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| True / False |

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| 1. Precision and attention to detail are important characteristics of a paralegal.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 2. One out of every three Americans will need the advice of an attorney in the next six months.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 3. NALA is one of the member associations of NFPA.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 4. Independent contractors are employees of attorneys.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 5. Some states allow disbarred or suspended attorneys to work as paralegals.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 6. In California, an independent contractor cannot be called a paralegal unless he or she works under attorney supervision.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 7. The definition of a paralegal that is legally binding is the definition written by the American Bar Association.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 8. Under our legal system, winning and losing parties always pay their own attorney fees.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 9. Leveraging can make paralegals profitable for employing attorneys.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| Multiple Choice |

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| 10. The association that is primarily concerned with the supervision of paralegals on the job is:   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | NALA. | b. | IPMA. | |  | c. | SCOP. | d. | NFPA. |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 11. When an independent contractor does work for an attorney, the independent contractor controls:   |  |  |  | | --- | --- | --- | |  | a. | the objectives of the work. | |  | b. | the scope of the work. | |  | c. | many of the administrative details of performing the work. | |  | d. | ​court costs. |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 12. Opposition to document service providers (DSPs) who sell their services directly to the public without attorney supervision has come from:   |  |  |  | | --- | --- | --- | |  | a. | some disgruntled clients of DSPs. | |  | b. | some bar associations. | |  | c. | some traditional paralegals. | |  | d. | all of the above. |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 13. In California, independent contractors who sell law-related legal services to the public without attorney supervision are called:   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | legal document assistants (LDAs). | b. | unlawful detainer assistants (UDAs). | |  | c. | bankruptcy petition preparers (BPPs). | d. | all of the above. |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 14. The cost of which of the following is not considered overhead in most states?   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | Rent | b. | Paralegal salaries | |  | c. | Insurance | d. | Secretaries |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| Subjective Short Answer |

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| 15. What national bar association has had a major role in the development of paralegalism?   |  |  | | --- | --- | | *ANSWER:* | American Bar Association | |

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| 16. What is paralegal certification?   |  |  | | --- | --- | | *ANSWER:* | A formal recognition that a paralegal has met designated qualifications. | |

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| 17. What is the distinction between a traditional paralegal and an independent contractor?   |  |  | | --- | --- | | *ANSWER:* | A traditional paralegal is an employee of an attorney. An independent contractor has his or her own business. | |

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| 18. What is a conflicts specialist?   |  |  | | --- | --- | | *ANSWER:* | A law-firm employee, often a paralegal, who helps the firm determine whether a conflict of interest exists between prospective clients and current or former clients. | |

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| 19. Define the unauthorized practice of law.   |  |  | | --- | --- | | *ANSWER:* | (1) Using or attempting to use legal skills to help resolve a specific person’s legal problem when the assistance is provided by someone who does not have a license to practice law and when the assistance requires such a license or other authorization. (2) A nonattorney’s performance of tasks in a law office without adequate attorney supervision when those tasks are part of the practice of law. (3) Delegating tasks to a nonattorney that only an attorney can perform. | |

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| 20. What did *Missouri v. Jenkins* decide?   |  |  | | --- | --- | | *ANSWER:* | The market rate of paralegal fees can be awarded in a statutory-fee case under the Civil Rights Attorney’s Fees Award Act. | |

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| 21. What is the rule of three?   |  |  | | --- | --- | | *ANSWER:* | A general guideline used by some law firms to identify budget expectations related to hiring paralegals: gross revenue generated through paralegal billing should equal three times a paralegal’s salary. | |

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| 22. What are three characteristics that are common to the definitions of a paralegal in many states?   |  |  | | --- | --- | | *ANSWER:* | The person:  -     Has acquired legal skills through education, training, or on-the-job experience  -     Works under attorney supervision  -     Performs substantive legal work that the attorney would have to perform if the office did not have a paralegal  ​ | |

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| Completion |

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| 23. One of the most important skills in the law is the ability to identify the \_\_\_\_\_\_\_ that needs to be resolved.   |  |  | | --- | --- | | *ANSWER:* | question  legal question  issue  legal issue | |

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| 24. Under the \_\_\_\_\_\_\_\_ test, a substantive legal task is one that an attorney would have to perform if a paralegal were not available.   |  |  | | --- | --- | | *ANSWER:* | absence  ​ | |

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| 25. A(n) \_\_\_\_\_\_\_\_\_\_\_\_ paralegal does not work in litigation; instead, he or she assists an attorney who represents clients in matters such as entering contracts, incorporating a business, closing a real estate sale, or planning an estate.   |  |  | | --- | --- | | *ANSWER:* | transactional | |

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| 26. A(n) \_\_\_\_\_\_\_\_\_\_\_\_\_\_fee is dependent on the outcome of the case.   |  |  | | --- | --- | | *ANSWER:* | contingent | |

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| 27. In statutory-fee cases, paralegal fees will be denied for \_\_\_\_\_\_\_\_\_\_\_ tasks performed by a paralegal.   |  |  | | --- | --- | | *ANSWER:* | clerical secretarial | |

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| 28. Legal advice is a statement or conclusion that applies the law or legal principles to the facts of a(n) \_\_\_\_\_\_\_\_\_\_\_\_\_ person’s legal problem.   |  |  | | --- | --- | | *ANSWER:* | specific particular | |

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| 29. A paralegal must meet a \_\_\_\_\_\_\_\_\_\_\_\_ quota if he or she is expected to work a minimum number of billable hours over a designated period of time.   |  |  | | --- | --- | | *ANSWER:* | billable hours | |

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| 30. The rule of three is unlikely to be achieved if the office assigns many \_\_\_\_\_\_\_\_\_\_  tasks to a paralegal.   |  |  | | --- | --- | | *ANSWER:* | nonbillable | |

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| 31. Something is \_\_\_\_\_\_\_\_\_\_\_\_\_\_ if it pertains to records that are prepared on events as the events are occurring or very shortly thereafter.   |  |  | | --- | --- | | *ANSWER:* | contemporaneous | |

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| 32. The hourly rate that a law office actually collects from the billable hours submitted by an attorney or paralegal is the \_\_\_\_\_\_\_\_\_\_\_\_ rate.   |  |  | | --- | --- | | *ANSWER:* | realization | |

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| Matching |

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| Match each numbered entry with the most relevant lettered entry.​   |  |  | | --- | --- | | a. | Continuing legal education (CLE) | | b. | Traditional paralegal | | c. | Independent contractor | | d. | Overhead | | e. | Fee-shifting | | f. | Leveraging | | g. | Lodestar | | h. | American rule | |

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| 33. Not chargeable to a client   |  |  | | --- | --- | | *ANSWER:* | d | |

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| 34. Statutory-fee case   |  |  | | --- | --- | | *ANSWER:* | e | |

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| 35. Further training   |  |  | | --- | --- | | *ANSWER:* | a | |

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| 36. Profiting from the income-generating efforts of others   |  |  | | --- | --- | | *ANSWER:* | f | |

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| 37. Business owner   |  |  | | --- | --- | | *ANSWER:* | c | |

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| 38. An employee   |  |  | | --- | --- | | *ANSWER:* | b | |

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| 39. Clients pay their own attorney fees   |  |  | | --- | --- | | *ANSWER:* | h | |

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| 40. A method of calculating an award of attorney fees authorized by statute   |  |  | | --- | --- | | *ANSWER:* | g | |