

CCLS MOCK EXAM

(Designed to Accompany CCLS Informational Powerpoint)



LEGAL SECRETARIES, INCORPORATED

CORPORATE OFFICE

P.O. Box 660

Fortuna, CA 95540-0660

800-281-2188

www.lsi.org

ABILITY TO COMMUNICATE EFFECTIVELY

DIRECTIONS: Choose the most correct sentence.

1.	[A] Will you please make sure this complaint gets filed today? [B] Janet is a conscientious, hard-working employee.
2.	[A] Did you sign next to the red “X”? [B] The documents are due January 14, 2012 but we obtained an extension.
3.	[A] We visited Austin, Texas, Chicago, Illinois, Denver, Colorado, and Spokane, Washington. [B] His response was, “Why should I have to take care of it?”

DIRECTIONS: Read each sentence carefully. If the sentence is correct, answer [A]. If the sentence is incorrect in any way, answer [B].

4.	Our papers were recently filed in the superior court.
5.	Please send this letter to Mr. Howard Rollins, Jr.
6.	They spent most of the night in the jacuzzi so they could stay warm.

DIRECTIONS: Choose the correct word in each sentence below.

7.	The board [A] is / [B] are traveling in separate cars.
8.	Have you decided [A] who / [B] whom you are choosing?
9.	The major difference in the three magazines [A] is / [B] are their graphics.

DIRECTIONS: Choose the incorrectly spelled word in each set below.

	[A]	[B]	[C]	[D]
10.	leisure	changeable	lieutenant	disimilar

DIRECTIONS: Choose the correct form or spelling of each word or phrase below. Where a diagonal is used, it represents a line break in a divided word or phrase.

11.	[A] exonerate [B] exhonerate
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DIRECTIONS: Choose the correct word in each sentence below.

12.	Parking for conference is [A] complementary / [B] complimentary.
13.	Arizona has a [A] healthful / [B] healthy climate for those with breathing difficulties.
14.	The court's ruling will [A] effect / [B] affect a change in the law.
15.	Roger says that he is [A] adverse / [B] averse to exercise of all kinds.
16.	She threw the ball [A] further / [B] farther than the champion threw it.

CONTINUE TO NEXT SECTION

LEGAL TERMINOLOGY

DIRECTIONS: Choose the most correct answer.

17.	What type of tenancy passes to the surviving tenants upon one's death? [A] Tenancy in common [B] Joint tenancy [C] Common law tenancy [D] All of the above
18.	Parol evidence is: [A] Oral evidence [B] Evidence used to gain release from prison [C] Written evidence [D] None of the above
19.	When a judge continues a hearing on his own, without a request from one of the parties this is called: [A] per stirpes [B] supersedeas [C] sine die [D] sua sponte

DIRECTIONS: Choose the most correct form of citation.

20.	[A] in pro per [B] <i>in pro per</i> [C] <i>in pro. per.</i> [D] in pro. per.
21.	[A] Shamu v. Wally the Walrus (1996) 37 Cal.App.4th 376 [B] <i>Shamu v. Wally the Walrus (1996) 37 Cal.App.4th 376</i> [C] <i>Shamu v. Wally the Walrus, 37 Cal.App.4th 376 (1996)</i> [D] <i>Shamu v. Wally the Walrus (1996) 37 Cal.App.4th 376</i>

22.	[A] <i>supra</i> [B] <i>Ibid.</i> [C] <i>Id.</i> [D] <i>Id.</i> at p. 42
23.	[A] (Code Civ. Proc., § 1542) [B] 7 Witkin, California Procedure (4th ed. 1997) Judgments, § 145, p. 659 [C] Code of Civil Procedure, section 1542 [D] (7 Witkin, Cal. Proc. (4th ed. 1997) Judgments, § 145, p. 659

DIRECTIONS: Answer True or False for each statement below. Mark [A] for True and [B] for False.

