

Bar Examination Questionnaire for Legal Ethics
Set A

1. Atty. Mike started teaching Agrarian Reform and Taxation in June 2001 at the Arts and Sciences Department of the Far Eastern University. In 2005, he moved to San Sebastian Institute of Law where he taught Political Law. Is Atty. Mike exempt from complying with the MCLE for the 4th compliance period in April 2013?

- A. No, since he has yet to complete the required teaching experience to be exempt.
- B. No, because he is not yet a bar reviewer.
- C. Yes, since by April 2013, he will have been teaching law for more than 10 years.
- D. Yes, since he updated himself in law by engaging in teaching.

2. The acknowledgment appearing in a deed of sale reads:

“Before me personally appeared this 30 August 2010 Milagros A. Ramirez, who proved her identity to me through witnesses: 1. Rosauro S. Balana, Passport UU123456; 1-5-2010/ Baguio City; and 2. Elvira N. Buena, Passport VV200345; 1-17-2009/ Manila.

“Both witnesses, of legal ages, under oath declare that: Milagros A. Ramirez is personally known to them; she is the same seller in the foregoing deed of sale; she does not have any current identification document nor can she obtain one within a reasonable time; and they are not privy to or are interested in the deed he signed.”

What is the status of such a notarial acknowledgment?

- A. Questionable since the notary public is not shown to personally know the principal party.
- B. Ineffective since it included parties not privy to the deed.
- C. Invalid since the evidence of identity is non-compliant with the notarial rules.
- D. Valid since it is a manner of establishing the identity of the person executing the document.

3. Atty. Francisco’s retainer agreement with RXU said that his attorney's fees in its case against CRP “shall be 15% of the amounts collected.” Atty. Francisco asked the trial court to issue a temporary restraining order against CRP but this was denied, prompting him to file a petition for certiorari with the Court of Appeals to question the order of denial. At this point, RXU terminated Atty. Francisco's services. When the parties later settled their dispute amicably, CRP paid RXU P100 million. Because of this, Atty. Francisco came around and claimed a 15% share in the amount. What should be his attorney’s fees?

- A. Nothing because the compromise came after RXU terminated him.
- B. 15% of what CRP paid RXU or P15 million.
- C. A reasonable amount that the court shall fix upon proof of quantum meruit.
- D. Nothing since he was unable to complete the work stated in the retainer contract.

4. Lee became a lawyer in 1988 under a claim that he is a Filipino like his parents. Efren sought Lee’s disbarment on the ground that he really is a Chinese. To prove he is a Filipino, Lee cited an Albay regional trial court’s final

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judgment in an action to recover real property which mentioned his citizenship as Filipino. This final judgment resulted in the correction of his birth records in a separate special proceeding to show he is a Filipino, not Chinese as there stated. Is Lee's claim to Filipino citizenship valid?

- A. No, since the mention of his citizenship in the land case was just incidental.
- B. No, since those rulings were not appealed to the Supreme Court.
- C. Yes, because the rulings in his favor have become final and executory.
- D. Yes, since his parents are Filipinos based on what he said in his bar exam petition.

5. Sheryl, Eric's counsel, once asked for postponement and the court granted it since the opposing counsel, Bernadine, did not object. Eric then asked Sheryl not to allow any further postponements because his case has been pending for 8 years. When trial resumed, Bernadine moved to reset the trial because of her infant's ailment. What must Sheryl do?

- A. Remind the Court that it has the duty to promptly decide the case.
- B. Interpose no objection since she too once sought postponement without Bernadine's objection.
- C. Vehemently oppose Bernadine's motion for being contrary to Eric's wishes.
- D. Submit the motion to the Court's sound discretion.

6. In a verified complaint, Kathy said that Judge Florante decided a petition for correction of entry involving the birth record of her grandson, Joshua, who happened to be child of Judge Florante's daughter, Pilita. Judge Florante insisted that he committed no wrong since the proceeding was non-adversarial and since it merely sought to correct an erroneous entry in the child's birth certificate. Is Judge Florante liable?

