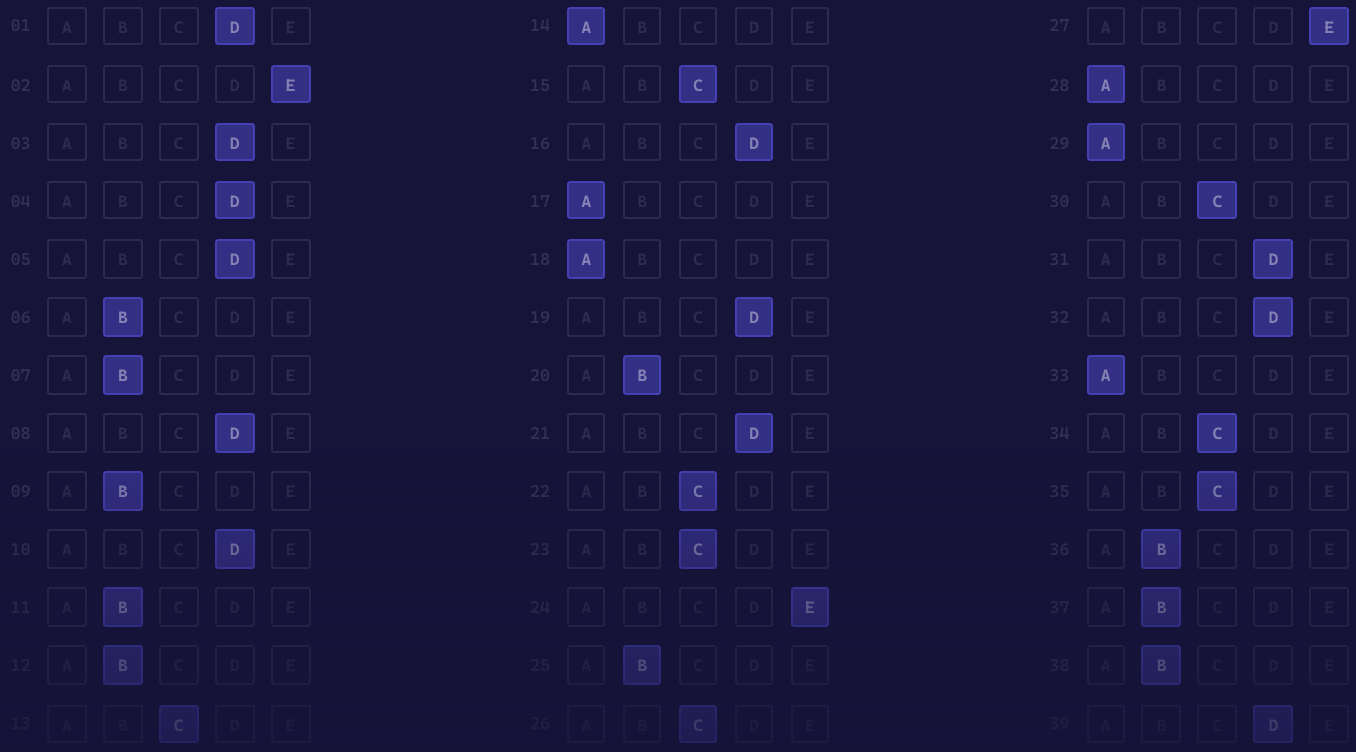
MOMETRIX
SMARTER PREP. BETTER RESULTS.



PRACTICE QUESTIONS

National Federation of Paralegal Associations (NFPA)

PCCE

Paralegal Core Competency Exam

EDITION	QUESTIONS	FORMAT
Demo	9	Limited Edition PDF

WEB www.mometrix.net

SUPPORT support@mometrix.net

Before you begin

What this is

9 practice questions for National Federation of Paralegal Associations (NFPA) `PCCE`, each with its answer key and an explanation. Answer a question before you read its key — the explanation is worth more once you have committed.

If something looks wrong

Send us three things and we will check it:

- the exam code, `PCCE`
- the question number
- the email address on your order

Write to **support@mometrix.net**. We reply within one business day.

mometrix.net

QUESTION 1 MULTIPLE CHOICE

When drafting a client intake memorandum, a paralegal should include which of the following elements? (Choose two.)

A A summarized factual background based solely on the attorney's instructions

B The names and contact information of all relevant parties and witnesses

C The paralegal's personal opinion on the merits of the client's case

D Statutes of limitations and pending deadlines identified during intake

ANSWER B · D

WHY An effective intake memorandum captures objective factual information (parties, witnesses, and contacts) and identifies time-sensitive legal matters such as statutes of limitations and deadlines. It should reflect factual intake gathered from the client, not the paralegal's personal opinions about the case, and it should not be limited to what the attorney passes along because the paralegal often conducts the intake independently.

QUESTION 2 MULTIPLE CHOICE

Which two sources constitute primary authority that a paralegal should rely on first when conducting legal research? (Choose two.)

