

Name: Ans R. Key October 19, 2021 Score: 100 / 100

LAW 1101 MIDTERM EXAM ANSWER SHEET!!

+3 = 103

Instructions: Write all answers on this sheet. You may write on the exam sheet, but only this sheet will be graded. Please follow all instructions in the exam, like writing "True" and "False," and using capital letters for multiple choice and matching questions. Please submit this answer sheet and the exam sheet when you leave the room. *Good luck!!* ☺

SHORT ANSWERS! (2 points each).

True/False!

- 1. True
- 2. False
- 3. True
- 4. False
- 5. False
- 6. True
- 7. False
- 8. False
- 9. False

- 15. A
- 16. B
- 17. B
- 18. D
- 19. D
- 20. C
- 21. A
- 22. B
- 23. C
- 24. D

- 31. A
- 32. E
- 33. D
- 34. E

Matching!

- 35. C
- 36. E
- 37. B
- 38. D
- 39. F
- 40. A

Multiple Choice!

- 10. E
- 11. A
- 12. C
- 13. B
- 14. A
- 25. A
- 26. D
- 27. C
- 28. C
- 29. B
- 30. C

Answer the SHORT ESSAY on the back of this sheet, and the BONUS anywhere on this sheet!
 Please submit this answer sheet AND your exam sheet when you leave the room. **Thank you!** ☺

SEE EXAM SHEET, attached!

Name: Ans R. Key 

October 19, 2021

Score: _____ / 100

1101 MIDTERM EXAM!!

Instructions: Write all answers on your answer sheet. You may write on this exam, but only your answer sheet will be graded. You may use your maps and charts of the court systems that you received in class; you may not use any notes, textbooks, or other materials. Follow all instructions, like writing the words "TRUE" and "FALSE," and using CAPITAL letters for multiple choice and matching questions, otherwise you will lose points! ☹ Grammar and spelling count; please proofread. Please submit this exam sheet and your answer sheet when you leave the exam. *Good luck!!* ☺

SHORT ANSWERS! (2 points each)

True/False! In the corresponding spaces on your answer sheet, **write the words "True" and "False"** (not "T" and "F").

1. The terms "paralegal" and "legal assistant" can be used interchangeably. *True*
2. A paralegal must be licensed by the state in order to do her/his job. *False*
3. An attorney must be licensed by the state in order to do her/his job. *True*
4. If an individual graduates from City Tech with a baccalaureate (Bachelor's) degree in Paralegal Studies, the individual is a "certified paralegal." *False*
5. If an individual earns a certificate from a paralegal training program, the individual is a "certified paralegal." *False*
6. It is acceptable for paralegals to draft legal documents, so long as the attorney reviews, approves and signs them, and remains responsible to the client. *True*
7. If a client asks a paralegal for legal advice, the paralegal may give the client legal advice, so long as the paralegal makes sure the client knows the paralegal is not a lawyer. *False*
8. The highest appellate court in every state is called its "Supreme Court." *False*
9. A party who loses a case in a state court can always appeal directly to the U.S. Supreme Court. *False*

Multiple Choice! In the corresponding spaces on your answer sheet, write **the capital letter** (A, B, etc.) of the best answer to each question.

- E* 10. Communication skills that are required to be a good paralegal include:
(A) writing (B) listening (C) speaking (D) reading (E) all of the above
- A* 11. Paralegals may perform which of the following tasks?
(A) assisting attorneys in preparing for trial (C) representing clients in court when the attorney is not available
(B) giving legal advice to clients (D) all of the above
- C* 12. Paralegals may not perform which of the following tasks?
(A) organize and maintain client files (C) set the legal fees to be charged to a client
(B) conduct legal research (D) none of the above—paralegals may perform all of these tasks
- B* 13. The two major national associations of paralegal professionals are:
(A) the United Paralegals of America (UPA) *and* the Affiliated Legal Assistants Union (ALAU)
(B) the National Federation of Paralegal Associations (NFPA) *and* National Association of Legal Assistants (NALA)
(C) the National Paralegal Committee (NPC) *and* the National Association of Legal Assistants (NALA)
(D) the National Federation of Paralegal Associations (NFPA) *and* the American Bar Association (ABA)
- A* 14. Laws passed by a legislature, such as the Affordable Care Act passed by U.S. Congress, and the Bail Reform Law passed by New York State Legislature, are known as: (A) statutes (B) case laws (C) administrative laws (D) appeals

