

SIMULATION EXAM 6 (100 QUESTIONS)

American Legal System & Sources of Law (Questions 1–8)

1. Which type of law is created by elected legislative bodies at the federal and state levels?
 - A. Case law
 - B. Administrative regulations
 - C. Common law
 - D. Statutory law

2. A paralegal working on a case in Georgia needs to find binding authority on a contract dispute governed by Georgia law. Which source would provide mandatory authority?
 - A. A Georgia Supreme Court decision on the same contract issue
 - B. An Eleventh Circuit opinion interpreting federal contract law
 - C. A law review article analyzing Georgia contract principles
 - D. A Florida Supreme Court decision on the same issue

3. The United States Supreme Court has the authority to review decisions from state courts when:
 - A. The state court applied its own procedural rules
 - B. The case involves a purely state law question
 - C. The case involves a federal constitutional question

D. The state attorney general requests review

4. Which of the following describes a distinguishing feature of the American common law system?

A. It relies exclusively on comprehensive statutory codes

B. It develops law incrementally through judicial decisions and precedent

C. It prohibits courts from interpreting statutes

D. It grants legislative bodies the power to decide individual cases

5. In the federal court system, diversity jurisdiction requires:

A. That the case involve a federal statute

B. That both parties reside in the same state

C. That the case involve an administrative agency

D. That the parties be citizens of different states and the amount in controversy exceed \$75,000

6. A municipal ordinance that conflicts with a state statute is generally:

A. Enforceable because local law is more specific

B. Superior to the state statute within city limits

C. Invalid under state preemption principles

D. Enforceable only in federal court

7. Which branch of government has the constitutional power to declare federal statutes unconstitutional?

A. The judicial branch

B. The legislative branch

- C. The executive branch
- D. Administrative agencies

8. A legal researcher encounters a dissenting opinion in a case. The dissent:

- A. Overrules the majority opinion
- B. Disagrees with the majority's holding and may be cited as persuasive authority
- C. Has the same binding effect as the majority opinion
- D. Must be followed by lower courts within the jurisdiction

Primary Authority Research (Questions 9–23)

9. A paralegal needs to research the legislative history of a recently enacted federal statute. Which of the following would contain committee reports and floor debate transcripts?

- A. The Code of Federal Regulations
- B. The Federal Supplement
- C. A legal encyclopedia
- D. Congressional materials available through GovInfo and the Congressional Record

10. A federal regulation is challenged in court and the court must determine whether the agency exceeded its statutory authority. The court will look first to:

- A. The agency's internal policy manual
- B. A legal encyclopedia analysis
- C. The enabling statute that delegated authority to the agency
- D. The dissenting opinion in a related case

11. Which of the following resources provides free, authenticated access to the official text of federal statutes?

- A. The United States Code on GovInfo
- B. Google Scholar
- C. CourtListener
- D. HeinOnline

12. When a court refers to the "plain language" of a statute, the court is:

- A. Consulting legislative history to determine intent
- B. Applying the ordinary meaning of the statutory text
- C. Deferring to the agency's interpretation
- D. Relying on secondary source commentary

13. A researcher finds a relevant case in the Federal Supplement, Third Series. This case was decided by:

- A. A state appellate court
- B. The United States Supreme Court
- C. A United States Court of Appeals
- D. A United States District Court

14. The pocket part of an annotated code volume serves which primary purpose?

- A. Providing the complete legislative history of each statute
- B. Listing all secondary sources on the topic
- C. Updating the main volume with recent statutory amendments and new case annotations

D. Replacing the main volume entirely

15. A researcher needs to find all federal regulations promulgated by the Securities and Exchange Commission. These regulations are most likely found in:

A. Title 17 of the Code of Federal Regulations

B. Title 42 of the United States Code

C. The Federal Supplement

D. The Congressional Record

16. An agency issues an interpretive rule that explains how it will apply an existing regulation. This interpretive rule:

A. Has the full force and effect of law

B. Does not have the force of law but indicates the agency's enforcement approach

C. Must go through notice-and-comment rulemaking

D. Supersedes the underlying regulation

17. The process by which the United States Supreme Court selects cases for review is called:

A. Mandatory appellate jurisdiction

B. Original jurisdiction

C. Administrative adjudication

D. Certiorari

18. A paralegal is researching the elements of a federal criminal offense. The relevant statute would most likely be found in:

- A. The Code of Federal Regulations
- B. The Federal Register
- C. Title 18 of the United States Code
- D. A state criminal code

19. When conducting statutory research, a researcher discovers that the statute at issue includes a "savings clause." This clause typically:

- A. Preserves existing rights or legal actions from being affected by the new statute
- B. Establishes the statute's effective date
- C. Defines key terms used in the statute
- D. Delegates rulemaking authority to an agency

20. The West National Reporter System organizes case law into which categories of reporters?

- A. Official and unofficial reporters only
- B. Federal reporters and regional reporters covering state court decisions
- C. Only reporters for the United States Supreme Court
- D. Reporters organized alphabetically by case name

21. A researcher discovers that a federal statute was amended in 2024, but the most recent printed U.S.C. volume reflects the 2018 edition. To find the current text, the researcher should:

- A. Rely on the 2018 text without further investigation
- B. Check only secondary sources for the amendment
- C. Consult a legal dictionary for the updated definition
- D. Check the electronic United States Code, the U.S.C.A., or the U.S.C.S. for the updated text

22. Which of the following best describes the difference between the Federal Register and the Code of Federal Regulations?

- A. The Federal Register contains only proposed rules, while the C.F.R. contains only guidance documents
- B. There is no difference; they contain identical content
- C. The Federal Register publishes new and proposed rules chronologically, while the C.F.R. codifies all current final regulations by subject
- D. The C.F.R. is published daily, while the Federal Register is published annually

23. A paralegal is researching whether a particular state has adopted the Uniform Commercial Code. The best starting point is:

- A. The state's statutory code to locate the adopted provisions
- B. The Federal Register
- C. The Congressional Record
- D. A federal district court opinion

Secondary Authority Research (Questions 24–33)

24. A researcher needs to locate a model jury instruction for a federal products liability case. Which source would be most appropriate?

