

OHIO STATE BAR ASSOCIATION
Paralegal Certification Program

Written Examination

Date of Examination: check OSBA website for date

Time of Examination: 10:00 a.m. – 1:00 p.m.

Examination Sites: Ohio State Bar Association

Examination Format: Approximately 100 questions in multiple-choice format

Examination Topics:

- **Legal Procedure** 20-30% of the examination
 - American Legal System
 - Ohio Rules of Civil Procedure
 - Ohio Rules of Evidence
- **Legal Ethics and Professional Conduct** 15-25% of the examination
 - Rules of Professional Conduct
 - Unauthorized Practice of Law
 - Confidentiality
 - Conflicts of Interest
- **Legal Research and Writing** 5-15% of the examination
 - Codes (state/ federal)
 - Digests and Court Reports
 - Citation, Terminology and Phrases
- **Communication** 10-20% of the examination
 - Critical Thinking
 - Reading Comprehension
 - Analysis of evidence
 - Data Interpretation
 - Logical reasoning
 - Interviewing Techniques

- **Computer Knowledge** 5-10% of the examination

 - Legal research
 - Database use
 - Software applications
 - Organizational and File Systems
 - Exhibits and Evidence

- **Law office Management** 5-10% of the examination

 - Vendors
 - Document management
 - Tickler file
 - Office/Lawyer scheduling

- **Substantive Law** 20% of the examination
(Applicants must choose two of the substantive law topics in which to be tested)

 - Administrative Agency Law
 - Bankruptcy Law
 - Business and Commercial Law
 - Contracts Law
 - Creditor/ Debtor Rights Law
 - Criminal Law
 - Environmental Law
 - Estate Planning, Trust & Probate Law
 - Family Relations Law
 - Intellectual Property Law
 - Labor & Employment Law
 - Real Property Law
 - Torts and Personal Injury Law
 - Workers' Compensation Law

Study Guide Sample Questions
Questions taken from General portion of the exam
(answer key at the end)

1. The doctrine of *stare decisis*:
 - A. Is absolutely binding on courts.
 - B. Is a doctrine that courts generally follow.
 - C. Applies only when the same parties are before the same court.

2. Subject matter jurisdiction refers to:
 - A. The geographical location of where a lawsuit can be filed
 - B. The power of the court to hear and decide a lawsuit
 - C. The competency of a lawyer to undertake representation of a particular controversy

3. Which of the following is true regarding the production of documents under the Ohio Rules of Civil Procedure?
 - A. Non-parties may be compelled by subpoena to produce documents.
 - B. Other than documents, no other tangible evidence can be compelled to be produced.
 - C. A written response to a subpoena must be forwarded within 60 days of the request.

4. An individual trips and falls on a broken sidewalk in front of a building. The next day, the building owner repairs the broken sidewalk. Six months later, the injured individual sues the building owner alleging negligence. At trial, evidence of the sidewalk repair:
 - A. Is required for recovery of punitive damages.
 - B. Is not admissible to prove negligence on the part of the building owner.
 - C. Is a proper subject for cross-examination of the building owner to establish his negligence.

5. A paralegal is at a meeting with attorneys and clients to review evidence for an arbitration the next day. It becomes apparent to the paralegal that one of the clients mistakenly believes he/she is a lawyer. The paralegal should:
 - A. Tell the client he/she is a paralegal.
 - B. Immediately leave the meeting because of the misunderstanding.
 - C. Ignore the misunderstanding because attorneys are also present.
6. A paralegal interviews a client about the circumstances surrounding the client's termination from employment. At the end of the interview, the client asks the paralegal: "Do I have a case?" The paralegal should answer:
 - A. After reviewing your employment contract, I will give you an opinion.
 - B. After reviewing your employment file from your former employer, I will give you an opinion.
 - C. I cannot give you an opinion because I am not allowed to give legal advice.
7. Your law firm represents John Doe as a defendant in a civil personal injury law suit. Mr. Doe contacts you by phone to discuss his anger with the plaintiff for filing the lawsuit and informs you that he will be taking matters into his own hands for dealing with the plaintiff and promptly ends his call with you. What should you do?
 - A. Nothing. He is your firm's client, and your conversation is protected by the work-product doctrine.
 - B. Obtain written approval from your client so that you may discuss the conversation with opposing counsel.
 - C. Immediately notify your supervising attorney about your conversation so that the plaintiff's attorney can be promptly notified
8. Which of the following is the official publication of the enactments of the Ohio General Assembly?
 - A. The Ohio Revised Code
 - B. The Laws of Ohio
 - C. The Ohio Administrative Code

9. A paralegal assigned to validate a court opinion, a statute, and a constitutional provision, would use which of the following?
- A. Uniform System of Citation
 - B. Black's Law Dictionary
 - C. Shepard's Citations
10. If a partner in your law firm's corporate legal department asks you to redline a draft of an agreement, he or she is asking you to:
- A. Highlight the terms which disadvantage your firm's client
 - B. Create a version of the document that shows all deletions and insertions made in the most recent version of the document
 - C. Re-draft the document pursuant to specific instructions the attorney will provide
11. Susan Baker, a dental assistant who makes \$25.00 per hour, was injured in a car accident caused by a tortfeasor. Ms. Baker wants to sue the tortfeasor and hired an attorney at your firm at the hourly rate of \$300.00 per hour. The case will take the lawyer 24 hours to prepare and 16 hours to try in court, plus the cost of medical experts as to her injuries. Ms. Baker suffered no permanent injuries, but her out-of-pocket medical expenses were \$4,500.00, her car repairs totaled \$3,700.00, and she lost 32 hours of work while she was recuperating. The tortfeasor's car insurance company hired Carl Mason to defend the case, and he has made Ms. Baker an offer of \$10,500.00 to compromise and settle all of her claims. A lawyer in your firm has asked you for an opinion as to whether it would be cost-effective for Ms. Baker to settle. What is your answer?
- A. No, it would not be cost-effective
 - B. Yes, it would be cost-effective
 - C. No, she will recover more through a jury trial
12. Which of the following search methods would be the quickest way to find a case in an online database when you know the citation?
- A. Key word searching
 - B. Using Boolean operators
 - C. Field searching

13. Boolean searching in an online database refers to:
- A. Combining terms with a variety of logical operators including *and*, *or*, or *not*
 - B. Using an online thesaurus to find alternative terms to use
 - C. Browsing an index of the database
14. In selecting a court reporter, the paralegal should:
- A. hire the court reporter that gives the best “freebies” such as tickets to a sporting event
 - B. call several services, compare prices, determine sufficiency and adequacy of staff, and check references.
 - C. hire her daughter, who happens to be opening a court reporting business.
15. A lawyer or paralegal uses a tickler system to:
- A. Distribute assignments to other members of the firm
 - B. Make sure that he or she never misses an important deadline or event
 - C. Look up the stock symbol used to identify shares of a publicly-traded corporation in a particular stock market

Answer key:

- 1. B
- 2. B
- 3. A
- 4. B
- 5. A
- 6. C
- 7. C
- 8. B
- 9. C
- 10. B
- 11. B
- 12. C
- 13. A
- 14. B

15. B