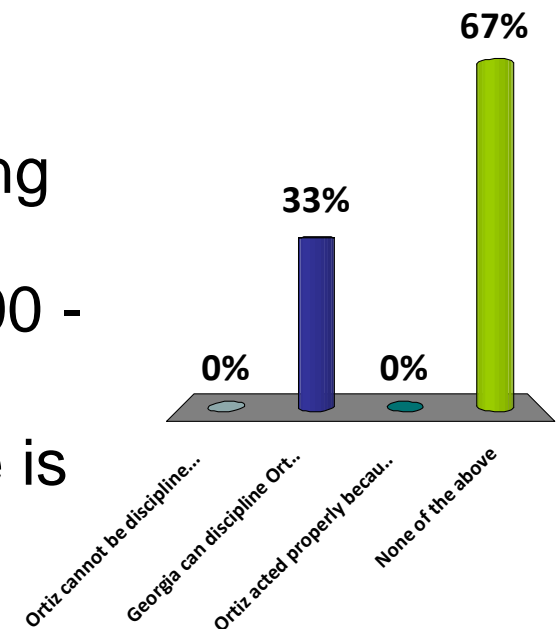
5. When managing trust accounts required by the Georgia Rules of Professional Conduct,

- A. a lawyer must always use interest bearing accounts for all client funds--  
CORRECT
- B. a lawyer is never permitted to deposit personal funds into trust accounts.
- C. a lawyer may never remit interest earned from client funds in a trust account to anyone other than the clients who deposited the funds.
- D. All of the above
- E. None of the above



6. Maria Ortiz is a sole practitioner in Atlanta and is only licensed in Georgia. A former client who has moved to New York asks her to review closing documents to purchase a condo in Manhattan and gives Ortiz the downpayment to hold in escrow. The client and Ortiz agree verbally on a flat fee of \$3500 upon closing. The seller backs out and the client asks Ortiz to return the downpayment less \$2000 as the fair value of legal services provided. Ortiz deducts \$3500 from the funds held in escrow and returns the balance to the client. The client files a grievance with the State Bar of Georgia.

- A. Ortiz cannot be disciplined in Georgia because the transaction took place in New York.
- B. Georgia can discipline Ortiz for violating New York's rule requiring written agreements for fees in excess of \$3000 -  
**CORRECT**
- C. Ortiz acted properly because a flat fee is earned when paid.
- D. None of the above



7. According to social psychologist Tom Tyler, clients care most about:

- A. The cost of legal services
- B. Having their problem or dispute settled through a fair process-  
CORRECT
- C. The number of the assets they end up winning
- D. Achieving a fair settlement.