- A. A legal dictionary
- B. Pattern jury instructions published for the relevant federal circuit
- C. An ALR annotation
- D. A Restatement provision

25. Which of the following statements about secondary authority is correct?

- A. Secondary authority is binding on courts in the jurisdiction where it is published
- B. Secondary authority can be more authoritative than primary authority
- C. All secondary sources carry equal persuasive weight
- D. Secondary authority is never binding but may be persuasive, with its weight varying by source type and reputation

26. A researcher analyzing an employment discrimination issue wants to find a thorough nationwide case survey. The most efficient source is:

- A. A legal dictionary definition of "discrimination"
- B. A single state's legal encyclopedia entry
- C. An ALR annotation on the specific employment discrimination issue
- D. The table of contents of a form book

27. The Restatement comments that follow each black letter rule serve which purpose?

- A. Providing the binding statutory text
- B. Listing all citing cases
- C. Replacing the need for case law research
- D. Explaining the rule's application, scope, and limitations in detail

28. A paralegal needs a sample motion to compel discovery for use in a federal case. The best source is:

- A. An ALR annotation
- B. A federal practice form book or the forms available through Practical Law on Westlaw
- C. A Restatement illustration
- D. A law review article

29. Which secondary source would most likely discuss the policy rationale behind a recent change in environmental law?

- A. A legal dictionary
- B. A form book
- C. A court docket
- D. A law review article analyzing the legislative change

30. Am. Jur. 2d cross-references users to which related Thomson Reuters secondary source?

- A. Corpus Juris Secundum
- B. Ballentine's Law Dictionary
- C. ALR annotations
- D. The Restatement of Torts

31. A researcher citing a Restatement provision in a brief should first determine:

- A. Whether courts in the relevant jurisdiction have adopted the specific provision
- B. Whether the Restatement was published by Thomson Reuters or LexisNexis
- C. How many pages the Restatement section contains
- D. Whether the Restatement has been translated into other languages

32. CJS is integrated with which research tool that allows users to move from encyclopedia entries into the digest system?

- A. Shepard's Citations
- B. West's Key Number System
- C. BCite

D. HeinOnline's search function

33. A new associate needs to understand the basic framework of admiralty law before researching a specific maritime issue. The most appropriate starting resource is:

- A. An ALR annotation on a narrow admiralty question
- B. A law review article on maritime insurance
- C. A pattern jury instruction on negligence
- D. A treatise or legal encyclopedia entry providing a broad overview of admiralty law

Digital Legal Research & Technology (Questions 34–43)

34. On Westlaw, a researcher can view a visual timeline of how a case has been cited over time using:

- A. Shepard's Citations
- B. Brief Analysis
- C. Graphical KeyCite
- D. Practical Law

35. A researcher needs to access the full text of a recent congressional hearing transcript. Which free resource would be most appropriate?

- A. GovInfo
- B. CourtListener
- C. Google Scholar
- D. Caselaw Access Project

36. The proximity connector /5 in a Boolean search requires that search terms appear:

- A. In different documents
- B. Within five words of each other
- C. In the same paragraph
- D. In the same sentence

37. Which digital research platform would be most useful for a paralegal researching international trade regulations involving multiple countries?

- A. Fastcase
- B. Google Scholar
- C. CourtListener
- D. vLex

38. A researcher runs a terms and connectors search on Westlaw and receives zero results. The most effective response is to:

- A. Broaden the search by removing restrictive connectors or using alternative search terms
- B. Conclude that no authority exists on the topic
- C. Switch immediately to a completely different legal topic
- D. File the brief without any supporting authority

39. On Lexis+, the tool that allows a researcher to upload a brief and receive automated identification of cited authorities and suggested additional authorities is:

- A. Shepard's Citations
- B. KeyCite

C. Brief Analysis

D. Practical Law

40. PACER charges are assessed on which basis?

A. A monthly subscription fee

B. A per-page fee for accessed documents

C. An annual licensing fee

D. A fee per search query

41. Which feature distinguishes Westlaw's Key Number System from other case-finding methods?

A. It is available only for federal cases

B. It requires a subscription to Bloomberg Law

C. It provides access only to secondary sources

D. It classifies every legal point in American case law by topic and subtopic for systematic searching

42. A paralegal is drafting a brief and wants to check whether any cited authorities have received negative treatment. The most efficient approach is to:

A. Use Westlaw's Quick Check or Lexis+ Brief Analysis to scan the entire document at once

B. Manually read every case cited in the brief from beginning to end

C. Search Google Scholar for each case individually

D. Ask opposing counsel whether any cited cases have been overruled

43. When evaluating the reliability of a legal resource found through a general internet search, a researcher should consider:

- A. Only the website's visual design and layout
- B. The number of advertisements on the page
- C. Whether the source is an authoritative legal publisher, government website, or recognized institution
- D. Only whether the source appears on the first page of search results

Legal Citation Form (Questions 44–55)

44. A researcher cites a case and includes the notation "rev'd" in the subsequent history. This indicates:

- A. The case was affirmed on appeal
- B. The appellate court reversed the lower court's decision
- C. The case was remanded for additional proceedings
- D. The Supreme Court denied certiorari

45. In Bluebook citation, when should a researcher include parallel citations to both official and unofficial reporters?

- A. Only when citing secondary sources
- B. Only when citing federal cases
- C. Never, as only one reporter citation is required
- D. When required by the court's local rules or the jurisdiction's citation conventions

46. The Bluebook requires that when citing a case for a proposition found on a specific page, the writer must include:

- A. A pinpoint citation to that specific page
- B. Only the first page of the opinion
- C. The total number of pages in the opinion
- D. The headnote number where the proposition appears

47. Which of the following is the correct Bluebook format for citing an article of the U.S. Constitution?

- A. United States Constitution, Article Three
- B. U.S.C. art. III
- C. U.S. Const. art. III
- D. Constitution of the United States, Art. 3

48. A citation that includes "(emphasis in original)" indicates:

- A. The writer removed emphasis from the quoted text
- B. The emphasis in the quoted language was present in the original source, not added by the writer
- C. The court overruled the cited authority
- D. The citation is to a dissenting opinion

49. When citing a state statute, the researcher should follow the citation format specified in:

- A. The Federal Rules of Civil Procedure
- B. The APA Style Manual
- C. The MLA Handbook

D. Table T1 of The Bluebook for that specific state

50. A researcher needs to cite a federal agency decision. The proper citation format includes:

- A. The decision name, volume and page of the agency reporter, and the date
- B. Only the agency name and the year
- C. A reference to the Federal Register only
- D. The name of the agency head who signed the decision

51. In a Bluebook citation sentence, the signal "see also" is used to:

- A. Introduce the primary authority on which the argument relies
- B. Indicate that the cited authority contradicts the proposition
- C. Introduce additional authority supporting the proposition after primary support has been cited
- D. Signal that no authority exists on the topic

