

## Chapter 1—Life on the Job

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### TRUE/FALSE

1. A paralegal can give legal advice.

ANS: F                      PTS: 1

2. A resumé provides a description of a person's work history.

ANS: T                      PTS: 1

3. A sample portfolio is a collection of a person's best work gathered to show future employers.

ANS: T                      PTS: 1

4. An answer is a pleading that lists the plaintiff's grounds for divorce.

ANS: F                      PTS: 1

5. A contract between a lawyer and a client is called a retainer agreement.

ANS: T                      PTS: 1

6. An expert is a person who specializes in a particular field.

ANS: T                      PTS: 1

7. Contingency fees are allowed in family law practices.

ANS: F                      PTS: 1

8. *Pro se* is the Latin term for divorce.

ANS: F                      PTS: 1

9. A modification can be filed if one party has a change in circumstances.

ANS: T                      PTS: 1

10. A complaint is a pleading that initiates a lawsuit.

ANS: T                      PTS: 1

11. Interrogatories can be served on all parties but not on witnesses.

ANS: T                      PTS: 1

12. Pleadings are filed with the court.

ANS: T                      PTS: 1

13. The plaintiff is the initiator of a lawsuit.

ANS: T                      PTS: 1

14. Dissolution of marriage is another term for legal separation.

ANS: F                      PTS: 1

15. An appearance is filed if the defendant disagrees with the complaint.

ANS: F                      PTS: 1

16. A motion is a request to the court for an order.

ANS: T                      PTS: 1

17. Depositions can be taken of witnesses.

ANS: T                      PTS: 1

18. An opening statement is a road map for where a case will go during the trial.

ANS: T                      PTS: 1

19. The court clerk records all documents in the courthouse.

ANS: T                      PTS: 1

20. A pretrial hearing always involves a jury.

ANS: F                      PTS: 1

21. A demand for the production of documents is made immediately following a trial.

ANS: F                      PTS: 1

22. A deposition transcript cannot be used at a trial.

ANS: F                      PTS: 1

23. *Pendente lite* support is a permanent award.

ANS: F                      PTS: 1

24. If a motion is filed and the parties do not wish to have an oral argument, then the judge will decide the motion on the papers.

ANS: T                      PTS: 1

25. Every pleading is given a different docket number.

ANS: F                      PTS: 1

## MULTIPLE CHOICE

1. The publication that lists attorneys by town and specialty is called
- Martindale-Hubbell*
  - WESTLAW
  - Black's*
  - The Book of Names*
  - Martindale-Humble*

ANS: A                      PTS: 1

2. The pleading used by a plaintiff to initiate a lawsuit is called the
- complaint
  - answer
  - motion
  - interrogatories
  - None of these choices is correct.

ANS: A                      PTS: 1

3. A \_\_\_\_\_ is authorized to transcribe a deposition.
- court reporter
  - defendant
  - lawyer
  - police officer
  - lawyer or a court reporter

ANS: A                      PTS: 1

4. Failure to perform a promise in a contract is considered a
- breach of contract
  - tort claim
  - faux pas
  - breach of etiquette
  - None of these choices is correct.

ANS: A                      PTS: 1

5. Negligence on the part of a lawyer is called
- legal malpractice
  - good faith
  - a cause of action
  - discovery
  - a legal error

ANS: A                      PTS: 1

6. Any and all information gathered during the investigation stage of a lawsuit is called
- |                  |                                      |
|------------------|--------------------------------------|
| a. discovery     | c. a financial worksheet             |
| b. the pleadings | d. None of these choices is correct. |

ANS: A                      PTS: 1

7. After being served with a complaint, a defendant can
- answer the complaint or ignore it
  - answer the complaint only

- c. ignore the complaint only
- d. go on vacation
- e. None of these choices is correct.

ANS: A                      PTS: 1

8. If a person chooses to represent himself or herself, he or she is called
- a. *pro se*
  - b. solo
  - c. ignorant
  - d. wise
  - e. arrogant

ANS: A                      PTS: 1

9. A modification is a
- a. deviation from the final order or judgment
  - b. reason to sue
  - c. payback to the losing party
  - d. reason to sue and a payback to the losing party
  - e. All of these choices are correct.

ANS: A                      PTS: 1

10. The document that reflects a judge's ruling is called a/an
- a. judgment
  - b. cause of action
  - c. complaint
  - d. answer
  - e. *pendente lite* motion

ANS: A                      PTS: 1

11. The defendant is the person
- a. being sued
  - b. who wants to sue
  - c. initiating the lawsuit
  - d. who wants to sue and initiates the lawsuit
  - e. at fault

ANS: A                      PTS: 1

12. Another term for divorce is
- a. dissolution of marriage
  - b. annulment
  - c. void
  - d. annulment and void
  - e. None of these choices is correct.

