

Section IV

Time—35 minutes

27 Questions

Directions: Each set of questions in this section is based on a single passage or a pair of passages. The questions are to be answered on the basis of what is stated or implied in the passage or pair of passages. For some of the questions, more than one of the choices could conceivably answer the question. However, you are to choose the best answer; that is, the response that most accurately and completely answers the question, and blacken the corresponding space on your answer sheet.

- Over the past 50 years, expansive, low-density communities have proliferated at the edges of many cities in the United States and Canada, creating a phenomenon known as suburban sprawl. Andres Duany, Elizabeth Plater-Zyberk, and Jeff Speck, a group of prominent town planners belonging to a movement called New Urbanism, contend that suburban sprawl contributes to the decline of civic life and civility. For reasons involving the flow of automobile traffic, they note, zoning laws usually dictate that suburban homes, stores, businesses, and schools be built in separate areas, and this separation robs people of communal space where they can interact and get to know one another. It is as difficult to imagine the concept of community without a town square or local pub, these town planners contend, as it is to imagine the concept of family independent of the home.

- Suburban housing subdivisions, Duany and his colleagues add, usually contain homes identical not only in appearance but also in price, resulting in a de facto economic segregation of residential neighborhoods. Children growing up in these neighborhoods, whatever their economic circumstances, are certain to be ill prepared for life in a diverse society. Moreover, because the widely separated suburban homes and businesses are connected only by “collector roads,” residents are forced to drive, often in heavy traffic, in order to perform many daily tasks. Time that would in a town center involve social interaction within a physical public realm is now spent inside the automobile, where people cease to be community members and instead become motorists, competing for road space, often acting antisocially. Pedestrians rarely act in this manner toward each other. Duany and his colleagues advocate development based on early-twentieth-century urban neighborhoods that mix housing of different prices and offer residents a “gratifying public realm” that includes narrow, tree-lined streets, parks, corner grocery stores, cafes, small neighborhood schools, all within walking distance. This, they believe, would give people of diverse backgrounds and lifestyles an opportunity to interact and thus develop mutual respect.

- Opponents of New Urbanism claim that migration to sprawling suburbs is an expression of people’s legitimate desire to secure the enjoyment and personal mobility provided by the automobile and the lifestyle that it makes possible. However, the New Urbanists do not question people’s right to their own values; instead, they suggest that we should take a more critical view of these values and of the sprawl-

- conductive zoning and subdivision policies that reflect them. New Urbanists are fundamentally concerned with the long-term social costs of the now-prevailing attitude that individual mobility, consumption, and wealth should be valued absolutely, regardless of their impact on community life.

1. Which one of the following most accurately expresses the main point of the passage?
 - (A) In their critique of policies that promote suburban sprawl, the New Urbanists neglect to consider the interests and values of those who prefer suburban lifestyles.
 - (B) The New Urbanists hold that suburban sprawl inhibits social interaction among people of diverse economic circumstances, and they advocate specific reforms of zoning laws as a solution to this problem.
 - (C) The New Urbanists argue that most people find that life in small urban neighborhoods is generally more gratifying than life in a suburban environment.
 - (D) The New Urbanists hold that suburban sprawl has a corrosive effect on community life, and as an alternative they advocate development modeled on small urban neighborhoods.
 - (E) The New Urbanists analyze suburban sprawl as a phenomenon that results from short-sighted traffic policies and advocate changes to these traffic policies as a means of reducing the negative effects of sprawl.
2. According to the passage, the New Urbanists cite which one of the following as a detrimental result of the need for people to travel extensively every day by automobile?
 - (A) It imposes an extra financial burden on the residents of sprawling suburbs, thus detracting from the advantages of suburban life.
 - (B) It detracts from the amount of time that people could otherwise devote to productive employment.
 - (C) It increases the amount of time people spend in situations in which antisocial behavior occurs.
 - (D) It produces significant amounts of air pollution and thus tends to harm the quality of people’s lives.
 - (E) It decreases the amount of time that parents spend in enjoyable interactions with their children.