52. When a writer uses "Id." but changes the pinpoint page, the citation reads:

- A. Id. followed by only the case name
- B. Id. at [new page number]
- C. Id. with no additional information
- D. A full citation repeated in its entirety

53. A proper citation to a provision of a state's administrative code requires:

- A. Only the state name and the word "regulation"
- B. Only a reference to the state's statutory code

C. A reference to the federal C.F.R. instead

D. The title or chapter, the abbreviation for the state's administrative code, the section number, and the year

54. When citing an opinion letter as a source, the citation should include:

A. The author, recipient, date, and a description identifying the letter

B. Only the date the letter was written

C. Only the attorney's bar number

D. A Westlaw database identifier only

55. A citation to a court rule should include:

A. Only the court name

B. Only the rule number without any source identification

C. The full name of the rule set, the specific rule number, and the year if applicable

D. A reference to a secondary source discussing the rule

Updating & Validating Research (Questions 56–63)

56. A researcher discovers that a cited case has been "harmonized" by a subsequent court. This treatment means:

A. The case has been overruled

B. A subsequent court reconciled an apparent conflict between the cited case and another authority

C. The case has been reversed on appeal

D. The case has received no citing references

57. When a citator indicates that a case has been "superseded by statute," this means:

- A. The case was reversed by a higher court
- B. The case's holding has been confirmed by legislation
- C. The case has been distinguished by subsequent courts
- D. Legislation has replaced or overridden the case's holding

58. A researcher uses KeyCite to validate a regulation and discovers that the enabling statute has been amended. The researcher should:

- A. Determine whether the statutory amendment affects the regulation's validity or scope
- B. Assume the regulation is automatically invalid
- C. Ignore the statutory amendment because it does not directly amend the regulation
- D. Cite only the regulation without reference to the statute

59. On Shepard's, filtering citing references by "headnote" allows the researcher to:

- A. View only the headnotes of the original case
- B. Sort results alphabetically by case name
- C. Focus on citing decisions that address the specific legal point relevant to the research
- D. Remove all secondary source references

60. A paralegal is preparing a brief for filing tomorrow and realizes that the last validation check on cited authorities was performed two weeks ago. The appropriate action is to:

- A. File the brief without re-validation because two weeks is recent enough
- B. Re-validate all key authorities before filing to ensure nothing has changed
- C. Validate only the statutes, not the cases

D. Ask the opposing party if any authorities have changed

61. BCite's case analysis feature organizes citing decisions by:

- A. Alphabetical order of case names
- B. Date of publication only
- C. Word count of each opinion
- D. Type of treatment given to the cited case

62. The absence of any citator signal on a case means:

- A. The case is guaranteed to be good law
- B. The case has been confirmed as the leading authority on the topic
- C. No citing references have been identified, or the case has not been analyzed
- D. The case has been overruled but the citator has not been updated

63. A validation checklist should be updated on which occasion?

- A. Only when the supervising attorney specifically requests it
- B. Only at the beginning of the research process
- C. Each time a cited authority is re-validated, with the new date and any changes noted
- D. Only after the document has been filed with the court

Legal Analysis & Reasoning (Questions 64–75)

64. A paralegal is assigned to research whether a homeowner's insurance policy covers water damage from a burst pipe. The first analytical step is to:

- A. Draft the conclusion section
- B. Identify the specific legal issues, including policy interpretation and any exclusions that may apply
- C. File a claim on behalf of the client
- D. Research unrelated insurance topics for background

65. In the IREAC framework, case illustrations in the Explanation section should be selected based on:

- A. The length of the opinion
- B. The alphabetical order of the case names
- C. The number of headnotes in the case
- D. Their factual similarity to the client's situation

66. A legal analyst is comparing the client's situation to a decided case and notes that both involve a commercial landlord who received written notice of a hazard but failed to act. This comparison supports:

- A. Arguing that the precedent applies because the key facts are materially similar
- B. Distinguishing the precedent
- C. Overruling the precedent
- D. Ignoring the precedent

67. When a memorandum analyzes a statutory interpretation question, the Discussion section should:

- A. Quote the entire statute without any analysis
- B. Ignore the statutory text and rely only on case law
- C. Present the statutory text, apply the relevant interpretive tools, and analyze how courts have interpreted the provision
- D. Present only the legislative history without the statutory text

68. A well-crafted counter-analysis identifies:

- A. Only arguments that are easy to rebut
- B. The strongest arguments the opposing side could make and responds to each with authority and reasoning
- C. Every possible argument regardless of merit
- D. Only procedural objections

69. An analyst working on an objective memorandum determines that the law clearly favors the opposing party on one of three issues. The appropriate treatment is to:

- A. Omit the unfavorable issue from the memorandum
- B. Change the analysis to favor the client regardless of the law
- C. Report only the favorable issues
- D. Report the unfavorable analysis honestly so the supervising attorney can assess the overall strength of the case

70. The purpose of identifying the "key facts" in an issue statement is to:

- A. Narrow the analysis to the specific factual circumstances that will determine the outcome
- B. List every fact in the client's file
- C. Avoid identifying the legal standard
- D. Make the issue statement as long as possible

71. When an analyst synthesizes a rule from multiple cases and a statute, the resulting rule statement should:

- A. Quote each authority verbatim in sequence

- B. List each source without integration
- C. Integrate the statutory language and judicial interpretations into a single coherent formulation
- D. Omit the statutory text and rely solely on case law

72. In an IREAC analysis, the Application section should:

- A. Simply restate the rule without connecting it to the facts
- B. Apply the rule to the client's specific facts using point-by-point comparison with decided cases
- C. Present only the conclusion without supporting reasoning
- D. List the facts of the client's case without any legal analysis

73. A legal analysis that reaches a conclusion different from the Brief Answer indicates:

- A. Effective persuasive writing technique
- B. Compliance with Bluebook requirements
- C. Proper counter-analysis
- D. An internal inconsistency that must be resolved before the memorandum is finalized

74. When multiple sub-issues in a Discussion section each favor the client, the overall conclusion should:

- A. Predict a favorable outcome with appropriate confidence
- B. Avoid stating any prediction
- C. State that the outcome is uncertain regardless of the analysis
- D. Recommend that the client settle the case

75. A researcher encounters a case where the court explicitly states that its analysis of a secondary issue is dicta. The researcher should treat this statement as:

- A. Binding precedent on the secondary issue
- B. An overruling of prior case law on the secondary issue
- C. Potentially persuasive but not binding authority on the secondary issue
- D. Irrelevant and not worth noting

Legal Writing Fundamentals & Style (Questions 76–83)

76. A sentence that reads "The contract was breached by the defendant when the defendant failed to deliver the goods by the defendant's deadline" demonstrates:

- A. Proper use of active voice
- B. Unnecessary repetition that should be revised for conciseness
- C. Effective emphasis through repetition
- D. Correct parallel construction

77. Which of the following sentences best demonstrates the principle of placing the subject and verb close together?

- A. The court, after extensive deliberation over the course of three days involving numerous amicus briefs and oral arguments from both parties, ruled.
- B. After deliberation, the court considered multiple factors.
- C. It was after deliberation that the ruling was eventually made by the court.
- D. The court ruled after considering the briefs and oral arguments.