ANS: A                      PTS: 1

13. The \_\_\_\_\_ is a document that allows the defendant to recognize that a complaint has been served and there is no real disagreement with the complaint.
- a. appearance
  - b. default judgment
  - c. case information statement

- d. answer
- e. None of these choices is correct.

ANS: A PTS: 1

14. Shortly after a divorce complaint is filed, \_\_\_\_\_ must be filed to show the financial condition of the plaintiff.
- a. a case information statement
  - b. a *pendente lite* motion
  - c. interrogatories
  - d. a deposition notice
  - e. None of these choices is correct.

ANS: A PTS: 1

15. One way to formally request documents is to
- a. send a demand for the production of documents
  - b. send a letter
  - c. make a polite phone call
  - d. attend pretrial hearings
  - e. appear at the other party's law firm

ANS: A PTS: 1

16. When an attorney questions his or her client on the stand during a trial, the questioning is known as
- a. direct examination
  - b. cross-examination
  - c. the closing argument
  - d. re-cross
  - e. the roadmap

ANS: A PTS: 1

17. A summary of the entire case is heard during
- a. closing arguments
  - b. a pretrial hearing
  - c. a deposition
  - d. a motion
  - e. jury instructions

ANS: A PTS: 1

18. Documents that are the direct result of an attorney's work and are not discoverable are covered under the
- |                                    |                                      |
|------------------------------------|--------------------------------------|
| a. attorney work-product privilege | c. retainer                          |
| b. deposition                      | d. None of these choices is correct. |

ANS: A PTS: 1

19. Pretrial hearings in family court involve
- a. attorneys and judges
  - b. witnesses
  - c. friends and neighbors
  - d. juries
  - e. All of these choices are correct.

ANS: A PTS: 1

20. A \_\_\_\_\_ takes the oath of any parties and witnesses being deposed.
- a. court reporter
  - b. priest
  - c. clerk
  - d. local sheriff
  - e. clerk or court reporter

ANS: A PTS: 1

21. A request to the court for an order is known as a/an
- a. motion
  - b. judgment
  - c. appearance
  - d. interrogatory
  - e. None of these choices is correct.

ANS: A PTS: 1

22. Written questions given to the opposing party to answer in writing are called
- a. interrogatories
  - b. oral depositions
  - c. complaints
  - d. motions
  - e. oral depositions and interrogatories

ANS: A PTS: 1

23. The initiator of a lawsuit is a/an
- a. plaintiff
  - b. attorney
  - c. defendant
  - d. co-respondent

ANS: A PTS: 1

24. A contract that details an attorney's obligation to a client is called a
- a. retainer agreement
  - b. motion
  - c. judgment
  - d. sample portfolio
  - e. None of these choices is correct.

ANS: A PTS: 1

25. Professionals who may testify as experts at trials include
- a. All of these choices are correct.
  - b. doctors
  - c. accountants
  - d. mental health therapists

ANS: A PTS: 1

## COMPLETION

1. The \_\_\_\_\_ is the person who initiates a lawsuit.

ANS:

plaintiff  
petitioner

PTS: 1

2. The \_\_\_\_\_ is the person being sued.

ANS:  
defendant  
respondent

PTS: 1

3. A/An \_\_\_\_\_ is the initial pleading filed in a lawsuit.

ANS:  
complaint  
petition

PTS: 1

4. The contract between an attorney and a client is called a/an \_\_\_\_\_ agreement.

ANS: retainer

PTS: 1

5. When an attorney is negligent, \_\_\_\_\_ may be committed.

ANS:  
legal malpractice  
malpractice

PTS: 1

6. A/An \_\_\_\_\_ is a collection of one's best work for future employers to see.

ANS:  
sample portfolio  
portfolio

PTS: 1

7. A/An \_\_\_\_\_ is a deviation from the final judgment.

ANS: modification

PTS: 1

8. A/An \_\_\_\_\_ is a pleading that responds to every allegation in a complaint.

ANS:  
answer  
response

PTS: 1

9. The \_\_\_\_\_ is the legal reason one person is suing another.

ANS: cause of action

PTS: 1

10. \_\_\_\_\_ are written questions to be answered in writing by the opposing side in a case.

ANS: Interrogatories

PTS: 1

11. A/An \_\_\_\_\_ involves the oral questioning of a party under oath outside of a courtroom.

ANS: deposition

PTS: 1

12. Any and all information gathered during the investigation stage of a case is called \_\_\_\_\_.

ANS: discovery

PTS: 1

13. \_\_\_\_\_ is an important step after a complaint has been filed, as it gives the defendant notice of the lawsuit.