- A. Yes, because Florante breached the rule on mandatory disqualification.
- B. No, because Judge Florante has no pecuniary interest in the proceeding.
- C. No, because it is true the proceeding was non-adversarial so it prejudiced no one.
- D. Yes, since the correction in the child's record affects the details of birth of the child.

7. Which of the following statements best describes the distinct traditional dignity that the legal profession enjoys over other professions?

- A. People are quite dependent on lawyers for their skills in getting them out of trouble with the law.
- B. Its members strive to maintain honesty even in their private dealings.
- C. Its members earn by charging specified emoluments or fees.
- D. The profession is anchored on a fiduciary relation with the client.

8. Raul sought Ely's disbarment for notarizing a deed of sale knowing that four of the sellers were dead. Ely admitted that he notarized the deed of sale but only after his client assured him that the signatures of the others were authentic. Later, Raul moved to have the complaint against him dismissed on the ground that it was filed because of a misunderstanding which had already been clarified. This prompted the IBP to recommend the dismissal of the complaint. Can the

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dismissal be allowed?

- A. No, unless the complainant executes an affidavit of desistance.
- B. Yes, since no compelling reason remained to continue with it.
- C. Yes, but recall Ely's notarial commission since the charge against him seems meritorious.
- D. No, given Ely's admission that he notarized the document when some signatories were absent.

9. When will Atty. Antonio's notarial commission expire if he applied for and was given such commission on 12 November 2010?

- A. 31 December 2012
- B. 31 December 2011
- C. 11 November 2011
- D. 11 November 2012

10. Elaine filed a complaint against Fely before their barangay concerning a contract that they entered into. During conciliation, Fely came with Sarah, who claimed the right to represent her minor sister. The barangay captain let Sarah assist her sister. Eventually, the barangay issued a certificate to file action after the parties failed to settle their differences. When Sarah formally appeared as lawyer for her sister, Elaine filed an administrative complaint against her for taking part in the barangay conciliation and preventing the parties from taking meaningful advantage of the same. Is Sarah liable?

- A. No, because she has to represent her sister who was a minor.
- B. No, because the Court can always dismiss the case without prejudice to a genuine conciliation.
- C. Yes, because what Sarah did was deceitful and amounts to fraud.
- D. Yes, because as a lawyer, she is absolutely forbidden to appear in barangay conciliations.

11. Which of the following will subject Atty. Lyndon, a Manila notary public, to sanctions under the notarial rules?

- A. Notarizing a verification and certification against forum shopping in Manila Hotel at the request of his Senator-client.
- B. Refusing to notarize an extra-judicial settlement deed after noting that Ambo, a friend, was delisted as heir when he was in fact one.
- C. Performing signature witnessing involving his brother-in-law and recording it in his register.
- D. Notarizing a deed of sale for someone he knew without requiring any proof of identity.

12. Justice Frank, a retired Court of Appeals justice, appeared before the Supreme Court on behalf of Landbank, a government bank, in a case involving the compensable value of the property taken from a landowner under the agrarian reform law. The landowner questioned Justice Frank's appearance in the case, pointing out that the same is unethical and smacks of opportunism since he obviously capitalizes on his judicial experience. Is Justice Frank's appearance in the case valid?

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A. Yes, because the law allows such appearance as long as the government is not the adverse party.

