

NO FRILLS **Exam Prep Books**

Intellectual Properties, Trademarks and Copyrights

ExamREVIEW.NET (a.k.a. ExamREVIEW) is an independent content developer not associated/affiliated with the certification vendor(s) mentioned throughout this book. The name(s), title(s) and award(s) of the certification exam(s) mentioned in this book are the trademark(s) of the respective certification vendor(s). We mention these name(s) and/or the relevant terminologies only for describing the relevant exam process(es) and knowledge.

We are NOT affiliated with NALA. This book is also NOT endorsed by NALA. The CP certification exam is the property of NALA.

ExamREVIEW(TM) and ExamFOCUS(TM) are our own trademarks for publishing and marketing self-developed examprep books worldwide. The EXAMREVIEW.NET web site has been created on the Internet since January 2001. The EXAMFOCUS.NET division has its web presence established since 2009.

Copyright 2012, 13. ExamREVIEW.NET. All rights reserved.

Contents of this book are fully copyrighted. We develop study material entirely on our own. Braindump is strictly prohibited. We provide essential knowledge contents, NOT any generalized "study system" kind of "pick-the-right-answer-every time" techniques or "visit this link" referrals.

Contents Update

All books come with LIFE TIME FREE UPDATES. When you find a newer version of the purchased book all you need to do is to go and download. **Please check our web site's Free Updates section regularly:**

http://www.examreview.net/free_updates.htm

Page Formatting and Typeface

To accommodate the needs of those with weaker vision, we use LARGER PRINT throughout the book whenever practical. The text in this book was created using Garamond (size 16). A little bit of page resizing, however, may have happened along the actual book printing process.

The CP Exam

According to the NALA, the Certified Paralegal Examination have five sections, which are:

- Communications
- Judgment and Analytical Ability
- Ethics
- Legal Research
- Substantive Law

We are NOT affiliated with NALA. We develop this study material based on our own interpretation of the exam requirements. Our material is therefore not endorsed by NALA.

The first 2 sections require essay answers. All others are MC based. The Substantive Law section further includes five parts. One is on the American Legal System which is required of all examinees while the other 4 parts are in practice areas of law and that may be selected by examinees.

This book covers Ethics, Legal Research, the American Legal System, Criminal Law and Substantive Law (Contract). When we develop our material we do not classify topics the official way. In fact, we follow our own flow of instructions which we think is more logical for the overall learning process. Don't worry, it does not hurt to do so, as long as you truly comprehend the material.

Table of Contents (2013 Revised Edition)

INTELLECTUAL PROPERTIES, TRADEMARKS AND COPYRIGHTS	1
CONTENTS UPDATE.....	2
PAGE FORMATTING AND TYPEFACE	2
THE CP EXAM.....	2
TABLE OF CONTENTS (2013 REVISED EDITION)	3
LEGAL RESEARCH	6
OVERVIEW	6
LEGAL FOUNDATIONS	8
CATEGORIES OF LAW	9
PRIMARY VS SECONDARY AUTHORITIES	9
STYLES OF JUSTICE	10
TOOLS	11
CONSTITUTIONS	13
	3

PROCEDURAL PROTECTIONS	14
LEGISLATIVE ENACTMENTS (STATUTES).....	14
CASE LAW	14
SUBSTANTIVE LAW AND PROCEDURAL LAW.....	16
LEGAL OPINIONS	16
LEGAL CITATION	16
CITING JUDICIAL OPINIONS.....	18
CITING CONSTITUTIONS AND STATUTES.....	19
CITING TREATY	20
CITING REGULATIONS	20
CITING COURT RULES, BOOKS AND JOURNAL WRITING	20
CITING ELECTRONIC RESOURCES	21
LEGAL ENCYCLOPEDIAS AND DIGESTS.....	21
CASE RESEARCH.....	22
CASE REPORTER	22
QUESTIONS.....	24
ANSWERS	26
ETHICS REVIEW	31
OVERVIEW	31
PROFESSIONAL RESPONSIBILITY AND LEGAL MALPRACTICE.....	32
RULES OF PROFESSIONAL CONDUCT	33
ETHICS IN ADVERTISING.....	34
WHAT CANNOT BE DONE BY A PARALEGAL?	35
CONFIDENTIALITY AND CONFLICTS OF INTERESTS.....	36
PROFESSIONAL INTEGRITY	38
ETHICAL ISSUES IN THE CLIENT-LAWYER RELATIONSHIP	39
PROFESSIONAL LIABILITY	42
QUESTIONS.....	43
ANSWERS	43
THE LEGAL SYSTEM.....	45
THE CONSTITUTION AND THE BRANCHES OF GOVERNMENT	45
THE COURT SYSTEM	47
CLASSIFICATIONS OF LAW.....	50
PROSECUTION.....	51
PROCEEDING AND APPEARANCE	51
DOCUMENTS AND RECORDS	52
ARRAIGNMENT.....	53
SCHEDULING A TRIAL.....	54
DURING AND AFTER TRIAL	55
JUDICIAL DECISION MAKING	57
THE APPELLATE PROCESS.....	58
QUESTIONS.....	60

ANSWERS	62
CRIMINAL LAW	66
ELEMENTS OF A CRIME	66
THE INTENT	68
PRE-TRIAL CONFERENCES	69
THEORIES AND METHODS OF CRIMINAL PUNISHMENT	70
THE USE OF FORCE	70
INTOXICATION AND INSANITY	73
HOMICIDE AND MANSLAUGHTER	73
LARCENY, ROBBERY, BURGLARY & TRESPASSING	74
TRAFFICKING VS KIDNAPPING	75
CRIME INVESTIGATION & INTERROGATION	76
CIVILIAN SEARCH, ARREST AND THE RELEVANT POLICE PROCEDURES	77
OFFENSIVE WEAPONS	78
FRAUDS	78
QUESTIONS	80
ANSWERS	81
BUSINESS CONTRACT LEGAL ELEMENTS	84
OVERVIEW	84
CAPACITY AND INSANITY	84
SOURCE OF LAW AND JURISDICTION	85
OFFER, ACCEPTANCE, AND INVITATION TO TREAT	87
CONSIDERATION	89
DISCHARGING OR INVALIDATING A CONTRACT	90
CONTRACTUAL MISTAKES	92
CONTRACT INTERPRETATION	93
BREACH OF CONTRACT AND POSSIBLE DEFENSES	94
DAMAGE RECOVERY	95
MEASURING DAMAGES	96
VOID CONTRACT, VOIDABLE CONTRACT, AND UNENFORCEABLE CONTRACT	98
MISREPRESENTATION AND MISTAKE OF FACTS	98
SETTING THE ORDER OF PRECEDENCE	99
ENTIRE AGREEMENT	99
INSPECTION AND ACCEPTANCE	99
QUESTIONS	103
ANSWERS	105