24.	One's detached garage is considered an appurtenant structure. [A] True [B] False
25.	A bequest is a gift of real property by will. [A] True [B] False
26.	One who dies testate, dies without a will. [A] True [B] False

CONTINUE TO NEXT SECTION

LAW OFFICE ADMINISTRATION

DIRECTIONS: Choose the most correct answer.

27.	Which of the following comes first alphabetically: [A] Ronald McKay [B] Samantha MacKay-Andrews [C] Terry MacKay [D] Walter Mackey
28.	The form most frequently completed by a notary public is: [A] Jurat [B] Acknowledgment [C] Proof of Execution [D] Certification of Documents
29.	In order to record information over existing information on a CD, use one that is labeled: [A] CD-ROM [B] CD-R [C] CD-RW [D] CD
30.	Which of the following is not correct: [A] Dr. John Smith, DDS [B] John Smith, Ph.D., M.D. [C] John Smith, M.D., Ph.D. [D] Mr. John Smith, Attorney at Law
31.	Which of the following are font types acceptable for court filings: [A] Arial, Times New Roman, Script [B] Courier, Garamond, Times New Roman [C] Arial, Courier, Times New Roman [D] Comic, Arial, Book Antiqua

DIRECTIONS: Answer True or False for each statement below. Mark [A] for True and [B] for False.

32.	A woman who wants to indicate her preference for <i>Ms.</i> Should use the title in both her typed and handwritten signature. [A] True [B] False
33.	The acronym DVD stands for “digital versatile disc.” [A] True [B] False
34.	The modified-block style has only the complimentary closing starting at center. [A] True [B] False
35.	Only a notary public’s seal must be kept in a locked and secure location. [A] True [B] False
36.	The mail merge feature of a word processing program automatically creates an envelope from correspondence the user types. [A] True [B] False

CONTINUE TO NEXT SECTION

CALIFORNIA LEGAL PROCEDURE

DIRECTIONS: Choose the most correct answer.

37.	<p>How many days do you have to file the original will after the testator dies?</p> <p>[A] within 30 days of date of death</p> <p>[B] within 60 days of date of death</p> <p>[C] within 30 days of having knowledge of death</p> <p>[D] within 60 days of having knowledge of death</p>
38.	<p>Which of the following is not a voidable marriage?</p> <p>[A] either party was of unsound mind</p> <p>[B] consent of a party was obtained by force</p> <p>[C] either party was under the age of consent</p> <p>[D] polygamous marriage</p>
39.	<p>Which of the following deeds carries no implied covenants?</p> <p>[A] warranty deed</p> <p>[B] quitclaim deed</p> <p>[C] grant deed</p> <p>[D] reconveyance deed</p>
40.	<p>Which of the following constitutes acceptable service of process of a 3 Day Notice to Quit?</p> <p>[A] conspicuous service</p> <p>[B] substitute service</p> <p>[C] personal service</p> <p>[D] all of the above</p>
41.	<p>Which of the following is not one of the minimum requirements for Articles of Incorporation?</p> <p>[A] purpose of the corporation</p> <p>[B] structure of shares</p> <p>[C] method of management of the corporation</p> <p>[D] appointment of agent for service of process</p>

DIRECTIONS: Answer True or False for each statement below. Mark [A] for True and [B] for False.

42.	Infidelity is one of the grounds for dissolution [A] True [B] False
43.	Limited liability companies must file statements of information with the California Secretary of State every year. [A] True [B] False
44.	When serving discovery by overnight mail, the time to respond is extended by two court days. [A] True [B] False
45.	A self-proving will is one in which the witnesses' attestation was signed under penalty of perjury. [A] True [B] False
46.	Declaring a homestead protects one's entire property from foreclosure. [A] True [B] False

CONTINUE TO NEXT SECTION

REASONING AND ETHICS

DIRECTIONS: Choose the most correct answer.