- A 15. The power of a court to decide a case brought before it is called: (A) jurisdiction (B) federal question (C) diversity (D) exclusive
- B 16. Divorce cases usually are decided by ___ courts. (A) federal (B) state (C) bankruptcy (D) criminal
- B 17. Courts that have original jurisdiction consider only: (A) divorce cases (B) cases being heard for the first time (C) cases where the parties are residents of the same state (D) lower courts' decisions, to decide if they were correct
- D 18. Courts that have appellate jurisdiction consider only: (A) cases about apples (B) cases being heard for the first time (C) cases where the parties are residents of the same state (D) lower courts' decisions, to decide if they were correct
- D 19. Which of the following courts has original jurisdiction? (Hint: trial courts!) (A) New York Supreme Court (B) New York Court of Claims (C) U.S. District Court for the Eastern District of NY (D) all of the above
- C 20. Which of the following courts has appellate jurisdiction? (Hint: not trial courts!) (A) New York Supreme Court (B) New York Court of Claims (C) U.S. Circuit Court of Appeals (D) none of the above
- A 21. Surrogate's Court, Court of Claims, Appellate Division are part of the ___ court system. (A) NY State (B) Federal
- B 22. U.S. District Courts, Circuit Courts of Appeals, Bankruptcy Courts are part of the ___ court system. (A) NY State (B) Federal
- C 23. In the federal court system, which of the following are trial courts? (A) Local Courts (B) Circuit Courts (C) District Courts (D) Appellate Courts
- D 24. Which of the following courts are not part of the federal court system? (A) Supreme Court (B) District Courts (C) Circuit Courts of Appeals (D) Superior Courts
- A 25. The federal intermediate appellate courts are divided into 13: (A) circuits (B) districts (C) departments (D) counties
- D 26. A federal court's authority to decide a dispute between citizens of different states is called ___ jurisdiction. (A) original (B) appellate (C) federal question (D) diversity
- C 27. A federal court's authority to decide a case involving federal law is called ___ jurisdiction. (A) original (B) appellate (C) federal question (D) diversity
- C 28. Most cases that reach the U.S. Supreme Court do so by: (A) direct appeal (B) right of appeal (C) request for a writ of certiorari (D) request for pro bono representation
- B 29. If the U.S. Supreme Court "grants" a writ of certiorari concerning a Circuit Court of Appeals decision, that means: (A) the plaintiff wins the case (B) the Supreme Court will review the Circuit Court's decision and decide if it was correct (C) the Supreme Court affirms (agrees with) the Circuit Court's decision (D) the Supreme Court will not consider the Circuit Court's decision; it will just let it stand as is.
- C 30. If the U.S. Supreme Court denies a writ of certiorari concerning a Circuit Court of Appeals decision, that means: (A) the defendant is acquitted (B) the Supreme Court disagrees with the Circuit Court's decision (C) the Supreme Court neither agrees nor disagrees with the Circuit Court; it just does not want to decide the appeal (D) the Supreme Court does not know how to pronounce "certiorari"
- A 31. Arielle was convicted of arson. Her attorney believes the evidence admitted against her at trial violated her Fourth Amendment rights against unreasonable search and seizure. Arielle's attorney should present the case to a(n) ___ court for review. (A) appellate (B) trial (C) probate (D) bankruptcy

- E** 31. Types of law offices where paralegals may work include:
 (A) private law firms
 (B) legal aid organizations (like public defenders, or Legal Aid Society)
 (C) advocacy organizations (like NAACP or People for the Ethical Treatment of Animals)
 (D) corporations ("in-house")
 (E) any of the above
- D** 32. Which of the following is not a quality of a good resume?
 (A) positive (highlights your strongest qualifications)
 (B) truthful
 (C) correct spelling and grammar
 (D) at least two pages
 (E) none of the above—all of these choices are qualities of a good resume
- E** 34. Which of the following information should be included in a cover letter enclosing a resume?
 (A) your contact information
 (B) name and address of employer to whom you are sending the letter
 (C) position for which you are applying
 (D) your two or three qualifications particularly relevant to the position
 (E) all of the above

Matching! Match each court (34-39) with the type of case over which it has jurisdiction (A-F). Each court matches one case. Write the CAPITAL letters in the corresponding spaces on your answer sheet.

- | | | |
|-------------|-------------------------------|---|
| C 35 | U.S. Circuit Court of Appeals | (A) appeal of a decision by N.Y. Appellate Division |
| E 36 | U.S. Supreme Court | (B) immigration case that has just been filed (started) |
| B 37 | U.S. District Court | (C) appeal of a decision by a U.S. District Court |
| D 38 | N.Y. Supreme Court | (D) divorce case that has just been filed (started) |
| F 39 | N.Y. Appellate Division | (E) appeal of a decision by a U.S. Circuit Court of Appeals |
| A 40 | N.Y. Court of Appeals | (F) appeal of a decision by N.Y. Supreme Court |

SHORT ESSAY! (15 points) Read the following scenario and answer the question on the back of your answer sheet.

You run into a friend you haven't seen in a long time. She tells you how terrific you look, then asks what is your favorite class in college. You flip a coin because you can't decide between Intro to Paralegal Studies and Civil Law and Procedure. Intro to Paralegal Studies wins! Your friend asks, "What does it mean to be a paralegal?" Answer her question in one or more paragraphs comprised of complete, grammatically-correct sentences. You may want to include such information as the overall role of a paralegal; types of tasks a paralegal may and may not perform and why; how one can learn to be a paralegal; employment opportunities; and any other information you think may be useful.

BONUS!! (Optional!! Up to three (3) extra points—IF you answer ALL other questions in this exam!!) Answer this question anywhere on your answer sheet: What are the requirements to be considered a "certified paralegal"?

See excellent example by your classmate on next page!

End of exam.

Please submit this exam AND your answer sheet before you leave the room.

Thank you! Enjoy the rest of your day. ☺

- ① completed a paralegal education program, such as an academic degree (like AAS or BS here at City Tech) or 3 certificate program, AND
- ② pass a standardized written exam by one of the certifying organizations (NALA or NFPA)

Paralegals assist lawyers in their day-to-day activities and help things run smoothly. As a paralegal, one would draft documents, interview clients, help prep for court, and (depending on the size of the office) paralegals can take over secretary duties as well. As a paralegal, you are not able to set legal fees, represent people/clients in court, or give legal advice. This is the job of the lawyer because they are certified through the ABA.

In order to become a paralegal, there are no requirements when it comes to schooling, etc. However, to become a certified paralegal, which some offices may prefer, it is required that you have paralegal experience and pass the certification exam. Being certified or not may not hurt your chances of getting a job! As a paralegal, different workplaces include, government agencies, non-profits, law firms (small, med, large, boutique), corporations, and more! Basically any company or place that has a law department will be in need of paralegals.

Overall, paralegals have a wide variety of things they can (and can't) do. They help keep things moving in a law firm / law department and help take a load off for the lawyers.

10/10