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3. The passage most strongly suggests that the New Urbanists would agree with which one of the following statements?
- (A) The primary factor affecting a neighborhood's conduciveness to the maintenance of civility is the amount of time required to get from one place to another.
 - (B) Private citizens in suburbs have little opportunity to influence the long-term effects of zoning policies enacted by public officials.
 - (C) People who live in suburban neighborhoods usually have little difficulty finding easily accessible jobs that do not require commuting to urban centers.
 - (D) The spatial configuration of suburban neighborhoods both influences and is influenced by the attitudes of those who live in them.
 - (E) Although people have a right to their own values, personal values should not affect the ways in which neighborhoods are designed.
4. Which one of the following most accurately describes the author's use of the word "communities" in line 2 and "community" in line 15?
- (A) They are intended to be understood in almost identical ways, the only significant difference being that one is plural and the other is singular.
 - (B) The former is intended to refer to dwellings—and their inhabitants—that happen to be clustered together in particular areas; in the latter, the author means that a group of people have a sense of belonging together.
 - (C) In the former, the author means that the groups referred to are to be defined in terms of the interests of their members; the latter is intended to refer generically to a group of people who have something else in common.
 - (D) The former is intended to refer to groups of people whose members have professional or political ties to one another; the latter is intended to refer to a geographical area in which people live in close proximity to one another.
 - (E) In the former, the author means that there are informal personal ties among members of a group of people; the latter is intended to indicate that a group of people have similar backgrounds and lifestyles.
5. Which one of the following, if true, would most weaken the position that the passage attributes to critics of the New Urbanists?
- (A) Most people who spend more time than they would like getting from one daily task to another live in central areas of large cities.
 - (B) Most people who often drive long distances for shopping and entertainment live in small towns rather than in suburban areas surrounding large cities.
 - (C) Most people who have easy access to shopping and entertainment do not live in suburban areas.
 - (D) Most people who choose to live in sprawling suburbs do so because comparable housing in neighborhoods that do not require extensive automobile travel is more expensive.
 - (E) Most people who vote in municipal elections do not cast their votes on the basis of candidates' positions on zoning policies.
6. The passage most strongly suggests that which one of the following would occur if new housing subdivisions in suburban communities were built in accordance with the recommendations of Duany and his colleagues?
- (A) The need for zoning laws to help regulate traffic flow would eventually be eliminated.
 - (B) There would be a decrease in the percentage of suburban buildings that contain two or more apartments.
 - (C) The amount of time that residents of suburbs spend traveling to the central business districts of cities for work and shopping would increase.
 - (D) The need for coordination of zoning policies between large-city governments and governments of nearby suburban communities would be eliminated.
 - (E) There would be an increase in the per capita number of grocery stores and schools in those suburban communities.
7. The second paragraph most strongly supports the inference that the New Urbanists make which one of the following assumptions?
- (A) Most of those who buy houses in sprawling suburbs do not pay drastically less than they can afford.
 - (B) Zoning regulations often cause economically uniform suburbs to become economically diverse.
 - (C) City dwellers who do not frequently travel in automobiles often have feelings of hostility toward motorists.
 - (D) Few residents of suburbs are aware of the potential health benefits of walking, instead of driving, to carry out daily tasks.
 - (E) People generally prefer to live in houses that look very similar to most of the other houses around them.

Passage A

In ancient Greece, Aristotle documented the ability of foraging honeybees to recruit nestmates to a good food source. He did not speculate on how the communication occurred, but he and naturalists since

- (5) then have observed that a bee that finds a new food source returns to the nest and “dances” for its nestmates. In the 1940s, von Frisch and colleagues discovered a pattern in the dance. They observed a foraging honeybee’s dance, deciphered it, and thereby
- (10) deduced the location of the food source the bee had discovered. Yet questions still remained regarding the precise mechanism used to transmit that information.

- In the 1960s, Wenner and Esch each discovered independently that dancing honeybees emit low-
- (15) frequency sounds, which we now know to come from wing vibrations. Both researchers reasoned that this might explain the bees’ ability to communicate effectively even in completely dark nests. But at that time many scientists mistakenly believed that
- (20) honeybees lack hearing, so the issue remained unresolved. Wenner subsequently proposed that smell rather than hearing was the key to honeybee communication. He hypothesized that honeybees derive information not from sound, but from odors the
- (25) forager conveys from the food source.

- Yet Gould has shown that foragers can dispatch bees to sites they had not actually visited, something that would not be possible if odor were in fact necessary to bees’ communication. Finally, using a
- (30) honeybee robot to simulate the forager’s dance, Kirchner and Michelsen showed that sounds emitted during the forager’s dance do indeed play an essential role in conveying information about the food’s location.

