

Name: Key! 😊 Date: Nov. 11, 2021 in class! Score: 20 / 20+2 = 22**QUIZ 3: Workings of a Law Office; Sources of Law; Legal Research & Analysis!** (M&M chs. 3, 5, 7, 8)**Instructions:** In the spaces at the left, write the CAPITAL letters of the best answers. 2 points each!

- D 1. A signed document stating that an attorney or law firm has been hired by a client to provide legal services, and the client agrees to pay the fees set forth in the document, is known as a:
(A) fixed fee agreement (B) hourly fee agreement (C) retainer (D) retainer agreement
- B 2. An attorney sends a client a bill for legal services totaling \$1,500: three hours of work at \$500 per hour. This is an example of a: (A) fixed fee (B) hourly fee (C) contingency fee (D) finder's fee
- B 3. Statutes are laws passed by the legislature; law made by judges/courts is known as:
(A) stare decises (B) case law/common law (C) an appeal (D) administrative law
- E 4. The difference between a primary source of law and a secondary source of law is:
(A) primary sources are the law (D) primary sources explain the law
(B) secondary sources are the law (E) both (A) and (C)
(C) secondary sources explain the law
- B 5. It is possible for a secondary source to be mandatory (or binding) on a court. (A) true (B) false
- D 6. Secondary sources that help you research case law include:
(A) digests (B) legal encyclopedias (C) annotations (D) all of these
- B 7. If an appellate court affirms a lower court's decision, that means:
(A) the appellate court did not agree with the decision. (C) the appellate court is undecided.
(B) the appellate court agreed with the decision. (D) the plaintiff won the case

Questions 8 and 9 address this scenario: Coughlin recently trained her cat Darryl to walk outdoors on a leash to excrete his solid waste (his "poop"). After Darryl excretes, Coughlin collects and disposes of his excrement as the law requires; that is, she "scoops his poop." Coughlin's neighbor alleges that recently, Coughlin neglected to scoop Darryl's poop, so the neighbor stepped in the poop, which ruined his shoes. Now, Coughlin's neighbor is suing Coughlin in NY Supreme Court, Kings County for negligence under New York law.

- E 8. Which of the following courts' decisions will be binding on Supreme Court, Kings County, in this case?
(A) New York Appellate Division, First Department (D) all of the above
(B) New York Appellate Division, Second Department (E) choices B and C only
(C) New York Court of Appeals
- D 9. Which of the following authorities might be persuasive to New York Supreme Court, Kings County?
(A) an New Jersey court decision holding a pet owner liable for poop-related negligence
(B) a legal encyclopedia summary of New York law regarding pet owners' poop-scooping responsibilities
(C) an article in the CUNY Law Review arguing that pet waste is good fertilizer, so owners should not scoop it
(D) all of the above!

BONUS! (1 point each—ONLY IF you answer ALL of the questions above, in accordance with instructions!)

- B Books containing the full text of courts' decisions are called: (A) digests (B) reporters (C) annotations (D) statutes
- C When a judge agrees with the majority opinion but for different reasons, or she wants to make a different point, that judge might issue a(n) ___ opinion. (A) dissenting (B) reversing (C) concurring (D) unanimous