

Contestant Number \_\_\_\_\_

Time \_\_\_\_\_

Rank \_\_\_\_\_

ww.

# LEGAL OFFICE PROCEDURES (27)

## Regional—2012

Objective Portion—45 Questions \* 5 (225 Points) \_\_\_\_\_

Job 1—Pleading (100 Points) \_\_\_\_\_

**TOTAL POINTS** \_\_\_\_\_ (325 pts.)

***Failure to adhere to any of the following rules will result in disqualification:***

- 1. Contestant must hand in this test booklet and all printouts. Failure to do so will result in disqualification.***
- 2. No equipment, supplies, or materials other than those specified for this event are allowed in the testing area. No previous BPA tests and/or sample tests or facsimile (handwritten, photocopied, or keyed) are allowed in the testing area.***
- 3. Electronic devices will be monitored according to ACT standards.***

No more than ten (10) minutes orientation  
No more than 60 minutes actual testing time  
No more than ten (10) minutes wrap-up

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*Workplace Skills Assessment Program* competition.

### GENERAL INSTRUCTIONS

1. Answer the objective questions using a No. 2 pencil on the Scantron scoring sheet unless instructed otherwise.
2. Fill in each answer space completely and erase any stray marks.
3. Make certain this test booklet contains Jobs 1 after the objective exam.
4. Correct all spelling errors. Copy is graded on production standards found in Style and Reference Manual.
5. For any problem where you would normally use your reference initials, use your contestant number. Your name or initials should **NOT** appear on any work you submit.  
**Key your contestant number and job number as a footer in the lower left-hand corner of all work submitted.**  
Example: 99-9999-9999  
Job 1
6. If you finish before the end of the testing time, notify the proctor. Time may be a factor in determining the winner in the event of a tie.
7. When turning in your contest, place your Scoring Sheet on top of your jobs. The jobs should be arranged in numeric order. The Scantron scoring sheet should be the first thing in your packet when you turn it in.

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**Multiple-Choice Directions:** Mark on the Scantron scoring sheet the letter of the answer that best completes/describes the statement.

1. PLS stands for
  - a. Private Legal System
  - b. Personal Law Society
  - c. Professional Legal Secretary
  - d. Professional Lawyers Secretary
  
2. Another term used for “signing” a document is
  - a. conforming the document
  - b. executing the document
  - c. inking the document
  - d. verifying the document
  
3. Supplements to law books in pamphlet form which are inserted inside the back cover of a law book are called
  - a. advance sheets
  - b. digests
  - c. annotations
  - d. pocket parts
  
4. The highest court in the United States is the
  - a. United States Court of Appeals
  - b. United States Supreme Court
  - c. Court of Last Resort
  - d. United States District Court
  
5. Venue refers to
  - a. personal jurisdiction
  - b. geographical jurisdiction
  - c. subject jurisdiction
  - d. physical jurisdiction
  
6. The procedure which permits one party to inquire of the adverse party and all witnesses regarding anything relating to the action is called
  - a. deposition
  - b. discovery
  - c. examination procedures
  - d. investigating
  
7. Which of the following would not be classified as a civil action?
  - a. actions seeking money
  - b. actions seeking specific performance
  - c. actions seeking punishment for a crime against society
  - d. actions for stay or performance of an act
  
8. Corporations are governed by laws of the
  - a. state government
  - b. county government
  - c. federal government
  - d. United Nations

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9. The transfer of a right is called
  - a. an assignment
  - b. a delegation
  - c. a breach
  - d. adhesion
  
10. The ownership of property by two or more persons, with the right of survivorship, is called
  - a. tenancy in common
  - b. joint tenancy
  - c. tenancy by the entirety
  - d. community property
  
11. A written statement sworn to as being true before a Notary Public or some other officer authorized to perform is a(n)
  - a. oath
  - b. affirmation
  - c. affidavit
  - d. acknowledgment
  
12. The legal document filed in response to a complaint is called
  - a. a petition
  - b. a reply
  - c. a motion
  - d. an answer

**T or F Directions:** On your Scantron, mark Column A if the statement is a true statement; mark Column B if the statement is a false statement.

13. A legal secretary is strictly prohibited from offering legal advice regardless of the circumstances.
14. The notary public should take no acknowledgement by telephone.
15. The fastest method for an attorney to originate documents is by dictating material directly to his secretary.
16. Juvenile and adoption proceedings are usually closed to the public.
17. An example of a responsive pleading is Interrogatories.
18. Under a contingency fee arrangement, if there is no recovery, there is no fee.
19. Papers reflecting a settlement are usually prepared by the attorney for the plaintiff.
20. A judgment is prepared by the losing side and presented to the court entry.
21. Contracts can be oral, written or implied.
22. It is possible for an adult to be adopted.
23. A codicil to a will does not need to be witnessed.
24. The legal document filed to initiate a bankruptcy proceeding is called a complaint.

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25. Hearsay consists of statements by a witness who did not see or hear the incident in question but heard about it from someone else
26. As a general rule, property descriptions and long quotations found within a legal document should be single spaced and indented.
27. It is the attorney's responsibility to see that legal citations are typed accurately.
28. Briefs are part of pleadings in a civil case.