78. A legal writer should avoid the phrase "the fact that" because:

- A. It adds unnecessary words and can almost always be eliminated or rephrased more concisely
- B. It is grammatically incorrect

- C. The Bluebook prohibits its use
- D. Courts will strike any document containing the phrase

79. When a legal document uses both "reasonable care" and "due care" to refer to the same legal standard without explanation, this creates:

- A. Effective stylistic variety
- B. Proper legal terminology
- C. Potential confusion about whether two different standards are being referenced
- D. Compliance with plain language requirements

80. The most effective method for catching awkward sentence constructions during editing is:

- A. Relying solely on spell-check software
- B. Reading the document aloud
- C. Checking only the first sentence of each paragraph
- D. Reviewing only the citations

81. A legal memorandum uses the contraction "won't" in the Discussion section. This is:

- A. Inappropriate because contractions are generally avoided in formal legal documents
- B. Preferred for readability in all legal documents
- C. Required by the ALWD Guide
- D. Acceptable only in appellate briefs

82. Which revision best eliminates the nominalization in "The court's consideration of the evidence led to a determination of liability"?

- A. After considering the evidence, a determination was made
- B. Liability was the determination reached after evidence consideration
- C. The consideration and determination process occurred
- D. The court considered the evidence and determined the defendant was liable

83. In legal writing, the purpose of using short paragraphs (four to eight sentences) rather than lengthy paragraphs is to:

- A. Reduce the total word count of the document
- B. Avoid the need for topic sentences
- C. Maintain the reader's attention and ensure each paragraph addresses a single point clearly
- D. Comply with court-imposed paragraph limits

Legal Correspondence & E-Memos (Questions 84–88)

84. A paralegal drafts a client letter that explains a complex legal concept using the phrase "res judicata precludes relitigation of the identical claim." For a non-lawyer client, this language should be:

- A. Left as written because legal terminology demonstrates expertise
- B. Revised to explain the concept in plain language the client can understand
- C. Removed entirely because clients should not receive legal analysis
- D. Replaced with a citation to the governing statute only

85. The primary purpose of including a deadline in a demand letter is to:

- A. Create a specific timeframe for response and communicate the urgency of the matter
- B. Demonstrate the attorney's knowledge of court filing deadlines
- C. Comply with ethical rules requiring deadlines in all correspondence

D. Ensure the letter qualifies as a legal filing

86. A supervising attorney asks a paralegal to send an email to a client containing privileged legal analysis. Which precaution is most important?

A. Using all capital letters in the subject line

B. Including the firm's marketing materials as an attachment

C. Sending the email without a subject line for confidentiality

D. Verifying the recipient's email address and including a confidentiality notice

87. An e-memo analyzing a contract interpretation question should:

A. Omit citations because it is delivered by email

B. Present only the writer's personal opinion

C. Include proper citations, balanced analysis, and a clear conclusion despite the email format

D. Be limited to a single sentence

88. A client requests legal advice by text message about whether to sign a proposed settlement agreement. The paralegal should:

A. Provide detailed legal analysis by text immediately

B. Explain that substantive legal advice should be discussed through a more appropriate channel and consult the supervising attorney

C. Ignore the client's text message entirely

D. Forward the text to opposing counsel for their opinion

Legal Memoranda (Questions 89–93)

89. A memorandum that includes legal conclusions in the Statement of Facts section is:

- A. Improperly drafted because the Statement of Facts should present facts objectively without legal characterization
- B. The standard format for all memoranda
- C. More persuasive to the supervising attorney
- D. Required when the facts are complex

90. The Discussion section of a memorandum should address adverse authority by:

- A. Omitting it to strengthen the client's position
- B. Mentioning it only in a footnote
- C. Presenting it only if the supervising attorney requests it
- D. Acknowledging it, analyzing its applicability, and explaining its impact on the predicted outcome

91. When a memorandum addresses whether a contract clause is enforceable, the Issue Statement should:

- A. Ask a general question about contract law
- B. State the conclusion the writer has reached
- C. Combine the applicable legal standard, the specific enforceability question, and the key contractual terms at issue
- D. Simply state "Is the contract enforceable?"

92. A Brief Answer that begins with "It depends" is appropriate when:

- A. The writer has not completed sufficient research

- B. The outcome genuinely turns on a factual determination or unresolved legal question that prevents a definitive prediction
- C. The writer wants to avoid taking a position
- D. The supervising attorney prefers equivocal answers

93. The purpose of recommendations at the end of a memorandum is to:

- A. Suggest further research, investigation, or strategic actions based on the analysis
- B. Introduce new legal issues not addressed in the Discussion
- C. Advocate for the client's position
- D. Provide billing information for the research performed

Legal Briefs & Persuasive Writing (Questions 94–98)

94. A brief that devotes significant space to refuting the opposing party's weakest arguments while barely addressing the strongest ones:

- A. Is the standard approach recommended by courts
- B. Demonstrates thorough legal research
- C. Complies with the duty of candor
- D. Is a strategic error that undermines credibility by avoiding the most important counterarguments

95. The standard of review section in an appellate brief is strategically important because:

- A. It is optional and rarely affects the outcome
- B. It has no impact on how the appellate court evaluates the issues
- C. It defines the framework and level of deference the appellate court will apply to each issue
- D. It is required only in criminal appeals

96. A well-organized argument section in a brief creates persuasive momentum by:

- A. Presenting arguments in random order
- B. Leading with the strongest argument and using transitions that connect each argument to the theory of the case
- C. Placing all citations in a single footnote at the end
- D. Avoiding headings or organizational structure

97. An appellate brief that exceeds the court's word count limit by 500 words:

- A. May be rejected for filing or stricken from the record
- B. Will be accepted because the overage is minor
- C. Demonstrates thoroughness that courts appreciate
- D. Is permissible if the attorney submits a letter of explanation