B. No, because he cannot enjoy his retirement pay and at the same time work for a government institution.

C. Yes, since Landbank does not perform government function.

D. No, he should have waited for at least a year to avoid improprieties.

13. On appeal, RTC Judge Rudy affirmed the MTC's conviction of Lorna for violation of the bouncing checks law and awarded Agnes, the complainant, Php1.6 million in damages. Two years later, upon Lorna's motion and after ascertaining that her counsel never received the court's decision, Judge Rudy recalled the entry of judgment in the case, reversed himself, and absolved Lorna of guilt. Claiming an unjust judgment, Agnes filed an administrative complaint against Judge Rudy, saying that it is plain from the circumstances that he connived with Lorna, her counsel, and the handling prosecutor. But she offered no further evidence. Rudy denied the charges and asserted that any error in his judgment is correctible only by an appeal, not by an administrative suit. Should Judge Rudy be disciplined?

A. No, because Agnes' complaint is merely based on suspicions and speculations.

B. No, because Agnes has yet to establish that Rudy's decision is plainly erroneous.

C. Yes, because he gravely abused his discretion in recalling the entry of judgment.

D. Yes, because reconsidering the judgment of conviction that the MTC and he earlier issued shows anomaly in Judge Rudy's action.

14. After Atty. Benny got a P2 million final judgment in his client's favor, he promptly asked the court, without informing his client, to allow him a charging lien over the money in the amount of P500,000, his agreed fees. The Court issued a writ of execution for the whole judgment in Atty. Benny's name with an order for him to turn over the excess to his client. Is Atty. Benny's action correct?

A. No, since his fees are excessive.

B. Yes, since he was merely asserting his right to collect his fees.

C. Yes, since he would anyway give the excess to his client after getting his fees.

D. No, since he did not disclose to his client the matter of getting a charging lien and a writ of execution in his name.

15. On 17 April 2006 NWD, a local water district entity, hired Atty. Chito as private counsel for a year with the consent of the Office of the Government Corporate Counsel (OGCC). Shortly after, a leadership struggle erupted in NWD between faction A and faction B. Siding with the first, Atty. Chito filed several actions against the members of faction B. Eventually, the court upheld Faction B which thus revoked Atty. Chito's retainer on 14 January 2007. With OGCC's approval, NWD hired Atty. Arthur in his place. When Atty. Arthur sought the dismissal of the actions that Atty. Chito had instituted, the latter objected on the ground that his term had not yet expired and Atty. Arthur had no vacancy to fill up. Is Atty. Chito right?

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A. No, because Atty. Chito's continued appearances in the cases was without authority since 14 January 2007.

B. No, because Atty. Arthur would have violated the rule on forum shopping.

C. Yes, because Atty. Chito's retainer and authority remained valid until 17 April 2006.

D. No, because Atty. Chito has the duty to expose the irregularities committed by the members of Faction B.

16. Noel and Emily who were involved in a road accident sued Ferdie, the driver of the other car, for damages. Atty. Jose represented only Noel but he called Emily to testify for his client. During direct examination, Emily claimed that her injuries were serious when Atty. Jose knew that they were not. Still, Atty. Jose did not contest such claim. Ferdie later sued Emily for giving false testimony since her own doctor's report contradicted it. He also sued Atty. Jose for foisting a false testimony in court. Is Atty. Jose liable?

A. No, because he did not knowingly arrange for Emily to lie in court.

B. Yes, because he did not advise his client to settle the case amicably.

C. No, because Emily did not permit him to reveal the falsity to the court.

D. Yes, because he knowingly let Emily's false testimony pass for truth.

17. In settling his client's claims, Atty. Cruz received from the adverse party P200,000 in cash for his client. Which of the following is an IMPROPER way for Atty. Cruz to handle the money?

A. Ask his client to prepare a check for his fees for swapping with the cash.

B. Deposit the cash in his own bank account and later issue his personal check to his client, less his fees.

C. Turn over the cash to his client with a request that the latter pay him his fees.

D. Tell his client about the settlement and the cash and wait for the client's instructions.

18. Judge Cristina has many law-related activities. She teaches law and delivers lectures on law. Some in the government consult her on their legal problems. She also serves as director of a stock corporation devoted to penal reform, where she participates in both fund raising and fund management. Which of the following statements applies to her case?

