

Please complete the following quiz by selecting the most accurate response/answer to the statements and questions below:

1. A prosecutor's job is to convict.
a. True b. False
2. In addition to RPC 3.8, a prosecutor's ethical duties are further delineated:
a. in statute.
b. in case law.
c. by national prosecution standards.
d. all of the above.
3. Prosecutorial misconduct:
a. can undermine public confidence in government and the justice system.
b. occurs when a prosecutor knowingly or recklessly violates ethical standards.
c. denies a defendant a fair trial.
d. all of the above.
4. Prosecutorial discretion is the power to decide whether someone lives or dies.
a. True b. False
5. RPC 3.8:
a. requires that a prosecutor refrain from prosecuting a charge not supported by proof beyond a reasonable doubt.
b. requires that a prosecutor ensure that the Eighth Amendment prohibition on cruel and unusual punishments is not violated.
c. prohibits a prosecutor from seeking a waiver of preliminary hearings or other important pretrial rights from an unrepresented accused.
d. all of the above.
6. The *Brady* rule is codified in RPC 3.8(d).
a. True b. False
7. The prosecutor has a specific obligation:
a. to see that the defendant is accorded procedural justice.
b. to see that guilt is decided upon the basis of sufficient evidence.
c. to see that precautions are taken to prevent and to rectify the conviction of innocent persons.
d. all of the above.
8. Subsections (g) and (h) of the ABA Model Rule 3.8 have not been adopted in Nevada.
a. True b. False
9. A systematic abuse of prosecutorial discretion could constitute a violation of Rule 5.4.
a. True b. False
10. The prohibition on extrajudicial statements:
a. prohibits any statements by a prosecutor in a criminal proceeding likely to increase public condemnation of the accused.
b. is aimed at extrajudicial statements that can violate the right to a fair trial.
c. extends to any person assisting the prosecution in a case.
d. all of the above.
11. Information that may be appropriate for disclosure in a criminal prosecution includes:
a. whether the accused has committed acts of moral turpitude.
b. if the accused has not been apprehended, information necessary to aid in apprehension.
c. whether the accused waived his or her *Miranda* rights.
d. all of the above.
12. Subjects that "are more likely than not to have a material prejudicial effect on a criminal proceeding" include:
a. the reputation of a suspect.
b. the possibility of a guilty plea.
c. the existence of a confession.
d. all of the above.
13. RPC 1.13 applies to the representation of governmental entities.
a. True b. False
14. In Nevada, a government attorney has an affirmative duty:
a. to disclose to any elected official an attorney represents whether or not the attorney voted for that official.
b. to refrain from representing a government official that is not of the same political party as the attorney.
c. to communicate to each government official with whom he or she has an immediate attorney-client relationship that the client is the government entity, not the official.
d. all of the above.
15. In Nevada, a government attorney has a special responsibility under RPC 1.13(f).
a. True b. False
16. In Nevada, a government attorney may represent a government official as a private citizen:
a. only if the act or omission on which the action is based was clearly not within the course and scope of the government official's public duty.
b. only if the government official is a defendant in a criminal prosecution.
c. only if the attorney has a good faith belief that providing representation is in the best interests of the public.
d. none of the above.

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17. A government attorney must carefully balance the public's right to access with any legal or ethical constraints on his or her ability to disclose information or otherwise engage in public discourse.
- a. True b. False
18. A government attorney has no authority to question the conduct of elected officials since voters hold elected officials accountable.
- a. True b. False
19. The disqualification of government lawyers based on a conflict of interest is governed by:
- a. RPC 1.10
b. RPC 1.11
c. there are no specific rules addressing the disqualification of government lawyers based on a conflict of interest.
d. none of the above.
20. The appearance of impropriety is the appropriate standard for determining whether an individual attorney's conflict should be imputed to an entire office of government attorneys.
- a. True b. False

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- 1) Read the article on pages 24-26
- 2) Answer the quiz questions on page 27-28. Each question has only one correct answer.
- 3) Send completed quiz along with this form and \$45 processing fee.

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