Passage B

- (35) All animals communicate in some sense. Bees dance, ants leave trails, some fish emit high-voltage signals. But some species—bees, birds, and primates, for example—communicate symbolically. In an experiment with vervet monkeys in the wild,
- (40) Seyfarth, Cheney, and Marler found that prerecorded vervet alarm calls from a loudspeaker elicited the same response as did naturally produced vervet calls alerting the group to the presence of a predator of a particular type. Vervets looked upward upon hearing
- (45) an eagle alarm call, and they scanned the ground below in response to a snake alarm call. These responses suggest that each alarm call represents, for vervets, a specific type of predator.

- Karl von Frisch was first to crack the code of the
- (50) honeybee’s dance, which he described as “language.” The dance symbolically represents the distance, direction, and quality of newly discovered food. Adrian Wenner and others believed that bees rely on olfactory cues, as well as the dance, to find a food
- (55) source, but this has turned out not to be so.

While it is true that bees have a simple nervous system, they do not automatically follow just any information. Biologist James Gould trained foraging

- bees to find food in a boat placed in the middle of a
- (60) lake and then allowed them to return to the hive to indicate this new location. He found that hive members ignored the foragers’ instructions, presumably because no pollinating flowers grow in such a place.

8. The passages have which one of the following aims in common?
- (A) arguing that certain nonhuman animals possess human-like intelligence
- (B) illustrating the sophistication with which certain primates communicate
- (C) describing certain scientific studies concerned with animal communication
- (D) airing a scientific controversy over the function of the honeybee’s dance
- (E) analyzing the conditions a symbolic system must meet in order to be considered a language
9. Which one of the following statements most accurately characterizes a difference between the two passages?
- (A) Passage A is concerned solely with honeybee communication, whereas passage B is concerned with other forms of animal communication as well.
- (B) Passage A discusses evidence adduced by scientists in support of certain claims, whereas passage B merely presents some of those claims without discussing the support that has been adduced for them.
- (C) Passage B is entirely about recent theories of honeybee communication, whereas passage A outlines the historic development of theories of honeybee communication.
- (D) Passage B is concerned with explaining the distinction between symbolic and nonsymbolic communication, whereas passage A, though making use of the distinction, does not explain it.
- (E) Passage B is concerned with gaining insight into human communication by considering certain types of nonhuman communication, whereas passage A is concerned with these types of nonhuman communication in their own right.

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10. Which one of the following statements is most strongly supported by Gould's research, as reported in the two passages?
- (A) When a forager honeybee does not communicate olfactory information to its nestmates, they will often disregard the forager's directions and go to sites of their own choosing.
 - (B) Forager honeybees instinctively know where pollinating flowers usually grow and will not dispatch their nestmates to any other places.
 - (C) Only experienced forager honeybees are able to locate the best food sources.
 - (D) A forager's dances can draw other honeybees to sites that the forager has not visited and can fail to draw other honeybees to sites that the forager has visited.
 - (E) Forager honeybees can communicate with their nestmates about a newly discovered food source by leaving a trail from the food source to the honeybee nest.
11. It can be inferred from the passages that the author of passage A and the author of passage B would accept which one of the following statements?
- (A) Honeybees will ignore the instructions conveyed in the forager's dance if they are unable to detect odors from the food source.
 - (B) Wenner and Esch established that both sound and odor play a vital role in most honeybee communication.
 - (C) Most animal species can communicate symbolically in some form or other.
 - (D) The work of von Frisch was instrumental in answering fundamental questions about how honeybees communicate.
 - (E) Inexperienced forager honeybees that dance to communicate with other bees in their nest learn the intricacies of the dance from more experienced foragers.
12. Which one of the following most accurately describes a relationship between the two passages?
- (A) Passage A discusses and rejects a position that is put forth in passage B.
 - (B) Passage A gives several examples of a phenomenon for which passage B gives only one example.
 - (C) Passage A is concerned in its entirety with a phenomenon that passage B discusses in support of a more general thesis.
 - (D) Passage A proposes a scientific explanation for a phenomenon that passage B argues cannot be plausibly explained.
 - (E) Passage A provides a historical account of the origins of a phenomenon that is the primary concern of passage B.

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- Most scholars of Mexican American history mark César Chávez's unionizing efforts among Mexican and Mexican American farm laborers in California as the beginning of Chicano political activism in the
- (5) 1960s. By 1965, Chávez's United Farm Workers Union gained international recognition by initiating a worldwide boycott of grapes in an effort to get growers in California to sign union contracts. The year 1965 also marks the birth of contemporary
- (10) Chicano theater, for that is the year Luis Valdez approached Chávez about using theater to organize farm workers. Valdez and the members of the resulting Teatro Campesino are generally credited by scholars as having initiated the Chicano theater
- (15) movement, a movement that would reach its apex in the 1970s.