A. She should not engage in fund raising activities.

B. Her activities are acceptable except the part where she is involved in fund management.

C. She can teach law and deliver lectures on law but not do the other things.

D. All of her activities are legal.

19. One of the foundation principles of the Bangalore Draft of the Code of Judicial Conduct is the importance in a modern democratic society of

A. a judicial system that caters to the needs of the poor and the weak.

B. public confidence in its judicial system and in the moral authority and integrity of its judiciary.

C. the existence of independent and impartial tribunals that have the support of its government.

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D. judges who are learned in law and jurisprudence.

20. After representing Lenie in an important lawsuit from 1992 to 1995, Atty. Jennifer lost touch of her client. Ten years later in 2005, Evelyn asked Atty. Jennifer to represent her in an action against Lenie. Such action involved certain facts, some confidential, to which Atty. Jennifer was privy because she handled Lenie's old case. Can Atty. Jennifer act as counsel for Evelyn?

- A. No, but she can assist another lawyer who will handle the case.
- B. Yes, but she must notify Lenie before accepting the case.
- C. No, because her duty to keep the confidences of previous clients remains.
- D. Yes, but she cannot reveal any confidential information she previously got.

21. Eric, a labor federation president, represented Luisa, a dismissed WXT employee, before the NLRC. Atty. John represented Luisa's two co-complainants. In due course, the NLRC reinstated the three complainants with backwages and awarded 25% of the backwages as attorney's fees, 15% for Atty. John and 10% for Eric, a non-lawyer. When WXT appealed to the Court of Appeals, Atty. John questioned Eric's continued appearance before that court on Luisa's behalf, he not being a lawyer. Is Eric's appearance before the Court of Appeals valid?

- A. Yes, for Eric has a personal stake, the fees awarded to him, in defending the NLRC's decision in the case.
- B. No, since John can very well represent Luisa, she being in the same situation as his own clients.
- C. No, because the representation of another in courts can be entrusted only to lawyers.
- D. Yes, since that appeal is a mere continuation of the labor dispute that began at the NLRC.

22. In what documented act will a notary public's failure to affix the expiration date of his commission warrant administrative sanction?

- A. In the jurat of a secretary's certificate.
- B. In the will acknowledged before him.
- C. In the signature witnessing he performed.
- D. In the document copy he certified.

23. Provincial Governors and Municipal Mayors who are lawyers are MCLE exempt because

- A. they handle cases of their constituents for free.
- B. the Local Government Code prohibits them from practicing their profession.
- C. they are rendering public service.
- D. As experts in local governance, it may be assumed that they are updated on legal developments.

24. A difficult client directed his counsel to bring up to the Supreme Court the trial court's dismissal of their action. Counsel believes that the trial court acted correctly and that an appeal would be futile. Which of the following options should counsel take?

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- A. Withdraw from the case to temper the client's propensity to litigate.
- B. Engage a collaborating counsel who can assist in the case.
- C. Submit a new retainer proposal to the client for a higher fee.
- D. Elevate the case to the Supreme Court as directed by client.

25. Although not counsel in a particular case, Atty. Anthony asked Lisa, the RTC clerk of court, if the case records have already been remanded to the MTC as the Court of Appeals directed. Lisa said no, saying that the RTC had not yet received a certified copy of the Court of Appeals' decision. When Lisa suggested that Atty. Anthony first secure such a copy, the latter scolded her. Shamed by this, Lisa filed a disciplinary action against him for encroaching on the work of the lawyers of record. Anthony defends his follow-up action by claiming good faith and the possibility of entering his appearance later. Is Anthony liable for his record follow up?

- A. Yes, because he did not inform Lisa of the basis of his interest in the case.
- B. Yes, because none of the parties to the case authorized him to do such follow-up.
- C. No, because he acted in good faith with a view to a possible retainer.
- D. No, because following up the records of any case does not constitute practice of law.

