

Name: Key! ☺

October 21, 2020

Score: \_\_\_\_\_ / 100

## MIDTERM EXAM

## SHORT ANSWERS

## True/False:

1. The terms "paralegal" and "legal assistant" can be used interchangeably. *True!*
2. If an individual graduates from City Tech with a Bachelor's degree in Paralegal Studies, he is a "certified paralegal." *False!*
3. If an individual earns a certificate from a paralegal training program, she is a "certified paralegal." *False!*
4. 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!*
5. 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!*
6. The highest appellate court in every state is called its "Supreme Court." *False!*
7. A party who loses a case in a state court can always appeal directly to the U.S. Supreme Court. *False!*

## Multiple Choice:

8. The two major national associations of paralegal professionals are known as:
  - (A) the United Paralegals of America *and* the Affiliated Legal Assistant Union
  - (B) the National Federation of Paralegal Associations *and* the National Association of Legal Assistants
  - (C) the National Paralegal Committee *and* the National Association of Legal Assistants
  - (D) the National Federation of Paralegal Associations *and* the American Bar Association
9. Communication skills that are required to be a good paralegal include: (A) writing (B) listening (C) speaking (D) reading  (E) all
10. Paralegals may perform which of the following tasks?
  - (A) assisting attorneys in preparing for trial
  - (B) giving legal advice to clients
  - (C) representing clients in court when the attorney is not available
  - (D) all of the above
11. 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 these
12. A document signed by a client and an attorney, stating that the client has hired the attorney to provide certain legal services, and the client agrees to pay the attorney fees as stated in the document, is called a:
  - (A) fixed fee agreement
  - (B) hourly fee agreement
  - (C) retainer agreement
  - (D) retainer
13. A client receives a bill from her attorney requiring payment of \$1,000, for four hours of work at \$250 per hour. Which type of fee arrangement do they have? (A) fixed fee (B) contingency fee  (C) hourly fee (D) late fee
14. The power of a court to decide a case brought before it is called:  (A) jurisdiction (B) federal question (C) diversity (D) pro bono
15. Courts that have original jurisdiction consider only: (A) criminal cases  (B) cases being heard for the first time (C) cases in which the parties are residents of the same state (D) lower courts' decisions, to decide whether they were correct
16. The federal court system includes: (A) United States Supreme Court (C) District Courts (E) all of the above
  - (B) Circuit Courts of Appeals
  - (D) Superior Courts
  - (F) all of the above except D
17. In the federal court system, which of the following are trial courts?
  - (A) Local Courts
  - (B) Circuit Courts
  - (C) District Courts
  - (D) Appellate Courts

- A 18. The federal intermediate appellate courts are divided into thirteen: (A) circuits (B) districts (C) departments (D) counties
- D 19. 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 20. 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 a hearing en banc
- C 21. If the U.S. Supreme Court denies a writ of certiorari, that means the Supreme Court:  
(A) disagrees with the judgment of the lower court  
(B) agrees with the judgment of the lower court  
(C) neither agrees nor disagrees with the lower court; it just does not want to decide the case  
(D) does not know how to pronounce "certiorari"
- A 22. When an appellate court affirms a lower court's decision, that means the appellate court:  
(A) agrees with the lower court's decision (C) cannot decide whether it agrees or disagrees with the lower court  
(B) disagrees with the lower court's decision (D) rules in favor of the plaintiff
- A 23. Arielle was convicted of arson. Her attorney believes the evidence admitted against Arielle at trial violated her Fourth Amendment rights against unreasonable search and seizure. Arielle's attorney should present the case to a(n) \_\_\_ court to be reviewed. (A) appellate (B) trial (C) probate (D) bankruptcy
- C 24. The first ten amendments to the U.S. Constitution are called the: (A) Supremacy Clause (B) Due Process Clause (C) Bill of Rights (D) Legal Bill
- A+C 25. Which two of the following statements reflect the difference between a primary source of law and a secondary source of law? (Be sure to select two choices.) (A) Secondary sources explain the law. (B) Secondary sources are the law. (C) Primary sources are the law. (D) Primary sources explain the law.
- E 26. Which of the following is an example of a primary source of law? (A) statutes (B) case law (common law) (C) constitutions (D) administrative rules and regulations (E) all of the above
- B 27. Books and articles that summarize, interpret, and index the law are known as: (A) primary sources (B) secondary sources (C) statutes (D) bills of rights
- D 28. Which of the following secondary sources can help you research case law and other primary sources?  
(A) legal encyclopedias (B) digests (C) law reviews (D) all of the above
- B 29. A compilation of short summaries of court cases, arranged by topic and subdivided by jurisdiction and court, is called a(n):  
(A) legal encyclopedia (B) digest (C) law review (D) statute
- A 30. Select choice A. (This is not a trick question.)

**ESSAY** (10 points). Read the following scenario and answer the question in one or more paragraphs comprised of complete, grammatically-correct sentences

Scenario: 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. Of course, you respond, "Introduction to Paralegal Studies!" Your friend asks, "What does it mean to be a paralegal?"

Answer her question in one or more paragraphs 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 learns to be a paralegal; what it means to be a "certified" paralegal; employment opportunities; and any other information you think may be useful.

**BONUS!!** up to three (3) extra points -- ONLY if you answered ALL other questions in this exam!! What types of legal practitioner(s) (such as paralegals, attorneys, legal technology, etc.) would you be interested in having as guest speakers in our class? Be as specific as possible, and feel free to be creative and aim high!

**End of exam.**

Thank you! Enjoy the rest of your day. ☺