- In the fall of 1965, Valdez gathered a group of striking farm workers and asked them to talk about their working conditions. A former farm worker
- (20) himself, Valdez was no stranger to the players in the daily drama that was fieldwork. He asked people to illustrate what happened on the picket lines, and the less timid in the audience delighted in acting out their ridicule of the strikebreakers. Using the farm
- (25) workers' basic improvisations, Valdez guided the group toward the creation of what he termed "*actos*," skits or sketches whose roots scholars have traced to various sources that had influenced Valdez as a student and as a member of the San Francisco Mime
- (30) Troupe. Expanding beyond the initial setting of flatbed-truck stages at the fields' edges, the *acto* became the quintessential form of Chicano theater in the 1960s. According to Valdez, the *acto* should suggest a solution to the problems exposed in the
- (35) brief comic statement, and, as with any good political theater, it should satirize the opposition and inspire the audience to social action. Because *actos* were based on participants' personal experiences, they had palpable immediacy.

- (40) In her book *El Teatro Campesino*, Yolanda Broyles-González rightly criticizes theater historians for having tended to credit Valdez individually with inventing *actos* as a genre, as if the striking farm workers' improvisational talent had depended entirely
- (45) on his vision and expertise for the form it took. She traces especially the *actos*' connections to a similar genre of informal, often satirical shows known as *carpas* that were performed in tents to mainly working-class audiences. *Carpas* had flourished
- (50) earlier in the twentieth century in the border area of Mexico and the United States. Many participants in the formation of the Teatro no doubt had substantial cultural links to this tradition and likely adapted it to their improvisations. The early development of the
- (55) Teatro Campesino was, in fact, a collective accomplishment; still, Valdez's artistic contribution was a crucial one, for the resulting *actos* were neither *carpas* nor theater in the European tradition of Valdez's academic training, but a distinctive genre
- (60) with connections to both.

13. Which one of the following most accurately expresses the main point of the passage?
- (A) Some theater historians have begun to challenge the once widely accepted view that in creating the Teatro Campesino, Luis Valdez was largely uninfluenced by earlier historical forms.
- (B) In crediting Luis Valdez with founding the Chicano theater movement, theater historians have neglected the role of César Chávez in its early development.
- (C) Although the creation of the early material of the Teatro Campesino was a collective accomplishment, Luis Valdez's efforts and expertise were essential factors in determining the form it took.
- (D) The success of the early Teatro Campesino depended on the special insights and talents of the amateur performers who were recruited by Luis Valdez to participate in creating *actos*.
- (E) Although, as Yolanda Broyles-González has pointed out, the Teatro Campesino was a collective endeavor, Luis Valdez's political and academic connections helped bring it recognition.
14. The author uses the word "immediacy" (line 39) most likely in order to express
- (A) how little physical distance there was between the performers in the late 1960s *actos* and their audiences
- (B) the sense of intimacy created by the performers' technique of addressing many of their lines directly to the audience
- (C) the ease with which the Teatro Campesino members were able to develop *actos* based on their own experiences
- (D) how closely the director and performers of the Teatro Campesino worked together to build a repertoire of *actos*
- (E) how vividly the *actos* conveyed the performers' experiences to their audiences

