

MCLE SELF-STUDY TEST

ETHICS AND CAPACITY

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- 1 The more trust the client has in the lawyer, the more likely the lawyer's ability to persuade or dissuade the client.
 True False
- 2 There is a California Rule on point dealing with the impaired client.
 True False
- 3 The courts can look to the ABA Rules when there is no California Rule on point.
 True False
- 4 ABA Model Rule 1.2 says that settlement and the objectives of representation are for the client to decide.
 True False
- 5 ABA Model Rule 1.2 addresses the question of to what extent the lawyer must follow the client's stated choices.
 True False
- 6 ABA Model Rule 1.2 addresses the question of when the lawyer can and should override the client's wishes.
 True False
- 7 David Mason was found incompetent to decide not to go forward with his appeal.
 True False
- 8 San Francisco Ethics Opinion 1999-2 allows an attorney to take protective action with respect to a client's person or property.
 True False
- 9 San Francisco Ethics Opinion 1999-2 compels the lawyer to take action if a client is incompetent.
 True False
- 10 San Diego Ethics Opinion 1978-1 concluded that no conservatorship could be sought.
 True False
- 11 COPRAC 1989-112 found that seeking a conservatorship would be acting adverse to the client.
 True False
- 12 COPRAC 1989-112 found that seeking a conservatorship would be an improper revelation of client secrets.
 True False
- 13 *People v. Deere* 808 P.2d 1181 (Cal.1991) does not address how courts might handle the impaired client. (footnote)
 True False
- 14 *People v. Bolden* 99 Cal. App.3d 375 (1975) does address how courts might handle the impaired client. (footnote)
 True False
- 15 The State Bar can prosecute an attorney for seeking a conservatorship.
 True False

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