A Constitutions, statutes, and regulations

B Law review articles written by legal scholars

C Case law decided by courts within the controlling jurisdiction

D Annotations in legal encyclopedias such as Am. Jur. 2d

ANSWER A · C

WHY Primary authority consists of constitutions, statutes, ordinances, regulations, and case law issued by courts. Law review articles and encyclopedia annotations are secondary authority and are used to explain or analyze primary authority, not to establish binding legal rules. Effective research begins with primary authority within the controlling jurisdiction.

mometrix.net

QUESTION 3 SINGLE CHOICE

Under the Model Rules of Professional Conduct as adopted in most jurisdictions, which duty is a non-lawyer paralegal expressly prohibited from performing?

A Conducting factual research under the supervision of an attorney

B Communicating directly with a represented opposing party about the subject of the representation

C Organizing and maintaining the attorney's case files

D Drafting pleadings and discovery documents for attorney review

ANSWER B

WHY A paralegal may not engage in conduct that an attorney is prohibited from performing. Communicating with a represented opposing party about the substance of the matter is prohibited under Model Rule 4.2, and this restriction applies to agents of the attorney, including paralegals. The other listed tasks are permissible functions for a paralegal working under attorney supervision.

QUESTION 4 SINGLE CHOICE

A client offers a paralegal tickets to a sporting event in appreciation for work on the client's matter. Under most state rules of professional conduct, the paralegal should:

A Accept the tickets because paralegals are not bound by ethics rules

B Accept the tickets only if the supervising attorney is also invited

C Decline the tickets because they could be viewed as an improper gift related to the representation

D Accept the tickets and immediately report them as taxable income

ANSWER C

WHY Paralegals are bound to follow the ethics rules applicable to non-lawyer assistants, including the prohibition against accepting compensation or gifts from a client beyond ordinary fees for services. Gifts offered because of the representation create a conflict and undermine the professional independence expected of the legal team. Tax treatment is irrelevant to the ethical analysis.

QUESTION 5 SINGLE CHOICE

When using a citator such as Shepard's or KeyCite to validate a case, a signal indicating that the case has been overruled on the same point of law means that the case:

A Has been distinguished by a later court but remains valid law

B Has been cited favorably by numerous subsequent courts

C Is no longer good law for the proposition for which it was relied upon

D Has been vacated and remanded for further proceedings

ANSWER C

WHY An "overruled" signal means a higher court in the same jurisdiction has invalidated the case on the same point of law, so it cannot be cited as authority for that proposition. Distinguished means the case was limited on different facts, not overruled. Vacated and remanded describes a procedural disposition, not a substantive overruling.

QUESTION 6 SINGLE CHOICE

In a civil action, the doctrine of res judicata generally bars a second lawsuit between the same parties when the second suit:

A Involves any claim that could have been raised in the prior judgment

B Raises the same claim or cause of action that was actually litigated and decided in a final judgment on the merits

C Is filed in a different state where the prior court had no personal jurisdiction

D Alleges facts that occurred after the entry of the prior judgment

ANSWER B

WHY Res judicata (claim preclusion) prevents relitigation of claims that were actually litigated and resolved in a final judgment on the merits between the same parties or their privies. Claim preclusion does not, by itself, bar claims arising from facts that occurred after the prior judgment. Lack of personal jurisdiction in the first court would generally prevent the first judgment from being preclusive, not support preclusion.

mometrix.net

QUESTION 7 SINGLE CHOICE

When corresponding with a client by letter, the paralegal should ensure that the letter is written in a manner that is:

A Highly technical and full of legal Latin terminology

B **Clear, concise, and free of unnecessary legal jargon**

C Identical in tone and formality to a brief filed with the court

D Drafted as if addressed to opposing counsel

ANSWER B

WHY Client correspondence should be written in clear, plain language so the client can understand the status of the matter, advice, and next steps. Excessive legalese impairs comprehension and is unprofessional when speaking with a client. Court filings, by contrast, are drafted for a judicial audience, and letters to opposing counsel follow different conventions.

QUESTION 8 SINGLE CHOICE

A paralegal discovers that an attorney for whom they work has inadvertently included a document protected by the work-product doctrine in materials produced to opposing counsel. The paralegal's most appropriate course of action is to:

A Contact opposing counsel directly to retrieve the document

B Ignore the disclosure because it has already been made

C **Promptly notify the supervising attorney so corrective steps, such as a motion to claw back, can be taken**

D Conceal the error by destroying the paralegal's copy of the document

ANSWER C

WHY Upon discovering an inadvertent disclosure of privileged or protected material, the paralegal must promptly inform the supervising attorney. The attorney can then evaluate available remedies, such as a motion for a protective order or a claw-back under applicable rules (such as FRE 502). The paralegal may not communicate directly with opposing counsel about the matter, and destroying evidence would be improper.

mometrix.net

QUESTION 9 SINGLE CHOICE

When assisting with electronic discovery in litigation, the paralegal's primary role in managing electronically stored information (ESI) typically includes:

A Advising the client on the merits of the underlying claims

B Implementing a litigation hold and tracking the collection, review, and production of relevant ESI

C Negotiating the substantive settlement terms of the case

D Appearing at depositions to question witnesses on behalf of the client

ANSWER B

WHY Paralegals commonly assist with e-discovery by helping to implement and monitor litigation holds, identifying custodians and relevant data sources, coordinating collections, supervising document review, and managing productions. Advising on merits, negotiating settlements, and taking depositions are attorney functions that paralegals may not perform.

mometrix.net