ANS: Service of process

PTS: 1

14. The detailed financial worksheet that must be filed with every complaint and answer is usually called a budget statement, a financial affidavit, or a/an \_\_\_\_\_.

ANS:  
case information statement  
CIS

PTS: 1

15. A/An \_\_\_\_\_ identifies a case within a court system.

ANS:  
docket number  
case number  
calendar number

PTS: 1

16. The \_\_\_\_\_ is the official responsible for recording all documents filed with the court.

ANS: court clerk

PTS: 1

17. A/An \_\_\_\_\_ must be filed with a court to request an order.

ANS: motion

PTS: 1

18. *Pendente lite* support is \_\_\_\_\_ support, provided until the final hearing.

ANS: temporary

PTS: 1

19. Questioning the adversary's witness is known as \_\_\_\_\_.

ANS: cross-examination

PTS: 1

20. \_\_\_\_\_ involves the questioning of one's own witness.

ANS: Direct examination

PTS: 1

21. A/An \_\_\_\_\_ takes the oath of a person being deposed and prepares a deposition transcript.

ANS: court reporter

PTS: 1

22. At the conclusion of a trial, the judge will issue a/an \_\_\_\_\_.

ANS:  
final judgment  
final order

PTS: 1

23. If a judge makes a decision without hearing oral arguments by the attorneys, his or her decision is said to be \_\_\_\_\_.

ANS: on the papers

PTS: 1

24. The attorneys in a firm who have an ownership interest in the firm are called \_\_\_\_\_.

ANS: partners

PTS: 1

25. The attorneys who work for a law firm but have no ownership interest in the firm are called \_\_\_\_\_.

ANS: associates

PTS: 1

## MATCHING

*Match each definition with the terms listed below.*

- a. A nonlawyer hired to assist a lawyer
  - b. A written description of one's education and work history
  - c. The initial pleading in a lawsuit that lists the cause of action
  - d. A person who specializes in a particular field
  - e. A collection of one's best work
  - f. The person initiating a lawsuit
  - g. The person being sued
  - h. A series of written questions for the opposing party to answer in writing
  - i. Any information gathered during the investigation stage
  - j. Oral questioning of a party
  - k. Questioning of one's own witness
  - l. Questioning of the adversary's witness
  - m. Questioning of one's own witness after the adversary's questioning of him or her
  - n. Questioning of a witness by the adversary after re-direct
  - o. Deviation from the final order
  - p. A road map for where the case is going
  - q. A summary of the entire case
  - r. The person at the courthouse who records documents
  - s. A request to the court for an order
  - t. A pleading used to respond to every allegation made in a complaint
  - u. A detailed financial worksheet
  - v. A document that allows the defendant to recognize the complaint but not dispute it
  - w. Defendant is handed the complaint and is made aware that he or she is being sued
  - x. A contract between a lawyer and a client
  - y. Any object or document offered and marked as evidence in a trial, hearing, or deposition
- 1. Paralegal
  - 2. Résumé
  - 3. Complaint
  - 4. Expert
  - 5. Sample portfolio
  - 6. Plaintiff
  - 7. Defendant
  - 8. Interrogatories
  - 9. Discovery
  - 10. Deposition
  - 11. Direct examination
  - 12. Cross-examination
  - 13. Re-direct examination
  - 14. Re-cross examination
  - 15. Modification

16. Opening statement
17. Closing argument
18. Court clerk
19. Motion
20. Answer
21. Case information statement
22. Appearance
23. Service of process
24. Retainer
25. Exhibit

- |            |        |
|------------|--------|
| 1. ANS: A  | PTS: 1 |
| 2. ANS: B  | PTS: 1 |
| 3. ANS: C  | PTS: 1 |
| 4. ANS: D  | PTS: 1 |
| 5. ANS: E  | PTS: 1 |
| 6. ANS: F  | PTS: 1 |
| 7. ANS: G  | PTS: 1 |
| 8. ANS: H  | PTS: 1 |
| 9. ANS: I  | PTS: 1 |
| 10. ANS: J | PTS: 1 |
| 11. ANS: K | PTS: 1 |
| 12. ANS: L | PTS: 1 |
| 13. ANS: M | PTS: 1 |
| 14. ANS: N | PTS: 1 |
| 15. ANS: O | PTS: 1 |
| 16. ANS: P | PTS: 1 |
| 17. ANS: Q | PTS: 1 |
| 18. ANS: R | PTS: 1 |
| 19. ANS: S | PTS: 1 |
| 20. ANS: T | PTS: 1 |
| 21. ANS: U | PTS: 1 |
| 22. ANS: V | PTS: 1 |
| 23. ANS: W | PTS: 1 |
| 24. ANS: X | PTS: 1 |
| 25. ANS: Y | PTS: 1 |