|  |
| --- |
| True / False |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Precision and attention to detail are important characteristics of a paralegal.

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| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| --- | --- |
| *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.

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| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| --- | --- |
| *ANSWER:* | False |

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| 3. NALA is one of the member associations of NFPA.

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| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| --- | --- |
| *ANSWER:* | False |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 4. Independent contractors are employees of attorneys.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| --- | --- |
| *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 |

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| --- | --- |
| *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.

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| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| --- | --- |
| *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 |

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| --- | --- |
| *ANSWER:* | False |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 9. Leveraging can make paralegals profitable for employing attorneys.

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| --- | --- | --- |
|   | 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. |

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| --- | --- |
| *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. |

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| --- | --- |
| *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?

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| --- | --- |
| *ANSWER:* | American Bar Association |

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| 16. What is paralegal certification?

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| --- | --- |
| *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?

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| --- | --- |
| *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?

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| --- | --- |
| *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.

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| *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?

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| --- | --- |
| *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?

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| --- | --- |
| *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?

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| *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.

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| --- | --- |
| *ANSWER:* | questionlegal questionissuelegal 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.

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| --- | --- |
| *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.

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| --- | --- |
| *ANSWER:* | transactional |

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| 26. A(n) \_\_\_\_\_\_\_\_\_\_\_\_\_\_fee is dependent on the outcome of the case.

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| *ANSWER:* | contingent |

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

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| --- | --- |
| *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.

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| --- | --- |
| *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.

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| --- | --- |
| *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.

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| --- | --- |
| *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.

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| --- | --- |
| *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.

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| --- | --- |
| *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

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| --- | --- |
| *ANSWER:* | d |

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| 34. Statutory-fee case

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| --- | --- |
| *ANSWER:* | e |

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|  |  |  |
| --- | --- | --- |
| 35. Further training

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| --- | --- |
| *ANSWER:* | a |

 |

|  |  |  |
| --- | --- | --- |
| 36. Profiting from the income-generating efforts of others

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| --- | --- |
| *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

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| --- | --- |
| *ANSWER:* | h |

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| 40. A method of calculating an award of attorney fees authorized by statute

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| --- | --- |
| *ANSWER:* | g |

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