

LEGAL OFFICE PROCEDURES (245)

REGIONAL – 2017

Part I OBJECTIVE

Written Test (*40 questions @ 5 points each*) _____ (200 points)

Part II PRODUCTION

Job 1 – Affidavit _____ (100 points)

Job 2 – Letter _____ (100 points)

TOTAL POINTS _____ (***400 points***)

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


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GENERAL INSTRUCTIONS

1. Use the Scantron scoring sheet provided for the objective portion of the test.
2. Make certain this test booklet contains Jobs 1-2.
3. Key all jobs according to the instructions given.
4. Correct any obvious keyboarding errors and incorporate any editing notations.
5. Correct any errors in formatting. Use formatting shown in the *Style & Reference Manual*.
6. For any problem where you would normally key your reference initials, key your contestant number. Your name or initials should *not* appear on any work you submit.
7. Key your contestant number and job number as the footer in the lower left-hand corner of all work submitted unless otherwise specified.

Example: 

99-9999-9999
Job 1



8. If you finish before the end of the allotted testing time, notify the proctor. Time may be a factor in determining a winner when there is a tie score.
9. When turning in your materials, place your scoring sheet on top of your jobs. The jobs should be arranged 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

PART I – OBJECTIVE

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

1. Which of the following is *not* a support function that provides employment opportunities for non-attorney personnel?
 - a. legal assistant
 - b. law clerk
 - c. accountant
 - d. librarian

2. Rachel knows that her attorney charges a flat fee of \$450 to prepare a simple will. A potential client calls and asks her for the attorney's charge for a simple will before he makes an appointment. Her attorney is out of the office. What should Rachel do?
 - a. Tell the potential client the attorney's flat fee charge so as to not to lose his business.
 - b. Take a message for her attorney to return the call to the potential client.
 - c. Make an appointment for the potential client, and assure him that the charges will be affordable.
 - d. Tell the potential client to call again when the attorney will be available.

3. In order to bill clients for legal services, law firms use a system for charging their referred to as _____.
 - a. recording
 - b. dictation
 - c. journalizing
 - d. timekeeping

4. Which of the following is *not* a part of a properly formatted business letter?
 - a. subject line
 - b. reference initials
 - c. guide words
 - d. complimentary close

5. The process by which parties to lawsuits obtain documents, information, and records of all types is referred to as _____.
 - a. information relay
 - b. discovery
 - c. litigation
 - d. defense

6. Which of the following courts is a *federal* court?
 - a. Bankruptcy Court
 - b. Probate Court
 - c. Family Court
 - d. State Supreme Court

7. The term *voir dire* has to do with which of the following processes?
 - a. choosing a jury
 - b. suing a family member
 - c. writing a last will and testament
 - d. obtaining tax or medical records

8. When attorneys represent a client without charging fees for services rendered, it is referred to as _____.
 - a. ad litem
 - b. representation in rem
 - c. pro bono
 - d. caritas

9. Corporations are governed by the rules and regulations written in the corporation's _____.
 - a. Articles of Incorporation
 - b. Charter
 - c. policy manual
 - d. bylaws

10. Which of the following is *not* a type of a legal corporation?
 - a. business corporation
 - b. nonprofit corporation
 - c. professional corporation
 - d. government corporation

11. Estate planning includes which of the following legal activities?
 - a. arranging for receivership
 - b. setting up trusts
 - c. deciding to choose either a partnership or a corporation
 - d. establishing a guardianship

12. A last will and testament that is entirely handwritten is referred to in legal terms as what type of will?
 - a. invalid
 - b. holographic
 - c. nuncupative
 - d. irrevocable

13. Theresa's attorney is representing a client with a Chapter 11 bankruptcy. She knows that a Chapter 11 falls under the rules that govern bankruptcies for _____.
 - a. individuals seeking a liquidation of assets to pay debts
 - b. individuals seeking to reorganize their financial affairs to pay debts
 - c. corporations seeking to expand business operations overseas
 - d. family farmers seeking to sell the family farm to pay debts

14. Family law encompasses all of the following legal processes *except* _____.
- adoptions
 - probate
 - child custody
 - guardian *ad litem*
15. A body of citizens assembled to investigate complaints, hear evidence, and determine probable cause is called a(n) _____.
- trial jury
 - criminal hearing
 - grand jury
 - indictment
16. Which of the following statements regarding marriage is *not* true?
- marriage is a civil contract
 - no states recognize common-law marriages as legally binding
 - a legal marriage may be terminated by annulment or divorce.
 - living separately or abandonment may be just causes for divorce.
17. Which of the following dollar amounts is written *correctly* in words and figures?
- Sixty-Two Thousand and no/100 (\$62,000.00) Dollars
 - Sixty Two Thousand Dollars (\$62,000.00)
 - Sixty-two Thousand and no/100 Dollars (62,000.00)
 - Sixty-two Thousand and no/100 Dollars (\$62,000)

True/False Directions: Mark on the Scantron scoring sheet **A** for **True** and **B** for **False**.

