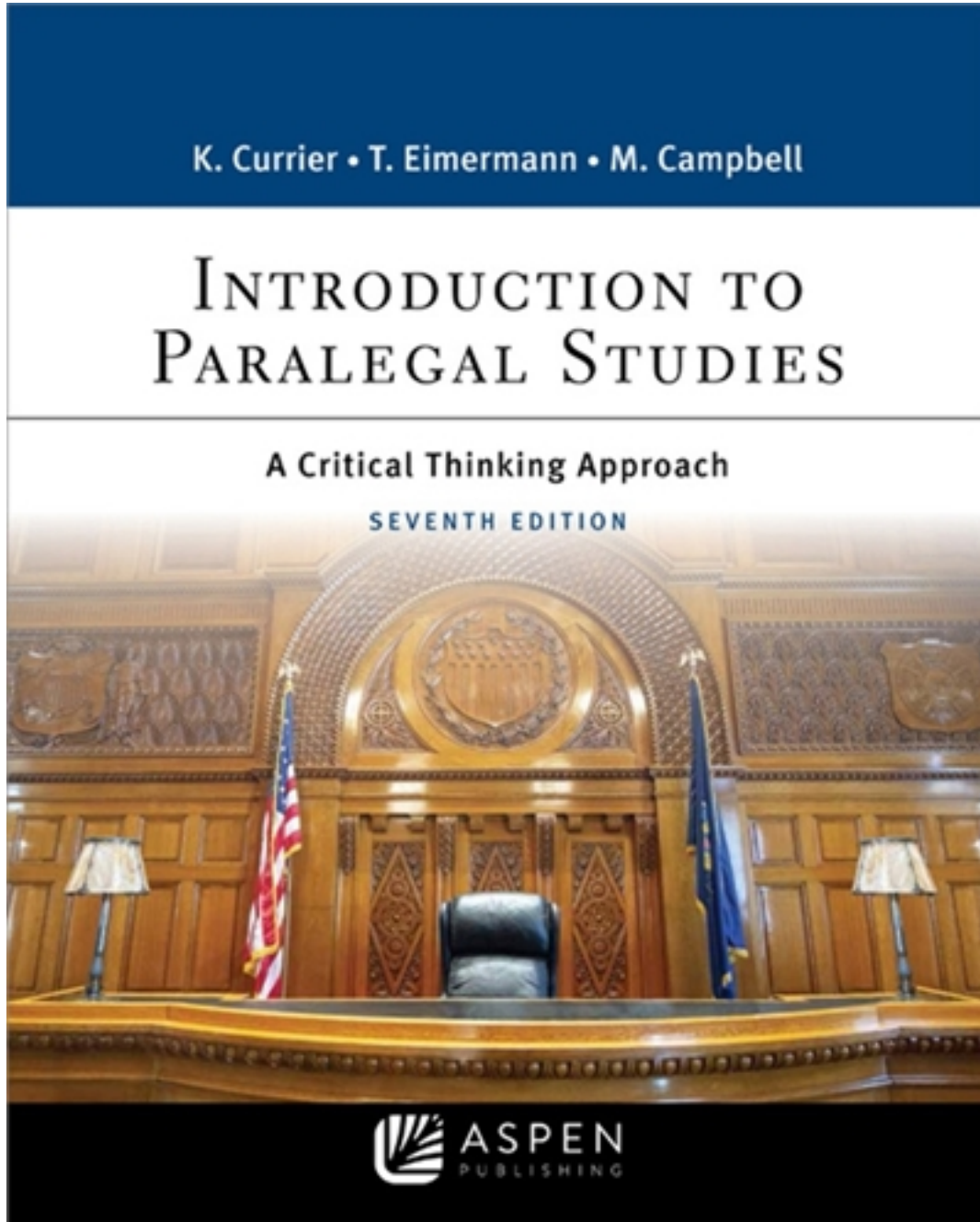


Test Bank for Introduction to Paralegal Studies 7th Edition by Currier

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Test Bank

Chapter 2 - Paralegals in the Legal System

True/False

1. Paralegal and legal assistant are usually seen as synonymous terms.
*a. True
b. False
2. To practice law, attorneys must become members of the American Bar Association.
a. True
*b. False
3. The two major national paralegal associations are the National Federation of Paralegal Associations and the American Bar Association.
a. True
*b. False
4. Paralegals are not licensed to practice law.
*a. True
b. False
5. Generally, the term legal technician refers to someone providing direct services to the public.
*a. True
b. False
6. Generally, a legal technician is someone acting outside of the law, providing direct services to the public, whereas a lay advocate is operating within the law, representing persons before administrative agencies.
*a. True
b. False
7. The term independent paralegal can sometimes refer to freelance paralegals and sometimes to legal technicians.
*a. True
b. False
8. Formal paralegal education began in the late 1960s and early 1970s, principally in four-year universities and colleges.
a. True
*b. False
9. In order to offer a paralegal program, a college or university must be accredited by the American Bar Association.
a. True
*b. False

10. IPMA stands for Internet Paralegal Members Association.
a. True
*b. False
11. Currently there is no nationwide required registration, certification, or licensing scheme covering paralegals.
*a. True
b. False
12. A synonym for registration is certification.
a. True
*b. False
13. A registration program can be either mandatory or voluntary.
*a. True
b. False
14. Certification is the formal recognition by a governmental organization that an individual has met some predetermined set of qualifications.
a. True
*b. False
15. Licensure is the formal recognition by a governmental organization that an individual has met some predetermined set of qualifications.
*a. True
b. False
16. LLLT stands for Licensed Legal Law Technician.
a. True
*b. False
17. Certified Legal Assistant is a registered trademark of NALA: The Paralegal Association.
*a. True
b. False
18. NFPA has developed an advanced proficiency exam, known as APR.
a. True
*b. False
19. A common paralegal task is the giving of legal advice.
a. True
*b. False
20. The unauthorized practice of law is a crime in most states.
*a. True
b. False