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15. The second sentence of the passage functions primarily in which one of the following ways?
- (A) It helps explain both a motivation of those who developed the first *actos* and an important aspect of their subject matter.
 - (B) It introduces a major obstacle that Valdez had to overcome in gaining public acceptance of the work of the Teatro Campesino.
 - (C) It anticipates and counters a possible objection to the author's view that the *actos* developed by Teatro Campesino were effective as political theater.
 - (D) It provides an example of the type of topic on which scholars of Mexican American history have typically focused to the exclusion of theater history.
 - (E) It helps explain why theater historians, in their discussions of Valdez, have often treated him as though he were individually responsible for inventing *actos* as a genre.
16. The passage indicates that the early *actos* of the Teatro Campesino and the *carpas* were similar in that
- (A) both had roots in theater in the European tradition
 - (B) both were studied by the San Francisco Mime Troupe
 - (C) both were initially performed on farms
 - (D) both often involved satire
 - (E) both were part of union organizing drives
17. It can be inferred from the passage that Valdez most likely held which one of the following views?
- (A) As a theatrical model, the *carpas* of the early twentieth century were ill-suited to the type of theater that he and the Teatro Campesino were trying to create.
 - (B) César Chávez should have done more to support the efforts of the Teatro Campesino to use theater to organize striking farm workers.
 - (C) Avant-garde theater in the European tradition is largely irrelevant to the theatrical expression of the concerns of a mainly working-class audience.
 - (D) Actors do not require formal training in order to achieve effective and artistically successful theatrical performances.
 - (E) The aesthetic aspects of a theatrical work should be evaluated independently of its political ramifications.
18. Based on the passage, it can be concluded that the author and Broyles-González hold essentially the same attitude toward
- (A) the influences that shaped *carpas* as a dramatic genre
 - (B) the motives of theater historians in exaggerating the originality of Valdez
 - (C) the significance of *carpas* for the development of the genre of the *acto*
 - (D) the extent of Valdez's acquaintance with *carpas* as a dramatic form
 - (E) the role of the European tradition in shaping Valdez's contribution to the development of *actos*
19. The information in the passage most strongly supports which one of the following statements regarding the Teatro Campesino?
- (A) Its efforts to organize farm workers eventually won the acceptance of a few farm owners in California.
 - (B) It included among its members a number of individuals who, like Valdez, had previously belonged to the San Francisco Mime Troupe.
 - (C) It did not play a major role in the earliest efforts of the United Farm Workers Union to achieve international recognition.
 - (D) Although its first performances were entirely in Spanish, it eventually gave some performances partially in English, for the benefit of non-Spanish-speaking audiences.
 - (E) Its work drew praise not only from critics in the United States but from critics in Mexico as well.
20. The passage most strongly supports which one of the following?
- (A) The *carpas* tradition has been widely discussed and analyzed by both U.S. and Mexican theater historians concerned with theatrical performance styles and methods.
 - (B) Comedy was a prominent feature of Chicano theater in the 1960s.
 - (C) In directing the *actos* of the Teatro Campesino, Valdez went to great lengths to simulate or recreate certain aspects of what audiences had experienced in the *carpas*.
 - (D) Many of the earliest *actos* were based on scripts composed by Valdez, which the farm-worker actors modified to suit their own diverse aesthetic and pragmatic interests.
 - (E) By the early 1970s, Valdez was using *actos* as the basis for other theatrical endeavors and was no longer directly associated with the Teatro Campesino.

In October 1999, the Law Reform Commission of Western Australia (LRCWA) issued its report, "Review of the Civil and Criminal Justice System."

- Buried within its 400 pages are several important recommendations for introducing contingency fees for lawyers' services into the state of Western Australia. Contingency-fee agreements call for payment only if the lawyer is successful in the case. Because of the lawyer's risk of financial loss, such charges generally exceed regular fees.

- Although there are various types of contingency-fee arrangements, the LRCWA has recommended that only one type be introduced: "uplift" fee arrangements, which in the case of a successful outcome require the client to pay the lawyer's normal fee plus an agreed-upon additional percentage of that fee. This restriction is intended to prevent lawyers from gaining disproportionately from awards of damages and thus to ensure that just compensation to plaintiffs is not eroded. A further measure toward this end is found in the recommendation that contingency-fee agreements should be permitted only in cases where two conditions are satisfied: first, the contingency-fee arrangement must be used only as a last resort when all means of avoiding such an arrangement have been exhausted; and second, the lawyer must be satisfied that the client is financially unable to pay the fee in the event that sufficient damages are not awarded.
- Unfortunately, under this recommendation, lawyers wishing to enter into an uplift fee arrangement would be forced to investigate not only the legal issues affecting any proposed litigation, but also the financial circumstances of the potential client and the probable cost of the litigation. This process would likely be onerous for a number of reasons, not least of which is the fact that the final cost of litigation depends in large part on factors that may change as the case unfolds, such as strategies adopted by the opposing side.

- In addition to being burdensome for lawyers, the proposal to make contingency-fee agreements available only to the least well-off clients would be unfair to other clients. This restriction would unjustly limit freedom of contract and would, in effect, make certain types of litigation inaccessible to middle-income people or even wealthy people who might not be able to liquidate assets to pay the costs of a trial. More importantly, the primary reasons for entering into contingency-fee agreements hold for all clients. First, they provide financing for the costs of pursuing a legal action. Second, they shift the risk of not recovering those costs, and of not obtaining a damages award that will pay their lawyer's fees, from the client to the lawyer. Finally, given the convergence of the lawyer's interest and the client's interest under a contingency-fee arrangement, it is reasonable to assume that such arrangements increase lawyers' diligence and commitment to their cases.