26. Administrative proceedings against Judges of all courts and Justices of the Court of Appeals and the Sandiganbayan shall be

- A. private and confidential.
- B. public but subdued.
- C. private but transparent.
- D. public.

27. When does the initial MCLE compliance period of a newly admitted member of the bar begin?

- A. On the first day of the month of his admission.
- B. On the tenth day of the month of his admission.
- C. On the third year after his admission as member.
- D. On the first year of the next succeeding compliance period.

28. Counsel for Philzea Mining appealed a decision of the Bureau of Mines, which was adverse to his client, to the Environment Secretary. At about the same time, he filed a special civil action of certiorari with the Court of Appeals for the annulment of the same decision. Did counsel commit any ethical impropriety in his actions?

- A. Yes, since the action he filed with the Court of Appeals was barred by the pendency of a similar action before the Environment Secretary.
- B. Yes, since he was evidently shopping for a sympathetic forum, a condemnable practice.
- C. No, since his appeal to the Environment Secretary was administrative, not judicial.
- D. No, since he has to exhaust all available remedies to serve his client's

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interest.

29. Atty. Melissa witnessed the car accident that resulted in injury to Manny, a friend of hers. While visiting him at the hospital, she advised him about what action he needed to take regarding the accident. Is Atty. Melissa subject to disciplinary action if she eventually handles the case for him?

- A. No, because Melissa did not directly volunteer her services.
- B. No, because Manny happened to be a friend.
- C. Yes, she engaged in typical ambulance chasing.
- D. Yes, because she should have offered her services for free.

30. A Court Administrator's auditing team found that Judge Ruby used business cards which stated, in addition to her official title as presiding judge of her court, that she is bar topnotcher, her law school's "class valedictorian," and "one of the most sought after private law practitioners" before she joined the judiciary, all of which are true. Asked to explain this seeming impropriety, Ruby pointed out that business cards can include the person's "title" which is broad enough to include in her case her standing in the bar and all the honors she earned. Did Ruby commit an impropriety?

- A. Yes, unless the cards were given to her as a gift.
- B. No, because all she stated in her business cards are true.
- C. Yes, because she showed a hunger for publicity and recognition that debases her judicial post.
- D. No, because she is free to include in her business cards details that say who she is.

31. Serving as counsel de officio, Atty. Mamerto advised John of the consequences of his plea of not guilty to the charge. Before trial could be held, however, the presiding judge died. As it happened, Atty. Mamerto was appointed judge and John's case was assigned to him by raffle. John quickly moved for the judge's disqualification. Is Judge Mamerto under obligation to inhibit himself from the case?

- A. No, because his service to John was just momentary.
- B. Yes, because his knowledge of John's case affects his judgment.
- C. No, because he was merely a counsel de officio.
- D. Yes, because he served as John's counsel.

32. Myra asked Atty. Elma to notarize her deed of sale. When Elma asked for Myra's competent evidence of identity, she explained that she does not have any current identification document nor could she get one soon. Instead, she presented her friend, Alex, who showed Atty. Elma his driver's license and confirmed her Myra's identity. Is Alex's identification of Myra valid?

- A. Yes, provided Alex states in the deed of sale that he knew Myra personally.
- B. No, Myra needs to produce a valid identification document of herself.
- C. No, since Alex is not himself a party to the document.
- D. Yes, since Alex had a valid identification document.

33. Atty. Eliseo represented Allan in a collection suit against the Philippine

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Charity Sweepstakes Office (PCSO). After his election as sangguniang bayan member, the court rendered a decision in PCSO's favor. Still, Atty. Eliseo appeared for Allan in the latter's appeal, prompting the PCSO to question his right to do so. In response, Atty. Eliseo claimed that the local government code authorizes him to practice law as long it does not conflict with his duties. Is Atty. Eliseo right?

