



Multistate Performance Test

February 2025 MPT Summaries

Turner v. Larkin (February 2025, MPT-1) In this performance test, the client, Peter Larkin, is a residential landlord. Larkin had a text exchange about one of his apartments with a prospective tenant, Martin Turner. In this exchange, Turner revealed that he was widowed and had three minor children. Larkin was noncommittal and said that he would follow up about the apartment. He never did so. Three months later, Turner initiated a complaint with the United States Department of Housing and Urban Development (HUD), alleging unlawful discrimination based on familial status. The examinee's task is to draft a memorandum identifying and evaluating the legal and factual arguments that the firm should raise in Larkin's defense. The File consists of the instructional memorandum from the supervising attorney, Turner's administrative complaint filed with HUD, and a file memorandum summarizing the client meeting. The Library contains provisions of the Fair Housing Act and the Centralia Municipal Housing Code, as well as two federal cases, *Karns v. U.S. Dep't of Housing and Urban Development* and *Baker v. Garcia Realty Inc.*

In re University of Franklin (February 2025, MPT-2) In this performance test, the examinee works in the Office of University Counsel for the University of Franklin (UF). A reporter at a student newspaper has sent an Inspection of Public Records Act (IPRA) request to the University seeking records related to Professor Eugene Hagen, who teaches at the law school. The request is for records held by the Dean of the UF School of Law and the Chief of Police of the UF Campus Police Department. Examinees are asked to analyze whether the requested categories of documents must be made available for inspection under IPRA. The four categories are the professor's annual performance reviews; any complaints about the professor submitted to the law school by members of the public; a chart containing the names of anyone (faculty, staff, students, or members of the public) who has made a complaint about the professor; and any records involving the professor in the possession of the campus police department. The File contains the instructional memorandum; an article from the student newspaper, *The Daily Howl*; the IPRA request; and emails from the law school dean and the campus police chief to the University's general counsel. The Library contains excerpts from Franklin's Inspection of Public Records Act, two Franklin Court of Appeal cases: *Fox v. City of Brixton* and *Pederson v. Koob*, and one Franklin Supreme Court case: *Torres v. Elm City*.