47.	<p>Your attorney has told you that an acknowledgment of satisfaction of judgment must be filed today. You tell him it must be notarized, but he will be out of the office all day in court, so he will sign your notary journal tomorrow. You should:</p> <p>[A] Do as your attorney has asked.</p> <p>[B] Don't file the acknowledgment until he can sign your journal.</p> <p>[C] Ask another attorney in the office to sign the acknowledgment so you can notarize the signature and file the document.</p> <p>[D] Ask another notary you know will do it to complete an acknowledgment.</p>
48.	<p>A client has terminated your firm's services, but still owes \$30,000 in fees and costs. He has now asked for his file. Your attorney should:</p> <p>[A] Advise him that he may have his file once the outstanding fees and costs are paid.</p> <p>[B] Turn over the file immediately.</p> <p>[C] Send him only those items from the file for which he has paid.</p> <p>[D] Destroy the file.</p>
49.	<p>Information provided by a client to an attorney, which is protected from disclosure to third parties, falls under the:</p> <p>[A] Attorney-Client Privilege</p> <p>[B] Attorney Work Product Privilege</p> <p>[C] Absolute Litigation Privilege</p> <p>[D] Settlement Communication Privilege</p>
50.	<p>Another secretary in your office called in sick today, and you had to handle a complicated filing for her attorney in her absence, which took you away from your own desk all morning. At lunch time, you have a few minutes to run down to the local deli and pick up a sandwich. While you are gone, you see your "sick" co-working heading into the movie theater on the corner. You should:</p> <p>[A] Run back to the office and tell your supervisor what you saw.</p> <p>[B] Confront the co-worker the next morning and accuse her of not being sick.</p> <p>[C] Return to the office and quietly go about catching up on your work.</p> <p>[D] Make your co-worker handle a major filing for you the next day.</p>

DIRECTIONS: Read each scenario. Determine whether the conduct described is [A] unethical, [B] poor judgment, or [C] good judgment.

51.	<p>A notary public's employer paid for his notary commission. Upon leaving the firm, the notary turned his journals and stamp over to his employer. Is his conduct:</p> <p>[A] Unethical [B] Poor judgment [C] Good judgment</p>
52.	<p>A legal secretary's best friend has asked her for a form lease so the friend can rent a room to a new roommate. The secretary looks on the State Bar's website and gives the two forms found there to her friend. Is the her conduct:</p> <p>[A] Unethical [B] Poor judgment [C] Good judgment</p>
53.	<p>A new client has sent in a check for the retainer required by his fee agreement with your firm. That same day you receive the check, you find out that your firm may not be able to take the case, but you won't know for sure for a week or two. Rather than going through the process of depositing the retainer check and having to potentially issue a refund, you choose to hold the check in the file until you know for sure whether the firm will be taking the case.</p> <p>[A] Unethical [B] Poor judgment [C] Good judgment</p>

DIRECTIONS: Answer True or False for each statement below. Mark [A] for True and [B] for False.

54.	<p>Fee agreements are required for all representations, and must be written.</p> <p>[A] True [B] False</p>
55.	<p>If a legal assistant does not how his or her title on correspondence he or she signed, the legal assistant can be accused of the unauthorized practice of law.</p> <p>[A] True [B] False</p>

56.	<p>An attorney holds ultimate responsibility for supervision of routine office procedures, such as answering phones, handling mail, etc. and may be disciplined for any negligence of same.</p> <p>[A] True</p> <p>[B] False</p>
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CONTINUE TO NEXT SECTION

LEGAL COMPUTATIONS

DIRECTIONS: Using the calendar provided (holidays are shaded), determine the correct due date for each of the items below.

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- | | |
|-----|--|
| 57. | <p>Your motion to compel is set for hearing on February 23. What is the last day to mail serve the motion?</p> <p>[A] February 2</p> <p>[B] January 25</p> <p>[C] January 29</p> <p>[D] January 31</p> |
| 58. | <p>Your Petition for Dissolution was personally served on January 12. What is the last day for a response to be filed?</p> <p>[A] February 2</p> <p>[B] February 28</p> <p>[C] February 9</p> <p>[D] February 13</p> |

DIRECTIONS: Using the provided fee schedule, determine the proper fee for each of the following.