98. When drafting a Statement of Facts for a persuasive brief, the writer should:

- A. Invent favorable facts not in the record
- B. Include only the procedural history without substantive facts
- C. Present only the opposing party's version of events
- D. Emphasize favorable facts through placement and detail while accurately presenting all material facts

Ethics in Legal Research & Writing (Questions 99–100)

99. A paralegal discovers during research that a key case supporting the client's position was overruled last month. The ethical obligation requires:

- A. Ignoring the development and citing the overruled case anyway

- B. Informing only the client but not the supervising attorney
- C. Immediately informing the supervising attorney so the legal strategy can be reassessed
- D. Waiting until the opposing party discovers the overruling

100. The ethical obligation to avoid the unauthorized practice of law means that a paralegal must:

- A. Never conduct legal research
- B. Perform all work under attorney supervision and ensure all legal advice is reviewed and approved by an attorney before it reaches the client
- C. Sign all legal correspondence independently
- D. Provide legal opinions to clients without attorney review

Simulation Exam 6: Answer Key With Explanations

American Legal System & Sources of Law (Questions 1–8)

1. **D. Statutory law** — Statutory law is created by elected legislative bodies at the federal level (Congress) and the state level (state legislatures). Case law is created by courts, administrative regulations are created by executive agencies, and common law develops through judicial decisions.
2. **A. A Georgia Supreme Court decision on the same contract issue** — Mandatory authority for a Georgia trial court includes decisions from the Georgia Supreme Court that address the same legal issue. Federal circuit opinions, law review articles, and decisions from other states are persuasive but not binding.
3. **C. The case involves a federal constitutional question** — The U.S. Supreme Court may review state court decisions when they involve a federal question, particularly constitutional issues. The Court does not have jurisdiction to review purely state law questions decided on independent and adequate state grounds.
4. **B. It develops law incrementally through judicial decisions and precedent** — The common law system is built on the principle of stare decisis, where courts develop legal rules through individual case decisions that establish binding precedent for future cases with similar facts and issues.

5. **D. That the parties be citizens of different states and the amount in controversy exceed \$75,000** — Diversity jurisdiction under 28 U.S.C. § 1332 requires complete diversity of citizenship between the parties and an amount in controversy exceeding \$75,000, allowing federal courts to hear cases that would otherwise be state law matters.
6. **C. Invalid under state preemption principles** — Municipal ordinances derive their authority from the state, and when a local ordinance conflicts with a state statute, the state law generally prevails under state preemption principles. Municipalities cannot enact laws that contradict state legislation.
7. **A. The judicial branch** — The power of judicial review, established in *Marbury v. Madison*, gives courts the authority to declare federal and state statutes unconstitutional. This power serves as a critical check on the legislative and executive branches.
8. **B. Disagrees with the majority's holding and may be cited as persuasive authority** — A dissenting opinion expresses disagreement with the majority's conclusion. While dissents are not binding, they may be cited as persuasive authority and sometimes signal future changes in the law when the dissent's reasoning gains wider acceptance.

Primary Authority Research (Questions 9–23)

9. **D. Congressional materials available through GovInfo and the Congressional Record** — Legislative history materials, including committee reports, hearing transcripts, and floor debate records, are available through GovInfo and the Congressional Record. These sources document the legislative process and can illuminate congressional intent.
10. **C. The enabling statute that delegated authority to the agency** — When a regulation is challenged as exceeding agency authority, the court examines the enabling statute to determine the scope of the authority Congress delegated. If the regulation goes beyond what the statute authorized, it is invalid.
11. **A. The United States Code on GovInfo** — GovInfo provides free, official, authenticated access to the United States Code. Google Scholar provides case law but not statutory text, CourtListener focuses on judicial opinions, and HeinOnline specializes in legal periodicals.
12. **B. Applying the ordinary meaning of the statutory text** — When a court refers to the "plain language" of a statute, it is applying the plain meaning rule, which directs courts to interpret statutory text according to its ordinary, everyday meaning when the language is clear and unambiguous.
13. **D. A United States District Court** — The Federal Supplement (currently F. Supp. 3d) publishes selected opinions from the United States District Courts, which are the trial courts of the federal system. The Federal Reporter publishes Courts of Appeals decisions.

14. **C. Updating the main volume with recent statutory amendments and new case annotations** — Pocket parts are supplements inserted into annotated code volumes to provide updates between full edition publications. They include new statutory amendments, recent case annotations, and updated references to secondary sources.
15. **A. Title 17 of the Code of Federal Regulations** — Title 17 of the C.F.R. covers Commodity and Securities Exchanges, containing regulations promulgated by the Securities and Exchange Commission and the Commodity Futures Trading Commission.
16. **B. Does not have the force of law but indicates the agency's enforcement approach** — Interpretive rules explain how an agency understands and will apply existing regulations. Unlike legislative rules created through notice-and-comment rulemaking, interpretive rules do not have binding legal force but signal the agency's enforcement priorities.
17. **D. Certiorari** — The Supreme Court exercises discretionary review through the certiorari process. A party seeking review files a petition for a writ of certiorari, and the Court grants review (grants "cert") in only a small fraction of cases, typically those involving important federal questions or circuit splits.
18. **C. Title 18 of the United States Code** — Title 18 of the U.S.C. covers Crimes and Criminal Procedure and contains the definitions and penalties for most federal criminal offenses. State criminal offenses are found in state criminal codes, not the federal code.
19. **A. Preserves existing rights or legal actions from being affected by the new statute** — A savings clause protects pre-existing rights, pending litigation, or prior legal arrangements from being altered by the new statute. It ensures that the new law applies prospectively without disrupting matters already in progress.
20. **B. Federal reporters and regional reporters covering state court decisions** — The West National Reporter System includes federal reporters (United States Reports, Federal Reporter, Federal Supplement) and regional reporters (Atlantic, Pacific, South Eastern, etc.) that compile state court opinions by geographic region.
21. **D. Check the electronic United States Code, the U.S.C.A., or the U.S.C.S. for the updated text** — When the printed code is outdated, the most reliable sources for current statutory text are the electronic United States Code maintained by the Office of Law Revision Counsel, the U.S.C.A. on Westlaw, and the U.S.C.S. on Lexis+, all of which are updated more frequently.
22. **C. The Federal Register publishes new and proposed rules chronologically, while the C.F.R. codifies all current final regulations by subject** — The Federal Register is a daily publication containing proposed rules, final rules, and notices in chronological order. The C.F.R. organizes all currently effective final regulations by subject matter into 50 titles.
23. **A. The state's statutory code to locate the adopted provisions** — When a state adopts the Uniform Commercial Code or other uniform laws, the adopted provisions are codified in the state's

statutory code. The researcher should consult the state code to find the specific provisions as enacted in that jurisdiction.