- 21. A paralegal may not discuss client matters with anyone outside of the firm.
*a. True
b. False
- 22. Attorneys can bill clients directly for work done by either paralegals or legal secretaries.
a. True
*b. False
- 23. Approximately 70 percent of all paralegals work for the government.
a. True
*b. False
- 24. A disadvantage of doing business as a partnership is that each partner is responsible for the acts of all the other partners.
*a. True
b. False

Multiple Choice

- 1. Although paralegals perform many legal functions,
 - a. they are not licensed to practice law.
 - b. they may not give legal advice.
 - c. they may not represent clients in most types of judicial proceedings.
 - *d. all of the above.**
 - e. a and b only.
- 2. Freelance paralegals
 - a. work as independent contractors and may give legal advice.
 - b. are illegal in most states.
 - c. generally receive the same employment benefits as do traditional paralegals.
 - *d. work as independent contractors, and as is true of traditional paralegals, may not give legal advice.**
- 3. Normally, to become an attorney, a person must
 - a. hold at least an associate's degree, a degree from an accredited law school, and pass a state bar exam.
 - b. hold at least a bachelor's degree, a degree from an accredited law school, and pass a state bar exam.
 - *c. hold at least a bachelor's degree, a degree from an accredited law school, pass a state bar exam, and pass a moral's check.**
 - d. pass a state bar exam.

4. In most states, to become a paralegal, a person
 - a. must hold at least an associate's degree and attain a certificate from an ABA approved program.
 - b. must hold at least a bachelor's degree and attain a certificate from an ABA approved program.
 - c. must hold a bachelor's degree.
 - *d. need meet no requirements at all.**
5. The national association of paralegal educators is known as
 - a. the American Association for Educators of Paralegals.
 - *b. the American Association for Paralegal Education.**
 - c. the National Association for Paralegal Educators.
 - d. the National Alliance for Paralegal Education.
6. The two major national associations of paralegal professionals are known as
 - a. the National Paralegal Committee and the National Federation of Paralegal Associations.
 - b. the National Paralegal Committee and the National Association of Legal Assistants.
 - *c. the National Federation of Paralegal Associations and NALA: The Paralegal Association.**
 - d. the United Paralegal Union and the Affiliated Legal Assistant Association.
7. NFPA and NALA disagree as to
 - a. whether paralegals should be governed by a set of ethics.
 - b. what extent paralegals should be licensed.
 - c. the extent to which paralegals should be permitted to work outside the direct supervision of an attorney.
 - d. all of the above.
 - *e. b and c.**
8. Some professions follow a process of certification. Certification involves
 - a. recognition by a nongovernmental organization that an individual has met a predetermined set of qualifications.
 - b. recognition by a governmental organization that an individual has met a predetermined set of qualifications.
 - c. generally educational requirements and passage of an examination.
 - *d. a and c.**
 - e. b and c.

9. Jack just graduated from an ABA approved certificate program. He may say that he is a
- *a. certificated paralegal.**
 - b. certified paralegal or legal assistant.
 - c. either of the above, depending on the state in which his program is located.
 - d. licensed paralegal.
10. Licensing typically involves
- a. governmental action.
 - b. a prohibition against those not licensed working in that occupational field.
 - c. adoption of certain standards for working in a particular occupational field.
 - d. protection of the public against incompetence.
 - *e. all of the above.**
11. When a court considers ordering attorney's fees for work done by a paralegal, the court will consider all of the follow except
- a. the nature of the work, i.e., whether it was substantive or clerical.
 - b. the paralegal's education.
 - c. the paralegal's work experience.
 - *d. the amount of the paralegal's salary.**
12. Paralegals may do all of the following, except
- a. investigating facts.
 - b. locating and interviewing witnesses.
 - *c. giving legal advice.**
 - d. drafting correspondence.
 - e. assisting with depositions.
13. The type of business form in which attorneys working together may find themselves liable for each others actions is called a
- a. corporation.
 - b. limited liability partnership.
 - *c. partnership.**
 - d. sole proprietorship.

Definitions

Type: F

1. A paralegal who works as an independent contractor rather than as an employee of a law firm or corporation, is also known as a _____ paralegal.
- a. freelance**

Type: F

2. Someone who operates within the law, representing persons before administrative agencies that permit this practice is known as a _____.
- a. lay advocate**

Type: F

3. A _____ is a nonlawyer who provides legal services directly to the public without being under the supervision of an attorney and who may be committing the unauthorized practice of law.
- a. legal technician**

Type: F

4. The two national paralegal associations are known as _____ and _____.
- a. the National Federation of Paralegal Associations (NFPA), NALA: The Paralegal Association. (NALA)**

Type: F

5. The process by which individuals or organizations have their names placed on an official list kept by some private organization or governmental agency is known as _____.
- a. registration**

Type: F

6. A person is _____ if a nongovernmental organization recognizes that the person has met special criteria, such as meeting educational requirements and passing an exam, established by that organization.
- a. certified**

Type: F

7. A person is _____ if that person has received a document showing that the person has successfully completed an educational program.
- a. certificated**

Type: F

8. Governmental permission to engage in a profession is known as _____.
- a. licensing**