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| --- |
| True / False |

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| 1. Most aspects of civil litigation occur in the courtroom.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 2. The rules of civil procedure differ substantially from the rules of criminal procedure.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 3. Rules and procedures of civil litigation are the same from state to state.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 4. In some instances the first pleading filed in a lawsuit is called a petition.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 5. The most common method of resolving civil disputes is settlement.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 6. Arbitration is a form of settlement.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 7. Case law has little, if any, relevance to the law of civil procedure.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 8. A litigation paralegal often appears in court.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 9. Case management software allows attorneys to organize and summarize extensive discovery.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 10. Litigation paralegals often rely on form books and forms files.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| --- |
| *Woo buys a new automobile. While driving the car home from the dealership, the brakes fail, and the car crashes. Woo is seriously injured. He retains the law firm of Kraft and Molina, and they file a lawsuit claiming damages for these injuries. Brady works as a paralegal in that law firm.* |

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| 11. In the lawsuit, Kraft and Molina are the plaintiffs.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 12. Brady is allowed to interview witnesses to the accident.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 13. Brady is allowed to prepare a draft of the complaint to be filed in the action.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 14. Before filing a lawsuit, the parties are required to arbitrate their dispute.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 15. This is a criminal case.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| --- |
| Multiple Choice |

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| 16. Which of the following could not be resolved through civil litigation?   |  |  |  | | --- | --- | --- | |  | a. | A real estate problem | |  | b. | A contract dispute | |  | c. | The commission of a murder | |  | d. | A dispute over injuries resulting from an automobile accident |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 17. Laws containing the methods used to enforce our rights or to obtain redress for the violation of our rights are known as \_\_\_\_\_\_\_\_ laws.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | substantive | b. | procedural | |  | c. | civil | d. | criminal |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 18. The process of civil litigation formally begins when one party files a(n) \_\_\_\_\_\_\_\_.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | complaint | b. | answer | |  | c. | motion | d. | writ |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 19. A pleading filed by a defendant denying that the plaintiff is entitled to any relief is known as the \_\_\_\_\_\_\_\_.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | petition | b. | answer | |  | c. | complaint | d. | summons |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 20. Which of the following is not an alternative to litigation?   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | Settlement | b. | Mediation | |  | c. | Arbitration | d. | Discovery |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 21. Cloud computing refers to \_\_\_\_\_\_\_\_.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | presentation software | b. | case management software | |  | c. | an electronic filing system | d. | storage of documents on the Internet |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 22. Law books that contain the actual law itself are referred to as \_\_\_\_\_\_\_\_.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | form books | b. | primary sources | |  | c. | secondary sources | d. | legal encyclopedias |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 23. The primary source of the law is found in \_\_\_\_\_\_\_\_.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | codes | b. | case reporters | |  | c. | constitutions | d. | All of these choices. |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 24. Which of the following cannot be done by a paralegal?   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | Interviewing clients | b. | Researching law | |  | c. | Drafting pleadings | d. | Asking questions at a deposition |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 25. Which of the following skills are needed by paralegals?   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | a. | An ability to communicate orally and in writing | b. | Organizational and analytical skills | |  | c. | Technology expertise | d. | All of these choices. |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| Completion |

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| 26. Unless a case is settled, litigation results in a(n) \_\_\_\_\_\_\_\_, where parties present their evidence to a judge or jury.   |  |  | | --- | --- | | *ANSWER:* | trial | |

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| 27. Laws that deal with private disputes between parties are known as \_\_\_\_\_\_\_\_ laws.   |  |  | | --- | --- | | *ANSWER:* | civil | |

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| 28. Litigation formally begins when a plaintiff files in court a written document known as a(n) \_\_\_\_\_\_\_\_.   |  |  | | --- | --- | | *ANSWER:* | complaint | |

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| 29. If a defendant ignores a complaint and files no responsive papers, the defendant \_\_\_\_\_\_\_\_.   |  |  | | --- | --- | | *ANSWER:* | defaults | |

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| 30. A defendant often challenges the factual allegations of a complaint with a(n) \_\_\_\_\_\_\_\_.   |  |  | | --- | --- | | *ANSWER:* | answer | |

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| 31. After the parties have filed appropriate documents, litigation proceeds with \_\_\_\_\_\_\_\_, a part of the case where the parties try to find out as much as they can about the other side’s case.   |  |  | | --- | --- | | *ANSWER:* | discovery | |

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| 32. The phrase \_\_\_\_\_\_\_\_ applies to the many procedures used by parties in an attempt to avoid litigation.   |  |  | | --- | --- | | *ANSWER:* | alternative dispute resolution | |

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| 33. A law that creates, defines, or explains an individual’s rights is known as \_\_\_\_\_\_\_\_.   |  |  | | --- | --- | | *ANSWER:* | substantive law | |

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| 34. A secondary source that is heavily relied upon by litigation attorneys and paralegals in drafting documents is the \_\_\_\_\_\_\_\_.   |  |  | | --- | --- | | *ANSWER:* | form book | |

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| 35. Paralegals cannot give \_\_\_\_\_\_\_\_ advice to parties.   |  |  | | --- | --- | | *ANSWER:* | legal | |