Secondary Authority Research (Questions 24–33)

24. **B. Pattern jury instructions published for the relevant federal circuit** — Pattern jury instructions provide model instructions tailored to specific practice areas and jurisdictions. Federal circuits publish their own sets of pattern instructions that include products liability instructions following the standards applied in that circuit.
25. **D. Secondary authority is never binding but may be persuasive, with its weight varying by source type and reputation** — All secondary authority is persuasive only, never binding. However, persuasive weight varies significantly — a leading treatise or adopted Restatement provision carries far more weight than a student-written law review note or a legal encyclopedia entry.
26. **C. An ALR annotation on the specific employment discrimination issue** — ALR annotations provide comprehensive, nationwide case surveys on specific legal issues, making them the most efficient tool for examining how multiple jurisdictions have addressed a particular employment discrimination question.
27. **A. Explaining the rule's application, scope, and limitations in detail** — Restatement comments follow each black letter rule and provide detailed explanation of how the rule applies, where its boundaries lie, and what exceptions or qualifications exist. They are essential for understanding the full meaning of the black letter text.
28. **B. A federal practice form book or the forms available through Practical Law on Westlaw** — Form books and practice resources like Practical Law provide model motions, pleadings, and other court documents that practitioners can customize. They are the most practical source for drafting templates.
29. **D. A law review article analyzing the legislative change** — Law review articles provide in-depth scholarly analysis that examines the policy considerations, legislative history, and practical implications of legal changes. They are the best source for understanding the rationale behind new legislation.
30. **C. ALR annotations** — Am. Jur. 2d, published by Thomson Reuters, cross-references related ALR annotations, forms, and other Thomson Reuters secondary sources. This integration allows researchers to move efficiently from an encyclopedia overview to more detailed analysis in ALR.
31. **A. Whether courts in the relevant jurisdiction have adopted the specific provision** — Before citing a Restatement provision in a brief, the researcher should check whether courts in the jurisdiction have adopted, rejected, or modified the provision. An adopted provision carries far more weight than one that has not been addressed.

32. **B. West's Key Number System** — C.J.S. is integrated with the West Key Number System, with each section referencing the relevant topics and key numbers. This allows researchers to move seamlessly from an encyclopedia discussion into the digest system for comprehensive case law research.
33. **D. A treatise or legal encyclopedia entry providing a broad overview of admiralty law** — When a researcher is unfamiliar with an area of law, the best starting point is a secondary source providing a broad overview. A treatise or encyclopedia entry will explain the basic framework, key concepts, and controlling authorities before the researcher begins primary authority research.

Digital Legal Research & Technology (Questions 34–43)

34. **C. Graphical KeyCite** — Graphical KeyCite on Westlaw provides a visual timeline showing how a case has been cited over time, including the volume of citations, the courts that cited it, and whether the treatment was positive or negative. This visual representation helps researchers quickly assess a case's influence.
35. **A. GovInfo** — GovInfo provides free, authenticated access to a comprehensive collection of congressional materials, including hearing transcripts, committee reports, the Congressional Record, and other legislative documents.
36. **B. Within five words of each other** — The /5 connector requires that the connected search terms appear within five words of each other in the document. Numeric proximity connectors (/n) allow researchers to specify the exact proximity they require.
37. **D. vLex** — vLex provides access to legal materials from over 130 jurisdictions worldwide, making it the most appropriate platform for international and comparative legal research involving multiple countries' trade regulations and legal systems.
38. **A. Broaden the search by removing restrictive connectors or using alternative search terms** — Zero results typically indicates that the search was too narrow. Broadening the search by removing proximity connectors, using OR to include synonyms, or trying different terminology will help locate relevant authorities.
39. **C. Brief Analysis** — Lexis+ Brief Analysis allows researchers to upload a legal document and receive automated analysis that identifies all cited authorities, flags any with negative treatment, and suggests additional relevant authorities the writer may have missed.
40. **B. A per-page fee for accessed documents** — PACER charges a per-page fee (currently \$0.10 per page with a cap per document) for accessing federal court documents, dockets, and filings. This makes it affordable for targeted document retrieval but costs can accumulate with extensive use.
41. **D. It classifies every legal point in American case law by topic and subtopic for systematic searching** — The Key Number System's unique feature is its comprehensive classification of all

American case law into over 400 topics with detailed subtopics, enabling researchers to find every case addressing a specific legal point.

42. **A. Use Westlaw's Quick Check or Lexis+ Brief Analysis to scan the entire document at once** — These tools automate the process of checking all cited authorities in a document, flagging those with negative treatment and identifying potential gaps. This is far more efficient than checking each authority individually.
43. **C. Whether the source is an authoritative legal publisher, government website, or recognized institution** — The reliability of online legal information depends on the authority and credibility of the source. Government websites, established legal publishers, and recognized academic institutions are more reliable than personal blogs, forums, or unvetted commercial websites.

Legal Citation Form (Questions 44–55)

44. **B. The appellate court reversed the lower court's decision** — The notation "rev'd" in subsequent history indicates that a higher court reversed the lower court's decision. This is significant because the reversal may affect the validity of the lower court's legal reasoning.
45. **D. When required by the court's local rules or the jurisdiction's citation conventions** — Different courts and jurisdictions have different rules about parallel citations. Some require both official and unofficial reporter citations, while others require only one. The researcher must follow the applicable local rules.
46. **A. A pinpoint citation to that specific page** — The Bluebook requires pinpoint citations whenever a writer references a specific proposition from a case. The pinpoint directs the reader to the exact page where the supporting language appears, enabling efficient verification.
47. **C. U.S. Const. art. III** — The standard Bluebook format for citing an article of the U.S. Constitution uses the abbreviation "U.S. Const. art." followed by the article number in Roman numerals. Section numbers are added after the article designation when citing specific sections.
48. **B. The emphasis in the quoted language was present in the original source, not added by the writer** — The parenthetical "(emphasis in original)" alerts the reader that any italics, bolding, or other emphasis in the quoted text was present in the original source, distinguishing it from emphasis added by the writer.
49. **D. Table T1 of The Bluebook for that specific state** — Table T1 provides jurisdiction-specific citation formats for every state, including the correct abbreviations for statutory compilations, courts, and reporters. State statutory citations must follow the format specified for that particular state.
50. **A. The decision name, volume and page of the agency reporter, and the date** — Agency decision citations follow a format similar to case citations, identifying the parties or subject matter, the official agency reporter where the decision is published, and the date of the decision.