A. No, because he cannot appear against a government instrumentality in a civil case.

B. Yes, because his official duties do not conflict with his private practice.

C. No, because he works on his private case at the sacrifice of public service.

D. Yes, because he does not appear in the case as a municipal official.

34. Which of the following instances demonstrates counsel's LACK of diligence in serving his client's interest?

A. Failing to file his client's appeal brief despite 2 extensions upon the excuse that the client did not coordinate with him.

B. Failing to send to client a requested legal opinion until after the latter gave him the additional documents he requested.

C. Failing to rehearse his client on his testimony before the trial.

D. Updating his client about the status of his case by phone and electronic mail.

35. What is the method of national inquiry into the conduct of Supreme Court magistrates?

A. Administrative investigation.

B. Disqualification.

C. Impeachment.

D. Disbarment.

36. What unhealthy attitude of mind should a judge avoid falling into?

A. Hearing and adjudicating cases is an important job.

B. Courts are made for litigants.

C. Litigants are made for the courts.

D. Courts should dispose of their cases on time.

37. After hearing in a sensational criminal case, counsel for the accused told television viewers how the judge unfairly ruled to stop his witness from testifying fully about certain aspects of the case that would help the accused. Counsel said that the public should know the injustice to which his client was being subjected. Can counsel be disciplined for his utterances?

A. Yes, because rather than defend the judicial system as was his duty, he attacked it.

B. No, since counsel did not use obscene language.

C. No, so long as counsel did not knowingly make false statements or act in reckless disregard of truth.

D. Yes, even if the judge may have actually made unfair rulings in the course of trial.

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38. Which of the following is required of counsel when withdrawing his services to a client in a case?

- A. Counsel's desire to withdraw, expressed in his motion.
- B. Payment of withdrawal fee.
- C. Opposing counsel's conformity to the withdrawal.
- D. Client's written consent filed in court.

39. Which of the following demonstrates the lawyer's duty to give the court the respect it deserves?

- A. Counsel consistently appearing in court on time.
- B. Counsel obeying court's orders and processes.
- C. Woman counsel appearing in court dressed in business attire.
- D. Counsel addressing the court as "Your Honor" at all times.

40. Atty. Arthur agreed to represent Patrick in a personal injury case after the latter signed a retainer agreement for a 33% fee contingent on their winning the case. In the course of trial, Patrick dismissed Atty. Arthur after he presented their evidence in chief and engaged Atty. Winston another lawyer. They lost the case. What fee would Atty. Arthur be entitled to?

- A. Thirty three percent of the fee actually paid to Winston.
- B. The reasonable value of his services.
- C. A flat hourly rate for the time he invested in the case.
- D. Absolutely nothing.

41. Ronnie, a paralegal in a law firm, helped Beth in a property dispute in which she was involved by giving her legal advice and preparing a complaint that she eventually filed in court under her own signature. When the lawyer for the defendant learned of it, he told Ronnie to desist from practicing law. But he disputed this, claiming that he had not practiced law since he did not receive compensation from Beth for his help. Is Ronnie correct?

- A. Yes, because he could as a paralegal provide competent legal help to litigants.
- B. Yes, for so long as he did not sign the complaint or appeared as Beth's lawyer.
- C. No, unless Beth was ill-advised in filing her complaint in court.
- D. No, because receipt of compensation is not the sole determinant of legal practice.

42. Which of the following characteristics pertains to a charging lien?

- A. It cannot attach to judgments for delivery of real estates.
- B. It involves documents placed in the lawyer's possession by reason of the retainer.
- C. It does not need any notice to the client to make it effective.
- D. It may be exercised before judgment or execution.

43. To whom may the Supreme Court refer complaints against lawyers for investigation?

- A. Integrated Bar of the Philippines.

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- B. Office of the Bar Confidant.
- C. Judicial and Bar Council.
- D. Office of the Court Administrator.

