

LEGAL OFFICE PROCEDURES (245)

REGIONAL – 2019

PART 1 - Objective:

Multiple Choice & True/False (40 @ 2 points each) _____ (80 points)

PART 2 - Production:

Job 1: Power of Attorney _____ (100 points)

Job 2: Pleading _____ (100 points)

TOTAL POINTS _____ ***(280 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

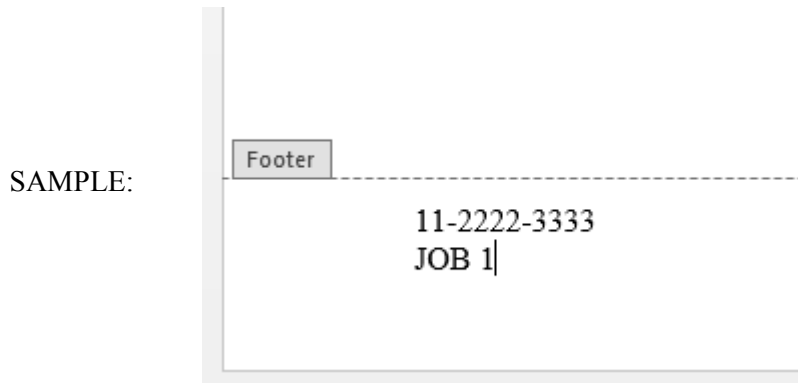
No more than sixty (60) minutes testing time

No more than ten (10) minutes wrap-up

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Workplace Skills Assessment Program competition.

General Instructions

1. Use the Scantron scoring sheet provided for the objective portion of the test.
2. Ensure this test booklet contains Jobs 1-2.
3. Key all jobs according to the instructions provided.
4. Correct any obvious keybording 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.



8. If you 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 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

Select the letter of the answer that best answers the question or completes the statement.

1. Mayhem is a crime against
 - A. person
 - B. property
 - C. public decency
 - D. public authority

2. Courtesy copies are indicated with the following abbreviation.
 - A. C:
 - B. cc:
 - C. bc:
 - D. c:

3. Use a _____ inch top margin on second and succeeding pages of a letter.
 - A. $\frac{1}{2}$
 - B. 2
 - C. 1
 - D. 3

4. The first document filed in a lawsuit is called a(n)
 - A. answer
 - B. judgment
 - C. complaint
 - D. order

5. A motion is a request for a(n)
 - A. affidavit
 - B. petition
 - C. order
 - D. summary

6. Which document would not be filed by a defendant?
 - A. an answer
 - B. a motion
 - C. a complaint
 - D. an order

7. If a contingency fee is established, the amount of money an attorney earns is based on which of the following factors?
 - A. Amount of money collected
 - B. Number of hours worked
 - C. Number of attorneys working
 - D. None of the above

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8. A written or oral application made to a court or judge for a ruling or an order is called a
 - A. reply
 - B. counterclaim
 - C. motion
 - D. jurat

9. The delivery of a summons to the person named therein is called
 - A. filed
 - B. venue
 - C. service
 - D. jurisdiction

10. All communication between the parties to a lawsuit should be through
 - A. legal secretary
 - B. attorneys
 - C. judge and the litigants
 - D. litigants

11. Conform means to
 - A. make similar
 - B. file with the court
 - C. collate and assemble
 - D. make identical

12. The party taking a case up on appeal is the
 - A. appellant.
 - B. appellee.
 - C. respondent
 - D. none of these

13. The right or authority of a court to hear and adjudicate cases is referred to as
 - A. service
 - B. venue
 - C. jurisdiction
 - D. none of the above

14. The detailed facts upon which a complaint is based, that are usually supplied by the plaintiff upon the defendant's request, are contained in the
 - A. summons
 - B. bill of particulars.
 - C. answer
 - D. prayer

15. The delivery of a summons to the person named therein is called
 - A. service
 - B. demurrer
 - C. filed
 - D. venue

16. Papers that are placed with the clerk of a court are said to be
 - A. served
 - B. answered
 - C. filed
 - D. prayed for relief