51. **C. Introduce additional authority supporting the proposition after primary support has been cited** — The signal "see also" introduces supplementary authority that provides additional support for a proposition that has already been supported by the primary cited authority.
52. **B. Id. at [new page number]** — When using "Id." to refer to the same source as the immediately preceding citation but at a different page, the writer adds "at" followed by the new page number. This efficiently directs the reader to the new location within the same source.
53. **D. The title or chapter, the abbreviation for the state's administrative code, the section number, and the year** — State administrative regulation citations must include enough information to identify the specific regulation within the state's administrative code, following the format specified in Bluebook Table T1 for that jurisdiction.
54. **A. The author, recipient, date, and a description identifying the letter** — Opinion letters and other correspondence cited as sources require identification of the author, recipient, date, and a description sufficient to identify the specific document, following the Bluebook rules for unpublished materials.
55. **C. The full name of the rule set, the specific rule number, and the year if applicable** — Court rule citations must identify the specific rule set (such as the Federal Rules of Civil Procedure), the rule number, and any relevant year or version information.

Updating & Validating Research (Questions 56–63)

56. **B. A subsequent court reconciled an apparent conflict between the cited case and another authority** — The treatment code "harmonized" indicates that a later court addressed an apparent conflict between the cited case and another authority and explained how both can be reconciled. This is generally neutral treatment.
57. **D. Legislation has replaced or overridden the case's holding** — When a case is superseded by statute, the legislature has enacted a law that effectively overrides or replaces the judicial holding. The case may still be historically informative but its holding is no longer controlling on the point addressed by the legislation.
58. **A. Determine whether the statutory amendment affects the regulation's validity or scope** — When the enabling statute is amended, the researcher must assess whether the amendment changes the authority under which the regulation was issued, alters the scope of the regulated activity, or otherwise affects the regulation's continued validity.
59. **C. Focus on citing decisions that address the specific legal point relevant to the research** — Headnote filtering in Shepard's allows the researcher to narrow the citing references to only those decisions that discuss the same legal point identified in the original case's headnotes, making the validation more targeted and efficient.

60. **B. Re-validate all key authorities before filing to ensure nothing has changed** — Two weeks is sufficient time for significant legal developments. Cases can be overruled, statutes amended, and regulations changed at any time. Re-validation immediately before filing is a professional obligation.
61. **D. Type of treatment given to the cited case** — BCite's case analysis organizes citing decisions by the type of treatment they gave — followed, distinguished, criticized, overruled, and other categories — allowing the researcher to quickly assess the pattern of treatment the case has received.
62. **C. No citing references have been identified, or the case has not been analyzed** — The absence of a citator signal may mean the case has never been cited by another authority, or it may mean the citator has not yet analyzed the case. It does not guarantee the case is good law; the researcher should investigate further.
63. **C. Each time a cited authority is re-validated, with the new date and any changes noted** — A validation checklist is a living document that should be updated whenever authorities are re-checked. Recording the new date and any changes in treatment ensures the checklist reflects the most current validation status.

Legal Analysis & Reasoning (Questions 64–75)

64. **B. Identify the specific legal issues, including policy interpretation and any exclusions that may apply** — The first analytical step is issue identification. For an insurance coverage question, this includes determining whether the policy covers the type of damage, whether any exclusions apply, and whether any conditions of coverage were met.
65. **D. Their factual similarity to the client's situation** — Case illustrations should be selected based on how closely their facts parallel the current situation, because the value of analogical reasoning depends on the strength of the factual comparison. Cases with similar facts provide the most relevant precedent.
66. **A. Arguing that the precedent applies because the key facts are materially similar** — When the key facts of the current situation closely match those of a decided case, the analyst uses this similarity to argue that the precedent should control the outcome. Material similarity is the foundation of effective analogical reasoning.
67. **C. Present the statutory text, apply the relevant interpretive tools, and analyze how courts have interpreted the provision** — Statutory interpretation analysis requires presenting the relevant statutory language, applying the appropriate interpretive tools (plain meaning, legislative history, canons of construction), and discussing how courts have interpreted the provision.
68. **B. The strongest arguments the opposing side could make and responds to each with authority and reasoning** — Effective counter-analysis targets the most significant opposing

arguments rather than easy ones. Identifying and responding to the strongest counterarguments demonstrates thoroughness and credibility.

69. **D. Report the unfavorable analysis honestly so the supervising attorney can assess the overall strength of the case** — An objective memorandum must present all findings honestly, including unfavorable ones. The supervising attorney needs a complete picture to make strategic decisions about how to proceed with the case.
70. **A. Narrow the analysis to the specific factual circumstances that will determine the outcome** — Key facts in an issue statement focus the analysis on the specific circumstances that are legally significant. Without these facts, the issue statement is too broad to guide effective analysis.
71. **C. Integrate the statutory language and judicial interpretations into a single coherent formulation** — When a rule derives from both statutory text and case law, the synthesized rule should combine the statutory requirements with judicial interpretations into a unified statement that represents the complete, current legal standard.
72. **B. Apply the rule to the client's specific facts using point-by-point comparison with decided cases** — The Application section is where the analyst demonstrates how the legal rule applies to the specific facts at hand, using analogical reasoning to compare the current situation with decided cases and drawing conclusions about the likely outcome.
73. **D. An internal inconsistency that must be resolved before the memorandum is finalized** — The Discussion analysis should support the conclusion stated in the Brief Answer. If the detailed analysis leads to a different conclusion, either the Brief Answer or the Discussion needs to be revised to eliminate the inconsistency.
74. **A. Predict a favorable outcome with appropriate confidence** — When the analysis of each sub-issue favors the client, the overall conclusion should reflect this by predicting a favorable outcome. The level of confidence should match the strength of the analysis while acknowledging any remaining uncertainties.
75. **C. Potentially persuasive but not binding authority on the secondary issue** — When a court explicitly identifies its discussion of a secondary issue as dicta, that discussion is not part of the binding holding. It may still be persuasive and worth noting, but it does not constitute precedent that other courts must follow.