21. As described in the passage, the uplift fee agreements that the LRCWA's report recommends are most closely analogous to which one of the following arrangements?

- (A) People who join together to share the costs of purchasing lottery tickets on a regular basis agree to share any eventual proceeds from a lottery drawing in proportion to the amounts they contributed to tickets purchased for that drawing.
- (B) A consulting firm reviews a company's operations. The consulting firm will receive payment only if it can substantially reduce the company's operating expenses, in which case it will be paid double its usual fee.
- (C) The returns that accrue from the assumption of a large financial risk by members of a business partnership formed to develop and market a new invention are divided among them in proportion to the amount of financial risk each assumed.
- (D) The cost of an insurance policy is determined by reference to the likelihood and magnitude of an eventual loss covered by the insurance policy and the administrative and marketing costs involved in marketing and servicing the insurance policy.
- (E) A person purchasing a property receives a loan for the purchase from the seller. In order to reduce risk, the seller requires the buyer to pay for an insurance policy that will pay off the loan if the buyer is unable to do so.

22. The passage states which one of the following?

- (A) Contingency-fee agreements serve the purpose of transferring the risk of pursuing a legal action from the client to the lawyer.
- (B) Contingency-fee agreements of the kind the LRCWA's report recommends would normally not result in lawyers being paid larger fees than they deserve.
- (C) At least some of the recommendations in the LRCWA's report are likely to be incorporated into the legal system in the state of Western Australia.
- (D) Allowing contingency-fee agreements of the sort recommended in the LRCWA's report would not affect lawyers' diligence and commitment to their cases.
- (E) Usually contingency-fee agreements involve an agreement that the fee the lawyer receives will be an agreed-upon percentage of the client's damages.

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23. The author's main purpose in the passage is to
- (A) defend a proposed reform against criticism
 - (B) identify the current shortcomings of a legal system and suggest how these should be remedied
 - (C) support the view that a recommended change would actually worsen the situation it was intended to improve
 - (D) show that a legal system would not be significantly changed if certain proposed reforms were enacted
 - (E) explain a suggested reform and critically evaluate it
24. Which one of the following is given by the passage as a reason for the difficulty a lawyer would have in determining whether—according to the LRCWA's recommendations—a prospective client was qualified to enter into an uplift agreement?
- (A) The length of time that a trial may last is difficult to predict in advance.
 - (B) Not all prospective clients would wish to reveal detailed information about their financial circumstances.
 - (C) Some factors that may affect the cost of litigation can change after the litigation begins.
 - (D) Uplift agreements should only be used as a last resort.
 - (E) Investigating whether a client is qualified to enter into an uplift agreement would take time away from investigating the legal issues of the case.
25. The phrase "gaining disproportionately from awards of damages" (lines 18–19) is most likely intended by the author to mean
- (A) receiving a payment that is of greater monetary value than the legal services rendered by the lawyer
 - (B) receiving a higher portion of the total amount awarded in damages than is reasonable compensation for the professional services rendered and the amount of risk assumed
 - (C) receiving a higher proportion of the damages awarded to the client than the client considers fair
 - (D) receiving a payment that is higher than the lawyer would have received had the client's case been unsuccessful
 - (E) receiving a higher proportion of the damages awarded to the client than the judge or the jury that awarded the damages intended the lawyer to receive
26. According to the passage, the LRCWA's report recommended that contingency-fee agreements
- (A) be used only when it is reasonable to think that such arrangements will increase lawyers' diligence and commitment to their cases
 - (B) be used only in cases in which clients are unlikely to be awarded enormous damages
 - (C) be used if the lawyer is not certain that the client seeking to file a lawsuit could pay the lawyer's regular fee if the suit were to be unsuccessful
 - (D) not be used in cases in which another type of arrangement is practicable
 - (E) not be used except in cases where the lawyer is reasonably sure that the client will win damages sufficiently large to cover the lawyer's fees
27. Which one of the following, if true, most seriously undermines the author's criticism of the LRCWA's recommendations concerning contingency-fee agreements?
- (A) The proportion of lawsuits filed by the least well-off litigants tends to be higher in areas where uplift fee arrangements have been widely used than in areas in which uplift agreements have not been used.
 - (B) Before the LRCWA's recommendations, lawyers in Western Australia generally made a careful evaluation of prospective clients' financial circumstances before accepting cases that might involve complex or protracted litigation.
 - (C) There is strong opposition in Western Australia to any legal reform perceived as favoring lawyers, so it is highly unlikely that the LRCWA's recommendations concerning contingency-fee agreements will be implemented.
 - (D) The total fees charged by lawyers who successfully litigate cases under uplift fee arrangements are, on average, only marginally higher than the total fees charged by lawyers who litigate cases without contingency agreements.
 - (E) In most jurisdictions in which contingency-fee agreements are allowed, those of the uplift variety are used much less often than are other types of contingency-fee agreements.

