

Test Bank Questions

CHAPTER 1 Introduction to the Paralegal Career

Test Bank Questions

True/False

Indicate whether the statement is true or false.

1. Precision and attention to detail are important characteristics of a paralegal.
2. One out of every three Americans will need the advice of an attorney in the next six months.
3. NALA is one of the member associations of NFPA.
4. Independent contractors are employees of attorneys.
5. Some states allow disbarred or suspended attorneys to work as paralegals.
6. In California, an independent contractor cannot be called a paralegal unless he or she works under attorney supervision.
7. The definition of a paralegal that is legally binding is the definition written by the American Bar Association.
8. Under our legal system, winning and losing parties always pay their own attorney fees.
9. Leveraging can make paralegals profitable for employing attorneys.

Multiple Choice

Identify the letter of the choice that best completes the statement or answers the question.

10. The association that is primarily concerned with the supervision of paralegals on the job is:
 - a. NALA.
 - b. IPMA.
 - c. SCOP.
 - d. NFPA.
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.
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.
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.
14. The cost of which of the following is not considered overhead in most states?
 - a. Rent
 - b. Paralegal salaries
 - c. Insurance
 - d. Secretaries

Short Answer

15. What national bar association has had a major role in the development of paralegalism?
16. What is paralegal certification?
17. What is the distinction between a traditional paralegal and an independent contractor?
18. What is a conflicts specialist?
19. Define the unauthorized practice of law.
20. What did *Missouri v. Jenkins* decide?
21. What is the rule of three?
22. What are three characteristics that are common to the definitions of a paralegal in many states?

Fill-in-the-Blank

Complete each statement.

23. One of the most important skills in the law is the ability to identify the _____ that needs to be resolved.
24. Under the _____ test, a substantive legal task is one that an attorney would have to perform if a paralegal were not available.
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.
26. A(n) _____ fee is dependent on the outcome of the case.
27. In statutory-fee cases, paralegal fees will be denied for _____ tasks performed by a paralegal.
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.
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.
30. The rule of three is unlikely to be achieved if the office assigns many _____ tasks to a paralegal.
31. Something is _____ if it pertains to records that are prepared on events as the events are occurring or very shortly thereafter.
32. The hourly rate that a law office actually collects from the billable hours submitted by an attorney or paralegal is the _____ rate.

Matching

Match each numbered entry with the most relevant lettered entry.

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| A. Continuing legal education (CLE) | 33. Not chargeable to a client |
| B. Traditional paralegal | 34. Statutory-fee case |
| C. Independent contractor | 35. Further training |
| D. Overhead | 36. Profiting from the income-generating efforts of others |
| E. Fee-shifting | 37. Business owner |
| F. Leveraging | 38. An employee |
| G. Lodestar | 39. Clients pay their own attorney fees |
| H. American rule | 40. A method of calculating an award of attorney fees authorized by statute |