18. The American Bar Association is a professional association for all attorney and non-attorney professionals involved in any/all aspects of the practice of law.
19. Attorneys must maintain a completely separate bank account to keep client monies that do not belong to the attorney.
20. Debts owed by the legal office are called liabilities.
21. *Jurisdiction in personam* gives a court power to render a judgment against a person.
22. The laws that govern marriage are controlled by U.S. federal courts.
23. Shareholders and stockholders are interchangeable terms.
24. Real estate deeds must always contain the exact legal description of the property being conveyed.
25. In a bankruptcy proceeding, to *reaffirm* a debt means that a debtor continues to own the debt and pay the creditor.

Matching Directions: Mark on the Scantron scoring sheet the letter of the answer that best matches the item's description.

Written Communication	
26. A communication to the law firm's support staff.	a. letter b. memorandum (memo)
27. A communication to a client.	
28. A communication to the court.	

Litigation	
29. The first document filed in a civil lawsuit.	a. .Answer b. .Brief c. .Complaint d. .Notice
30. A court document that sets the date for a hearing or a trial.	
31. The response of the defendant to the complaint.	
32. A document filed with the court that provides legal argument intended to persuade the court to determine an outcome.	

Legal Terminology	
33. Representation of one's self in a legal matter, without an attorney.	a. <i>per capita</i> b. <i>pro se</i> c. tort d. <i>Nolo contendere</i>
34. An act that brings about injury to person or property.	
35. A plea where the defendant does <i>not</i> contest the charge.	
36. Something counted according to the number of individuals.	

Legal Documents	
37. A statement given under oath.	a. brief b. lease c. complaint d. affidavit
38. A usually lengthy document detailing points of law.	
39. A contract to lend something (usually real property) for consideration (usually money).	
40. A pleading stating all the grievances and demands of a plaintiff.	

PART II – PRODUCTION

You work for attorney Rosalyn Peters at the law firm of Wright Jones, Attorneys at Law. One of your clients is Gustav Simpson, who is the executor of his father’s estate. His father is Romero Simpson.

Your attorney instructs you to prepare an **Affidavit** (Job 1) from the probate templates and gives you the information to fill in the blanks. You will also prepare a **Letter** (Job 2) to send the draft affidavit to the client.

Be sure to follow both the **General Instructions** given in this competitive event packet and the specific document instructions given to you below.

Job 1 – Affidavit

Prepare the following Affidavit of Domicile. Format affidavit according to the *Style & Reference Manual*. Fill in the blanks with the client information provided, and remove the instructions from the document, such as “[full legal name].” Leave no blanks except for the signature lines and the date line in the attestation clause. Correct any misspellings, grammar, or other keyboarding or obvious errors in the following content.

Client	Gustav Simpson Executor of the Estate of Romero Simpson	
Parties	Gustav Simpson	Romero Simpson, Deceased
	<u>Address</u> 306 CR 54 Burleson, Texas 76028 (Tarrant County, Texas) Lived here since 1998	<u>Last Domicile Address</u> 12000 W Hwy 6 Burleson, Texas 76028 (Tarrant County, Texas) Lived here since 1992 <u>Death</u> Died September 10, 2016 Personal effects Last Will and Testament Executed on July 12, 2002
Affidavit of Domicile Template	AFFIDAVIT OF DOMICILE	
	I, the undersigned _____ [full legal name], do hereby state upon oath that:	
	1. I reside at _____ [residence address].	
	2. I act as _____ [executor, administrator, heir, or survivor] of the Estate of _____ [full legal name], Deceased.	
	3. The Decedent died on the ____ day of _____, 20____ [date of death]. I annex	

	<p>hereto a true copy of the Death Certificate.</p> <p>4. At the time of death the Decedent's only legal address was at _____ [Decedent's last domicile address]. The Decedent list at this address for a period of _____ [number of years at last domicile address, stated in figures] years.</p> <p>5. The Decedent executed a Last Will and Testament on the _____ day of _____, _____ [date of execution], revoking all previously made wills and codicils and stating [his or her] address as _____ [Decedent's domicile address at date of execution].</p> <p>6. The facts contained in this affidavit are true and correct.</p> <p>_____ [Deponent's full legal name]</p> <p>WITNESS my hand and official seal in the County and State aforesaid this _____ day of _____, 20____.</p> <p>_____ Notary Public</p>
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Job 2 – Letter

Prepare the following letter to your client. Format the letter according to the *Style & Reference Manual*. Use the current date and subject line of “Affidavit of Domicile.” Correct any misspellings, grammar, or other keyboarding or obvious errors in the following content.

Dear Gustav

As we discussed, I prepared an affidavit that attests to your father's domicile at the time of this death and at the time he executed his will. I understand that your father had lived at the address listed for the past 24 years. Please let me know if this is not correct.

If all the information in the affidavit is correct, please sign it in the presence of a notary public. You cannot sign it and later give it to a notary public; you must sign it in the notary's presence. Our legal assistants are notaries, so you can stop by my office anytime and sign the document, and then you can have the notary leave it with me. Please take care of this within the next two weeks.

Best regards

Rosalyn Peters