17. To be present in court as a party to a lawsuit is to make a(n)
 - A. caption
 - B. appearance
 - C. service
 - D. response

18. The term “issue of the marriage” refers to
 - A. children
 - B. debts
 - C. assets
 - D. taxes

19. A corporation that acts in complete compliance with the corporate laws is
 - A. ultra vires
 - B. domestic
 - C. de facto
 - D. de jure

20. Which of the following crimes is not a crime against public authority?
 - A. Obstructing justice
 - B. Perjury
 - C. Receiving stolen goods
 - D. Compounding a crime

True or False

Select A if the question is True or B if the question is False.

1. The first impression given by the legal office staff can have an important bearing and a lasting influence upon the relationship between the attorney and the client.
2. Pleadings are typed on legal ruled or legal cap paper.
3. The final paragraph of a pleading is the prayer that requests relief from a wrong done or committed.
4. The trend is to use legal paper, which measures 8 ½ X 13.
5. When one is served with a subpoena *duces tecum*, he must bring to court with him the materials or papers specified.
6. An executed document is one that is signed by all parties thereto.
7. “Letters” is the term given to the legal document, which authorizes the appointed individual to act for another in a probate matter.

8. If the attorney is not available, it is permissible to give the caller information regarding the case if they are related to the client.
9. Rules for calendaring are determined by the Code of Civil Procedure.
10. Changing postal rates and services require the legal office assistant to keep informed on current mailing procedures.
11. The responsibilities performed by a notary are important and need to be secured by a bond.
12. Attorneys can be fined or disciplined for missing court dates.
13. The body of most business letters is double-spaced, with a single space between the paragraphs.
14. The salutation on a letter appears 4 lines below the inside address.
15. Voice recognition is not being used in today's law offices.
16. Felonies are more serious crimes than misdemeanors.
17. A criminal action is initiated similar to a civil action: by the filing of the Complaint.
18. Charges or encumbrances filed against real property are called "liens."
19. The defendant in a criminal trial may be present at the open jury sessions. The defendant may not attend the closed jury sessions.
20. *Habeas Corpus* is a Latin term, which refers to the "body of the offense."

PART 2 – PRODUCTION

Review the directions for the "Jobs" listed below and complete. Correct any and all formatting, spelling or grammar errors. Use the formatting guide in the *Style & Reference Manual*.

Job 1

Prepare the following Power of Attorney according to the *Style & Reference Manual*.

Durable Power of Attorney - Know all men by these presents, that Travis Vandenlangenberg, grantor, has made, constituted, and appointed and by these presents does make, constitute and appoint Trena Romenesko his true and lawful attorney-in-fact for him and in his name, place and stead, for the soul and singular purpose of: executing any and all documents necessary or required to establish or create a joint account between Travis Vandenlangenberg and Trena Romenesko at Cash Valley National Bank or any other banking or savings and loan institution, and further, Trena Romenesko is further empowered to make, do, and transact any and every kind of business of whatsoever kind and whatsoever nature on behalf of the Grantor, giving and granting unto Trena Romenesko, said attorney-in-fact, full power and authority to do and perform all and every act and thing whatsoever requisite and necessary. In witness whereof, I have hereunto set my hand and seal this day of 20__.

Add Notary Public signature information, witnesses and grantor signature line.

Job 2

Prepare the following pleading according to the *Style & Reference Manual*.

Final Judgment (Case Number AB-201830301) in the circuit court of the fourth judicial circuit in and for Milwaukee County, WI. This cause having come on for trial on February 13, 2018, and in view of the foregoing, it is ordered and adjudged that Plaintiff Jennifer Clausen shall recover from Defendant Rebecca Davison the total sum of \$18,000.00 as a settlement in the matter now before the court. This judgment shall bear interest at the rate of 8.5 percent per annum until paid in full. Done and ordered in chambers at Wauwatosa, Milwaukee, WI this day of 20___. Include a line for the county judge signature. Include copies furnished.