CALIFORNIA SUPERIOR COURT	
Civil Filing Fees	
Complaint or other first paper in unlimited civil case (amount over \$25,000)	320
Answer or other first paper filed by each party other than plaintiff (amount over \$25,000) (including unlawful detainer)	320
SECRETARY OF STATE	
Domestic Limited Liability Companies	
Articles of Organization	70
Articles of Organization – Conversion – California Limited Liability Company converted from a:	
California stock corporation	150
California limited partnership or California general partnership	70

59.	<p>You are filing an answer to a complaint on behalf of your clients, the City of San Diego, the San Diego City Council, and the San Diego Police Department. What is the filing fee?</p> <p>[A] \$320 [B] \$640 [C] \$940 [D] \$0</p>
60.	<p>You are converting your client's stock corporation to an LLC. How much should you get a check for, payable to the Secretary of State?</p> <p>[A] \$70 [B] \$150 [C] \$140 [D] \$220</p>

DIRECTIONS: Determine the correct answer for each of the following computations.

61.	<p>Using the table provided below, what is the compensation for the Executor of an estate worth \$347,546.</p> <table data-bbox="402 380 1219 596"><tr><td>On the first</td><td>\$</td><td>100,000 of the estate, 4%</td></tr><tr><td>On the next</td><td>\$</td><td>100,000 of the estate, 3%</td></tr><tr><td>On the next</td><td>\$</td><td>800,000 of the estate, 2%</td></tr><tr><td>On the next</td><td>\$</td><td>9,000,000 of the estate, 1%</td></tr><tr><td>On the next</td><td>\$</td><td>15,000,000 of the estate, ½ of 1%, and</td></tr><tr><td>All Over</td><td>\$</td><td>25,000,000 to be determined by the Court</td></tr></table> <p>[A] \$6,950 [B] \$9,950 [C] \$13,950 [D] \$31,277</p>	On the first	\$	100,000 of the estate, 4%	On the next	\$	100,000 of the estate, 3%	On the next	\$	800,000 of the estate, 2%	On the next	\$	9,000,000 of the estate, 1%	On the next	\$	15,000,000 of the estate, ½ of 1%, and	All Over	\$	25,000,000 to be determined by the Court
On the first	\$	100,000 of the estate, 4%																	
On the next	\$	100,000 of the estate, 3%																	
On the next	\$	800,000 of the estate, 2%																	
On the next	\$	9,000,000 of the estate, 1%																	
On the next	\$	15,000,000 of the estate, ½ of 1%, and																	
All Over	\$	25,000,000 to be determined by the Court																	
62.	<p>Judgment has just been entered against Defendants A and B in a lawsuit in the amount of \$68,000. Defendant A is 70% liable, and Defendant B is 30% liable. Defendant B, however, was found 30% liable for Defendant A's portion pursuant to Defendant A's cross-complaint. What is the total amount that Defendant B will be paying to Plaintiff?</p> <p>[A] \$20,400 [B] \$68,000 [C] \$40,800 [D] \$34,680</p>																		

CONTINUE TO NEXT SECTION

SKILLS

DIRECTIONS: Read the memo below. Using the information provided, determine which version of each form is most correct.

MEMORANDUM

Date: August 10, 2013
To: Susan
From: Attorney Sam
Re: Jumpup v. Muffett Dismissal

Susan:

Our client, Johnny Jumpup, called and advised that he settled his lawsuit against Molly Muffett.

We need to dismiss the action to avoid appearing at the Case Management Conference, but because there are certain things that Ms. Muffett needs to accomplish for the settlement, we want to preserve our right to bring the action again if necessary. Please prepare the Request for Dismissal for my review and signature so that we can file it today.

Thanks.

