

Member ID: _____

Time: _____

Rank: _____



LEGAL OFFICE PROCEDURES (245) REGIONAL 2023

Multiple Choice:

30 @ 2 points each _____ (60 points)

Production:

Job 1: Power of Attorney _____ (100 points)

Job 2: Client Letter _____ (100 points)

TOTAL POINTS _____ (260 points)

Test Time: 60 minutes

GENERAL GUIDELINES:

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

1. Member must hand in this test booklet and all printouts, if any. 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 (handwritten, photocopied, or keyed) are allowed in the testing area.
3. Electronic devices will be monitored according to ACT standards.

EXAM GUIDELINES:

1. Ensure this test booklet contains Jobs 1-2.
2. Key all jobs according to the instructions given.
3. Correct any and all formatting, spelling, or grammar errors. Use the formatting guide in the *Style & Reference Manual*.
4. Your name or initials should *not* appear on any work you submit. Use your Member ID in any occasion you would normally key your reference initials.
5. In the lower right-hand corner of ALL work submitted (unless otherwise specified), key your Member ID and job number.
6. If you complete the event before the end of the time allotted, notify the proctor. Time may be considered a factor in determining a winner when there is a tie score.
7. Place your scoring sheet on top of your jobs. Jobs should be placed in numerical order.

PRODUCTION STANDARDS	
0 Errors	100 Points
1 Error	90 Points
2 Errors	70 Points
3 Errors	50 Points
4+ Errors	0 Points

Directions: Select the letter that *best* answers the question or statement.

1. Which of the following actions must be performed before an attorney opens a new client file?
 - A. Check with the local court
 - B. Run a credit check of the new client
 - C. Perform a conflicts check
 - D. Obtain a retainer fee
2. Which of the following is *not* a part of a legal citation?
 - A. Name of the case
 - B. Published source where the case can be found
 - C. Outcome of the case
 - D. Page number of the source where the citation begins
3. Which of the following best describes the difference between civil law and common law?
 - A. Civil law deals with courtroom behaviors, and common law deals with rulings from the bench.
 - B. Civil law is based on written codes, and common law is based on earlier decisions made by the court.
 - C. Civil law deals with state laws, and common law deals with federal law.
 - D. Civil law is written, and common law is oral.
4. The legal principle that grants an entity authority to sue another entity is referred to as _____.
 - A. civil law
 - B. an injunction
 - C. jurisdiction
 - D. a standing
5. When a person dies without leaving a will, the legal condition is referred to as _____.
 - A. entitled
 - B. *in limine*
 - C. intestate
 - D. laches
6. Which of the following pleadings can be filed during the discovery phase of litigation to request information of an opposing party?
 - A. Request for Admissions
 - B. Answers to Interrogatories
 - C. Motion for Continuance
 - D. Request for Admissions and answers to Interrogatories

7. Which of the following documents is always served with a Summons?
 - A. Complaint
 - B. Letters Testamentary
 - C. Motion to Compel
 - D. Request for Jury Trial
8. Which of the following is the *best* definition of a deposition?
 - A. A witness on the stand testifying during a trial
 - B. A written statement given by any party
 - C. An oral statement given under oath
 - D. A written and oral statement given by both parties
9. A(n) _____ is an action filed by a defendant in a lawsuit to bring his or her own complaint in the matter.
 - A. arbitration
 - B. counterclaim
 - C. interloper
 - D. jurat
10. Attorneys may be disciplined by the Bar Association for actions performed by their staff members.
 - A. True
 - B. False
11. Legal encyclopedias, legal periodicals, and treatises are considered _____.
 - A. annotated codes
 - B. primary law
 - C. regulations
 - D. secondary sources
12. Attorneys are bound to follow behavior guidelines found in which of the following??
 - A. ABA Rules of Behavior
 - B. Attorney Ethics & Behavior
 - C. Model Rules of Professional Conduct
 - D. ABA Ethics and Conduct Manual
13. A(n) _____ provides for a last will and testament to be executed in the presence of two witnesses and a notary public.
 - A. signature block
 - B. notarization
 - C. attestation clause
 - D. self-proving affidavit

14. Statute of limitations vary among types of claims, but they are consistent from state to state.
- A. True
 - B. False
15. A(n) _____ states that before the trial, a party can ask the court to *not* allow certain evidence.
- A. *ex parte*
 - B. injunction
 - C. Motion in Limine
 - D. Writ of Certiorari
16. A(n) _____ is a legal writ that demands an action be stopped either temporary or permanently.
- A. *ex parte*
 - B. injunction
 - C. Motion in Limine
 - D. Writ of Certiorari
17. _____ is to consider something true unless it is proven otherwise by evidence.
- A. Shepardizing
 - B. *Prima facie*
 - C. *Stare decisis*
 - D. Conversion
18. An agreement signed by attorneys for at least two differing parties is a(n) _____.
- A. writ of habeas corpus
 - B. judgment
 - C. answer
 - D. stipulation
19. A(n) _____ may exist if an attorney represents, or has at any time represented, a client on both sides of a litigated matter.
- A. exigency matter
 - B. *mens rea*
 - C. true bill
 - D. conflict of interest