S T O P

IF YOU FINISH BEFORE TIME IS CALLED, YOU MAY CHECK YOUR WORK ON THIS SECTION ONLY.
DO NOT WORK ON ANY OTHER SECTION IN THE TEST.

Acknowledgment is made to the following sources from which material has been adapted for use in this test booklet:

Jorge Huerta, "When Sleeping Giants Awaken: Chicano Theatre in the 1960s." ©2002 by The American Society for Theatre Research, Inc.

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GiGi Visscher, "Contingency Fees in Western Australia." ©2000 by eLaw Journal: Murdoch University Electronic Journal of Law.
<http://www.murdoch.edu.au/elaw/issues/v7n1/visscher71.html>.

**Wait for the supervisor's instructions before you open the page to the topic.
Please print and sign your name and write the date in the designated spaces below.**

Time: 35 Minutes

General Directions

You will have 35 minutes in which to plan and write an essay on the topic inside. Read the topic and the accompanying directions carefully. You will probably find it best to spend a few minutes considering the topic and organizing your thoughts before you begin writing. In your essay, be sure to develop your ideas fully, leaving time, if possible, to review what you have written. **Do not write on a topic other than the one specified. Writing on a topic of your own choice is not acceptable.**

No special knowledge is required or expected for this writing exercise. Law schools are interested in the reasoning, clarity, organization, language usage, and writing mechanics displayed in your essay. How well you write is more important than how much you write.

Confine your essay to the blocked, lined area on the front and back of the separate Writing Sample Response Sheet. Only that area will be reproduced for law schools. Be sure that your writing is legible.

Both this topic sheet and your response sheet must be turned over to the testing staff before you leave the room.

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|--------------------------------|----------------------------------|-------|------|
| Topic Code _____ | Print Your Full Name Here | | |
| | Last | First | M.I. |
| Date / / | Sign Your Name Here | | |
| | | | |

Scratch Paper

Do not write your essay in this space.

LSAT Writing Sample Topic

Directions: The scenario presented below describes two choices, either one of which can be supported on the basis of the information given. Your essay should consider both choices and argue for one over the other, based on the two specified criteria and the facts provided. There is no “right” or “wrong” choice: a reasonable argument can be made for either.

In a total solar eclipse, the moon completely covers the sun and casts a rolling shadow along a track on the Earth's surface a few hundred kilometers wide. The eclipse lasts for a few minutes at any location within this track. The Ortegas are planning a trip to observe an upcoming eclipse during their family vacation. They have narrowed the possibilities down to two countries. Using the facts below, write an essay in which you argue in favor of one country over the other based on the following two criteria:

- The Ortegas want to minimize the chance that cloudiness will obscure the eclipse for them.
- The Ortegas want the trip to be worthwhile even if the eclipse is obscured by clouds.

For the first country, climatic data indicate that the probability of cloudiness in the area of the eclipse track is about 75 percent. The family would fly to the capital, which is a cultural center of almost unparalleled richness. Some members of the family have visited the capital before. On some days, they would drive their rental car to other cultural locations in the country. Having a rental car allows some adjustment of eclipse-viewing location according to weather forecasts.

The second country is about twice as far from the family's home as the first country, with correspondingly greater travel expense and inconvenience. No family member has been in the country before. Climatic data indicate that the probability of cloudiness in the area of the eclipse track in the country is about 25 percent. Because the country has some political instability, the family would travel on an eclipse tour organized by a respected company. Visits to several cultural sites are included.

Scratch Paper

Do not write your essay in this space.

[illegible]

LAST NAME (Print)

1

MI

[illegible]

FIRST NAME (Print)

SIGNATURE

Writing Sample Response Sheet

**DO NOT WRITE
IN THIS SPACE**

**Begin your essay in the lined area below.
Continue on the back if you need more space.**

[illegible]

Directions:

1. Use the Answer Key on the next page to check your answers.
2. Use the Scoring Worksheet below to compute your raw score.
3. Use the Score Conversion Chart to convert your raw score into the 120–180 scale.