**Directions:** On your Scantron, match the correct translation with the numbered Latin terms.

- |                     |                     |
|---------------------|---------------------|
| 29. in re           | a. no contest       |
| 30. et vir          | b. in the behalf of |
| 31. ad litem        | c. and husband      |
| 32. nolo contendere | d. for the suit     |

- 
- |                 |                      |
|-----------------|----------------------|
| 33. intervivos  | a. guilty mind       |
| 34. per stirpes | b. and others        |
| 35. mens rea    | c. by representation |
| 36. et al.      | d. between living    |

- 
- |                   |                                  |
|-------------------|----------------------------------|
| 37. pendente lite | a. you bring with you            |
| 38. stare decisis | b. during the litigation         |
| 39. duces tecum   | c. to abide by the decided cases |
| 40. versus        | d. against                       |
-

Read the following case situations carefully and select one of the solutions as the BEST one. On your Scantron, match the correct translation with the numbered Latin terms.

41. \_\_\_\_\_ **Case Number 1:** Assume you are a legal secretary assigned to work for two associates in a large law firm. You enjoy working for both attorneys; however, one problem occurs all too frequently. Several times a week you are faced with the dilemma of whose work to do first. Both insist they need their job done immediately. What do you do?
- One of them had to turn in the work first—even if it was only seconds before. First come, first served.
  - Ask one of your coworkers to do you a favor and handle one of the jobs for you.
  - Flip a coin.
  - Take the problem to your employers and ask them to decide between themselves whose work should take priority.
42. \_\_\_\_\_ **Case Number 2:** Once a week in the summertime, your employer, Mr. Madison, takes an afternoon off to play golf, leaving strict instructions with you that you should not reveal his whereabouts to anyone under any circumstances, and he is not to be disturbed on his afternoon off. One sunny afternoon the firm's wealthiest and most important client calls and asks to speak immediately to your employer. He gets extremely upset when you will not tell him how he can get in touch with your employer. What do you do?
- Refer the call to one of the other attorneys in the firm to handle.
  - Because of who he is and because you are afraid our employer will be upset if you don't, you give the client the cell phone number of your employer so he can reach him.
  - Tell the caller this is your employer's one afternoon off a week and you will have to take a message, assuring the client you will have Mr. Madison call first thing in the morning.
  - Offer to handle the matter yourself since you know about all of the client's legal matters anyhow.
43. \_\_\_\_\_ **Case Number 3:** The workday ends at 5 p.m.; however, your employer frequently calls you into her office at 4:55 p.m. and asks you to do a rush job for her before you leave. You don't mind staying late once in a while, but you have to catch a bus and pick up your child at the day care center by 5:30 p.m. or you have to pay for another hour's care. What do you do?
- Lay it on the line. Tell your employer you can no longer work past 5 p.m. because of other commitments. You shouldn't need to make any excuses.
  - Have a talk with your employer, explain the situation, and request she no longer ask you to work overtime.
  - Tell your employer of the problem and suggest you check with her at around 4:30 p.m. daily to see if there is any last-minute job she needs to have completed before 5 p.m.
  - Since you don't want to look like a tightwad, you continue to work when asked as long as it doesn't amount to too many nights a week.

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44. \_\_\_\_\_ **Case Number 4:** Your employer has a new client—someone who looks very familiar to you. After searching your mind, you remember where you have seen this man before. He is married to your best friend's older sister. He has just been to see your employer about a dissolution of his marriage—something you are sure your friend knows nothing about. What do you do?

- a. Say nothing. What goes on in the office must remain confidential, no matter who is involved.
- b. Ask your friend if she is aware of any problems in her sister's marriage. If she guesses her brother-in-law has been in your office, that's okay as long as you don't come out and tell her directly.
- c. This is your best friend's sister we're talking about. She would really be upset with you if she should find out later you knew and didn't tell her. Your loyalty to your friend is very great. You will tell her.
- d. Tell your employer about the possible conflict of interest and suggest maybe one of the other attorneys might be able to handle this particular matter.

45. \_\_\_\_\_ **Case Number 5:** A small law firm in a major city employs you. It has always been your feeling that business and pleasure don't mix; however, this particular firm seems to be very socially oriented and plans "get-togethers" on a weekly basis. You are uncomfortable with this and would prefer to keep your social life separate from work; however, you don't want to offend any of your co-workers. What should you do?

- a. Face it; that's just the way it is at this particular law firm. You might as well join in.
- b. Talk to the office administrator and tell her/him you feel the socializing needs to be stopped. Ask for assistance in trying to change things so you don't feel uncomfortable anymore.
- c. Tell your co-workers you would prefer to choose your own friends and spend what spare time you have with them.
- d. Seriously consider whether you might join in once a month; however, if this still makes you uncomfortable, give a reasonable explanation for your absence and extend your appreciation for being asked to participate.

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***Job 1—Pleading***

Prepare the following final judgment in the case of Susan Sanders, Plaintiff vs. Scooters, Unlimited, Defendant in the circuit court of the 12<sup>th</sup> Judicial Circuit in and for Maricopa County, Arizona. The case number is DA-5096. Use the format provided in the Style & Reference Manual. Please place your contestant number and the job number in the lower left hand corner. Also, use your contestant number instead of initials anywhere that typist's initials might normally appear.

This cause having come on for trial on March 1, 2011, and in view of the foregoing, it is Ordered and Adjudged that Plaintiff Susan Sanders shall recover from Scooters Unlimited the total sum of 4080.00 for all of which let execution issue. This judgment shall bear interest at the rate of 6% per annum until paid in full. Done and ordered in Chambers at Phoenix, Maricopa County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.