20. Which of the following identifies the difference between a letter and a memorandum?
- A. Attorneys write letters, and legal assistants write memorandums.
 - B. Letters are one or two pages, and memorandums are always less than a page.
 - C. Memorandums are for internal audiences, and letters are for external audiences.
 - D. Memorandums are not legally binding, and letters are legally binding.
21. In the hierarchy of legal authority, which of the following is considered the *highest*?
- A. Federal Administrative Rules
 - B. U.S. Constitution
 - C. State Statutes
 - D. Federal District Case Law
22. In order to sue another party, an entity must have _____.
- A. an attorney
 - B. a retainer fee
 - C. legal standing
 - D. legal proof
23. Ownership of real property by two or more people with the right of survivorship is referred to as _____.
- A. joint tenancy
 - B. fee simple
 - C. tenancy in common
 - D. community property
24. Alexandria's attorney is representing a client with a Chapter 13 bankruptcy. She knows that under a Chapter 13 bankruptcy the client will _____.
- A. use current assets to pay off debts
 - B. use future earnings to pay off debts
 - C. need to borrow enough money to pay off debts
 - D. need to pay off debts within a 12-month period
25. At an arraignment, the accused may enter any of the following pleas *except* _____.
- A. guilty
 - B. not guilty
 - C. *habeas corpus*
 - D. *nolo contendere*

26. Two methods of discovery are _____.
A. complaint and summons
B. requests and interrogatories
C. motions and hearings
D. subpoena *duces tecum* and summons
27. Any/all documents that are notarized must include the notary's signature and seal.
A. True
B. False
28. _____ is representation of a client in a legal matter without monetary compensation.
A. *Amicus curiae*
B. *Ex parte*
C. Injunction
D. *Pro bono*
29. A court order prohibiting a party from doing an action is a(n) _____.
A. *Amicus curiae*
B. *Ex parte*
C. Injunction
D. *Pro bono*
30. Under bankruptcy proceedings, debtors are able to discharge each and every type of debt.
A. True
B. False

PRODUCTION

You work for Jeremy Peterson, Attorney at Law. One of your clients is Madelyn Aden, who is planning to travel abroad for several months. Your attorney will prepare a power of attorney to allow her daughter to take care of Ms. Aden's financial business while she is gone. Your job is to prepare a Durable Power of Attorney and a letter to send to the client for review.

Job 1: Power of Attorney

Prepare the following power of attorney according to the *Style & Reference Manual*. Be sure to correct any misspellings, grammar, or any other errors you find. Be sure and include all signature blocks necessary.

Title: Durable Power of Attorney

Grantor: Madelyn Aden

Attorney-in-fact: Alexis Aden-Ellis

Power of Attorney Content:

That Madelyn Aden, Grantor, has made, constituted, and appointed, any by these presents does make, constitute, and appoint Alexis Aden-Ellis her true and lawful attorney-in-fact for her and in her name, place and stead, for the singular purpose of the following:

Executing any and all documents necessary or required to conduct financial transactions in Grantor's place during the months of December 2022 – June 2023, including but not limited to, bill payment, real estate transactions, corporate transactions, and all other personal financial transactions. Further, Alexis Aden-Ellis is empowered to make, do, and transaction any and all other financial business as may be necessary on behalf of Grantor, giving and granting unto Alexis Aden-Ellis, said attorney-in-fact, full power and authority to do and perform all and every act during the time stated above. In witness whereof, I have hereunto set my hand seal this ____ day of _____, 2022.

Job 2: Client Letter

Mr. Peterson has asked you to prepare the following letter according to the *Style & Reference Manual*. Use the current date. Be sure to correct any misspellings, grammar, or any other errors you find.

Addressee: Madelyn Aden, P.O. Box 1672, Wichita, Kansas 67205

Subject: Power of Attorney

Enclosed are the power of attorney document you asked me to prepare, which gives authority for your daughter Alexis Aden-Ellis to conduct your financial business during the months you are traveling. Please review the document carefully and let me know if you wish to add or delete anything.

As we discussed, Alexis will need to have the original power of attorney with her should she need to sign corporate or bank documents in your absence. We will keep a copy of the power of attorney in your file here at my office, and Alexis should keep the original in a safe place.

Once you have approved the form and content of the power of attorney, please give my assistant a call to set up an appointment to come to the office to execute the document. We can have our staff stand in as witnesses, and my assistant can notarize your signature.

Please let me know if there is any other way we can be of service to you.

Sincerely