Scoring Worksheet

1. Enter the number of questions you answered correctly in each section

**Number
Correct**

SECTION I _____

SECTION II _____

SECTION III _____

SECTION IV _____

2. Enter the sum here: _____

This is your Raw Score.

Conversion Chart

**For Converting Raw Score to the 120–180 LSAT
Scaled Score
LSAT PrepTest 60**

| Reported Score | Raw Score | |
|---------------------------|------------------|----------------|
| | Lowest | Highest |
| 180 | 97 | 99 |
| 179 | 96 | 96 |
| 178 | —* | —* |
| 177 | 95 | 95 |
| 176 | 94 | 94 |
| 175 | 93 | 93 |
| 174 | 92 | 92 |
| 173 | 91 | 91 |
| 172 | 90 | 90 |
| 171 | 89 | 89 |
| 170 | 87 | 88 |
| 169 | 86 | 86 |
| 168 | 85 | 85 |
| 167 | 83 | 84 |
| 166 | 82 | 82 |
| 165 | 80 | 81 |
| 164 | 79 | 79 |
| 163 | 77 | 78 |
| 162 | 75 | 76 |
| 161 | 74 | 74 |
| 160 | 72 | 73 |
| 159 | 70 | 71 |
| 158 | 68 | 69 |
| 157 | 67 | 67 |
| 156 | 65 | 66 |
| 155 | 63 | 64 |
| 154 | 62 | 62 |
| 153 | 60 | 61 |
| 152 | 58 | 59 |
| 151 | 56 | 57 |
| 150 | 55 | 55 |
| 149 | 53 | 54 |
| 148 | 51 | 52 |
| 147 | 50 | 50 |
| 146 | 48 | 49 |
| 145 | 47 | 47 |
| 144 | 45 | 46 |
| 143 | 43 | 44 |
| 142 | 42 | 42 |
| 141 | 40 | 41 |
| 140 | 39 | 39 |
| 139 | 37 | 38 |
| 138 | 36 | 36 |
| 137 | 35 | 35 |
| 136 | 33 | 34 |
| 135 | 32 | 32 |
| 134 | 31 | 31 |
| 133 | 29 | 30 |
| 132 | 28 | 28 |
| 131 | 27 | 27 |
| 130 | 26 | 26 |
| 129 | 25 | 25 |
| 128 | 24 | 24 |
| 127 | 23 | 23 |
| 126 | 22 | 22 |
| 125 | 21 | 21 |
| 124 | 20 | 20 |
| 123 | 19 | 19 |
| 122 | 18 | 18 |
| 121 | 17 | 17 |
| 120 | 0 | 16 |

*There is no raw score that will produce this scaled score for this test.

Answer Key

SECTION I

- | | | | |
|------|-------|-------|-------|
| 1. D | 8. E | 15. B | 22. A |
| 2. E | 9. D | 16. C | 23. E |
| 3. B | 10. D | 17. A | 24. C |
| 4. D | 11. C | 18. E | 25. C |
| 5. C | 12. A | 19. * | |
| 6. B | 13. C | 20. D | |
| 7. C | 14. D | 21. B | |

SECTION II

- | | | | |
|------|-------|-------|-------|
| 1. B | 8. C | 15. E | 22. E |
| 2. D | 9. D | 16. A | 23. C |
| 3. A | 10. A | 17. B | |
| 4. A | 11. C | 18. A | |
| 5. E | 12. C | 19. B | |
| 6. C | 13. E | 20. B | |
| 7. E | 14. D | 21. D | |

SECTION III

- | | | | |
|------|-------|-------|-------|
| 1. A | 8. C | 15. D | 22. A |
| 2. B | 9. C | 16. E | 23. C |
| 3. A | 10. C | 17. D | 24. B |
| 4. B | 11. D | 18. C | 25. C |
| 5. D | 12. E | 19. D | |
| 6. D | 13. D | 20. A | |
| 7. C | 14. D | 21. E | |

SECTION IV

- | | | | |
|------|-------|-------|-------|
| 1. D | 8. C | 15. A | 22. A |
| 2. C | 9. A | 16. D | 23. E |
| 3. D | 10. D | 17. D | 24. C |
| 4. B | 11. D | 18. C | 25. B |
| 5. D | 12. C | 19. C | 26. D |
| 6. E | 13. C | 20. B | 27. B |
| 7. A | 14. E | 21. B | |

*Item removed from scoring.