44. After several years as a private practitioner, Ben got appointed as Regional Trial Court judge. Five years after his appointment, he received summons directing him to answer a disbarment complaint that pertained to a document he notarized more than 10 years ago from appointment date. He sought the dismissal of the complaint arguing that the cause of action has prescribed. Must the complaint be dismissed?

- A. No, because such complaints do not prescribe.
- B. Yes, because the complaint creates a chilling effect on judicial independence.
- C. No, but the complaint should be verified to ensure transparency.
- D. Yes, because actions on contracts prescribe in 10 years.

45. On November 28 Atty. Patrick wrote in a newspaper column that the Supreme Court already decided in favor of the validity of the Executive Order that created the Truth Commission upon a vote of 13-2. But, as it turned out, the Court actually rendered an adverse decision only on December 7, and upon a vote of 10-5. Asked to explain his misleading article, Patrick said that his constitutionally protected right to free expression covered what he wrote. Can the Court cite Patrick for contempt?

- A. Yes, because his article obstructs and degrades the administration of justice.
- B. No, because the right to free expression occupies a high rank in the hierarchy of cherished rights.
- C. No, because courts must simply ignore public opinion and the media when rendering decisions.
- D. Yes, because he wrote a lie in his column.

46. Atty. Ramon borrowed his client's (Menchu) land title. After eight months, Menchu demanded its return but he failed to comply and changed his residence. After Menchu tracked him down, she confronted him about the title. He then offered to just buy the property and gave her five checks for it but these bounced. Charged with malpractice, Atty. Ramon answered that his license to practice law cannot be in issue. He merely incurred civil liability for a failed transaction. Will the malpractice action prosper?

- A. No, because his failure to pay his obligation only makes him civilly liable.
- B. No, since Menchu did not transact business with Atty. Ramon as a lawyer.
- C. Yes, because it is professionally reprehensible for a lawyer to be unavailable to a person in need.
- D. Yes, he having taken advantage of Menchu who was not fully protected and had no independent advice.

47. Atty. Alfredo Prado appeared in a case as legal officer of the Land Registration Authority (LRA). His opponent, Atty. Armando, knew an Atty. Alfredo Prado from his province who had been dead for years. When Atty. Armando checked with the Supreme Court, only one Alfredo Prado was in the roll of attorneys. What action can Atty. Armando take against Vicente who had taken a dead lawyer's identity?

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- A. File direct contempt action against Vicente for deceiving the court.
- B. Criminally prosecute Vicente for estafa for making money upon false pretense.
- C. Criminally prosecute Vicente for theft of Alfredo's identity and law practice.
- D. Institute a disbarment case against Vicente for misrepresenting himself as lawyer.

48. After the prosecution cross-examined Shiela, a witness for the accused, Judge Pedro asked her ten additional questions that were so intense they made her cry. One question forced Sheila to admit that her mother was living with another man, a fact that weighed on the case of the accused. This prompted the latter's counsel to move to expunge the judge's questions for building on the prosecution's case. Judge Pedro denied the motion, insisting that bolstering a party's case is incidental to the court's desire to be clarified. Did Pedro commit an impropriety?

- A. No, his ten questions could not be considered an undue intervention.
- B. No, because the judge is free to inquire into any aspect of the case that would clarify the evidence for him.
- C. Yes, because he effectively deprived the defense of its right to due process when he acted both as prosecutor and judge.
- D. Yes, because nothing connects his desire to be clarified with the questions he asked.

49. Administrative penalties imposed on judges are

- A. curative.
- B. punitive.
- C. corrective.
- D. both punitive and corrective.

50. Which of the following demonstrates a lawyer's fidelity to known practices and customs of the bar regarding a case he is handling?

- A. Treating his client's disclosures as confidential but not the documents he submits for review.
- B. Meeting with his client's opponent over lunch to discuss settlement without telling his client.
- C. Accepting a tough case although he is new in practice, trusting that his diligence would make up for lack of experience.
- D. Inviting the judge hearing the case to dinner with no purpose to discuss the case with him.