Legal Writing Fundamentals & Style (Questions 76–83)

76. **B. Unnecessary repetition that should be revised for conciseness** — The sentence repeats "the defendant" three times unnecessarily. A concise revision would read: "The defendant breached the contract by failing to deliver the goods by the deadline." This conveys the same information without redundancy.

77. **D. The court ruled after considering the briefs and oral arguments.** — This sentence places the subject ("court") and verb ("ruled") close together, making the sentence clear and easy to process. Option A separates the subject and verb with an excessively long modifying clause.
78. **A. It adds unnecessary words and can almost always be eliminated or rephrased more concisely** — "The fact that" is a wordy phrase that adds no meaning. "The fact that the defendant was negligent" can be revised to "the defendant's negligence" or "because the defendant was negligent," saving words without losing meaning.
79. **C. Potential confusion about whether two different standards are being referenced** — Using different terms for the same legal standard without explanation can lead the reader to wonder whether the writer is referring to one standard or two. Consistent terminology prevents this confusion.
80. **B. Reading the document aloud** — Reading aloud forces the writer to articulate every word and hear the rhythm and flow of each sentence. This technique reveals awkward constructions, run-on sentences, and unclear phrasing that may not be apparent during silent reading.
81. **A. Inappropriate because contractions are generally avoided in formal legal documents** — Contractions are considered too informal for professional legal writing such as memoranda, briefs, and formal correspondence. The full forms ("will not," "does not," "cannot") should be used instead.
82. **D. The court considered the evidence and determined the defendant was liable.** — This revision replaces both nominalizations ("consideration" and "determination") with strong active verbs ("considered" and "determined"), creating a more direct and dynamic sentence.
83. **C. Maintain the reader's attention and ensure each paragraph addresses a single point clearly** — Moderate paragraph length (four to eight sentences) keeps the reader focused and ensures each paragraph addresses a single idea thoroughly. Excessively long paragraphs strain attention and usually indicate that too many points are being combined.

Legal Correspondence & E-Memos (Questions 84–88)

84. **B. Revised to explain the concept in plain language the client can understand** — Client letters should translate legal concepts into accessible language. Instead of "res judicata precludes relitigation," the writer might explain: "Because this issue was already decided in the prior lawsuit, the court will not allow it to be raised again."
85. **A. Create a specific timeframe for response and communicate the urgency of the matter** — A deadline in a demand letter establishes a clear timeframe within which the recipient must respond or face the consequences outlined in the letter. It communicates seriousness and prevents indefinite delay.

86. **D. Verifying the recipient's email address and including a confidentiality notice** — The most critical precaution when sending privileged information by email is ensuring it reaches only the intended recipient. Verifying the email address prevents misdirection, and the confidentiality notice reinforces the privileged nature of the communication.
87. **C. Include proper citations, balanced analysis, and a clear conclusion despite the email format** — An e-memo's informal delivery method does not reduce the requirement for analytical quality. Proper citations, balanced analysis, and clear conclusions are required regardless of whether the analysis is delivered as a formal memorandum or an email.
88. **B. Explain that substantive legal advice should be discussed through a more appropriate channel and consult the supervising attorney** — Text messaging is not appropriate for substantive legal advice. The paralegal should redirect the client to a proper communication channel and ensure that legal guidance comes from the supervising attorney through an appropriate medium.

Legal Memoranda (Questions 89–93)

89. **A. Improperly drafted because the Statement of Facts should present facts objectively without legal characterization** — The Statement of Facts presents what happened. Legal conclusions about what the facts mean belong in the Discussion section. Mixing facts and legal analysis in the same section confuses the reader and undermines objectivity.
90. **D. Acknowledging it, analyzing its applicability, and explaining its impact on the predicted outcome** — Adverse authority must be addressed in an objective memorandum. The writer should present the unfavorable authority, analyze whether and how it applies to the current situation, and explain its impact on the overall prediction.
91. **C. Combine the applicable legal standard, the specific enforceability question, and the key contractual terms at issue** — A well-drafted Issue Statement for a contract enforceability question incorporates the governing legal standard, the specific enforceability question, and the key terms or provisions whose enforceability is at issue.
92. **B. The outcome genuinely turns on a factual determination or unresolved legal question that prevents a definitive prediction** — "It depends" is appropriate when the analysis reveals that the outcome hinges on an unresolved factual question or an unsettled point of law. The Brief Answer should then explain what the outcome depends on and what factors will determine the result.
93. **A. Suggest further research, investigation, or strategic actions based on the analysis** — Recommendations provide the supervising attorney with actionable next steps, such as additional research, fact investigation, strategic decisions, or time-sensitive actions that the analysis has identified.

Legal Briefs & Persuasive Writing (Questions 94–98)

94. **D. Is a strategic error that undermines credibility by avoiding the most important counterarguments** — Spending time on weak opposing arguments while ignoring strong ones suggests that the writer cannot effectively address the opposition's best points. Courts expect advocates to engage with the strongest counterarguments.
95. **C. It defines the framework and level of deference the appellate court will apply to each issue** — The standard of review determines how much deference the appellate court gives to the trial court's ruling, directly affecting the likelihood of reversal. De novo review gives no deference, while abuse of discretion gives significant deference.
96. **B. Leading with the strongest argument and using transitions that connect each argument to the theory of the case** — Effective argument organization builds momentum by starting strong and maintaining thematic coherence throughout. Transitions between arguments should reinforce the theory of the case and show how each point contributes to the overall narrative.
97. **A. May be rejected for filing or stricken from the record** — Courts enforce word count and page limits strictly. A brief that exceeds the limit may be rejected by the clerk's office, stricken by the court, or returned for revision, any of which can prejudice the client's interests.
98. **D. Emphasize favorable facts through placement and detail while accurately presenting all material facts** — A persuasive Statement of Facts uses strategic emphasis — placing favorable facts prominently and providing detail on helpful circumstances — while remaining truthful and including all material facts, including unfavorable ones presented in context.

Ethics in Legal Research & Writing (Questions 99–100)

99. **C. Immediately informing the supervising attorney so the legal strategy can be reassessed** — When a key supporting case has been overruled, the paralegal must promptly inform the supervising attorney. This allows the legal team to reassess the strategy, find alternative authorities, and avoid citing an overruled case in court filings.
100. **B. Perform all work under attorney supervision and ensure all legal advice is reviewed and approved by an attorney before it reaches the client** — Paralegals may conduct research, draft documents, and assist with legal matters, but all work must be performed under attorney supervision. Legal advice must be reviewed and approved by a licensed attorney before it is communicated to the client.