63. [A] [B] [C]

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Attorney Sam (SBN 1234567)
Law Offices of Attorney Sam
111 S. Main Street
San Diego, CA 92101
TELEPHONE NO.: 619/555-1212 FAX NO. (Optional): 619/555-1313
E-MAIL ADDRESS (Optional): attysam@me.com
ATTORNEY FOR (Name): Plaintiff, Johnny Jumpup

FOR COURT USE ONLY

63A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central Division - Limited Civil

PLAINTIFF/PETITIONER: JOHNNY JUMPUP

DEFENDANT/RESPONDENT: MOLLY MUFFETT

REQUEST FOR DISMISSAL

CASE NUMBER:
37-2013-00012345-CL-UD-CTL

A conformed copy will not be returned by the clerk unless a method of return is provided with the document.
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)

- 1. TO THE CLERK: Please dismiss this action as follows:
a. (1) [X] With prejudice (2) [] Without prejudice
b. (1) [] Complaint (2) [] Petition
(3) [] Cross-complaint filed by (name):
(4) [] Cross-complaint filed by (name):
(5) [X] Entire action of all parties and all causes of action
(6) [] Other (specify):*

on (date):
on (date):

2. (Complete in all cases except family law cases.)

The court [] did [X] did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: August 10, 2013

Attorney...Sam.....
(TYPE OR PRINT NAME OF [X] ATTORNEY [] PARTY WITHOUT ATTORNEY)

(SIGNATURE)

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney or party without attorney for:
[X] Plaintiff/Petitioner [] Defendant/Respondent
[] Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:
(TYPE OR PRINT NAME OF [] ATTORNEY [] PARTY WITHOUT ATTORNEY)

(SIGNATURE)

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for the cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

Attorney or party without attorney for:
[] Plaintiff/Petitioner [] Defendant/Respondent
[] Cross-Complainant

(To be completed by clerk)

- 4. [] Dismissal entered as requested on (date):
5. [] Dismissal entered on (date): as to only (name):
6. [] Dismissal not entered as requested for the following reasons (specify):

- 7. a. [] Attorney or party without attorney notified on (date):
b. [] Attorney or party without attorney not notified. Filing party failed to provide
[] a copy to be conformed [] means to return conformed copy

Date: Clerk, by _____, Deputy Page 1 of 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Attorney Sam (SBN 1234567)
Law Offices of Attorney Sam
111 S. Main Street
San Diego, CA 92101
TELEPHONE NO.: 619/555-1212 FAX NO. (Optional): 619/555-1313
E-MAIL ADDRESS (Optional): attysam@me.com
ATTORNEY FOR (Name): Plaintiff, Johnny Jumpup

FOR COURT USE ONLY

63B

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central Division - Limited Civil

PLAINTIFF/PETITIONER: MOLLY MUFFETT

DEFENDANT/RESPONDENT: JOHNNY JUMPUP

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Attorney...Sam.....
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Date: Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Attorney Sam (SBN 1234567)
Law Offices of Attorney Sam
111 S. Main Street
San Diego, CA 92101
TELEPHONE NO.: 619/555-1212 FAX NO. (Optional): 619/555-1313
E-MAIL ADDRESS (Optional): attysam@me.com
ATTORNEY FOR (Name): Plaintiff, Johnny Jumpup

FOR COURT USE ONLY

63C

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central Division - Limited Civil

PLAINTIFF/PETITIONER: JOHNNY JUMPUP
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Date: Clerk, by _____, Deputy Page 1 of 2

CCLS MOCK EXAM ANSWER KEY

(Designed to Accompany CCLS Informational Powerpoint)



**LEGAL SECRETARIES, INCORPORATED
CORPORATE OFFICE**

**P.O. Box 660
Fortuna, CA 95540-0660
800-281-2188
www.lsi.org**

1. B
2. A
3. B
4. B
5. A
6. B
7. B
8. B
9. A
10. D
11. A
12. B
13. A
14. A
15. B
16. B
17. B
18. A
19. D
20. D
21. D
22. B
23. A
24. A
25. B
26. B
27. C
28. B
29. C
30. A
31. C
32. B
33. A
34. B
35. B
36. B
37. C
38. D
39. B
40. D
41. C
42. B
43. B
44. A
45. A
46. B
47. C
48. B
49. A
50. C
51. A
52. C
53. B
54. B
55. A
56. A
57. B
58. D
59. D
60. B
61. B
62. D
63. C