1. All of the following are functions of the body of a complaint, EXCEPT:

A. Giving notice

B. Revealing facts

C. Formulating a legal cause of action

D. Stating alternative dispute resolutions

2. Which of the following is true regarding the evaluation of evidence in an appeal?

A. New evidence can be introduced in an appeal case

B. An appeal can be based on the idea that the admission or exclusion of evidence in the trial altered the outcome of the trial

C. An appeal cannot be based on the idea that the admission or exclusion of evidence in the trial altered the outcome of the trial

D. Evidence cannot be re-introduced in an appeal

3. The burden of proof that is required for a finding of liability in a civil case is called:

A. Beyond a reasonable doubt

B. Clear and convincing

C. Substantial evidence

D. Preponderance of evidence

4. If, during a trial, an attorney wants to try to exclude certain evidence in a trial, the attorney should make a motion:

A. For summary judgment

B. In limine

C. To dismiss

D. For a directed verdict

5. A fee arrangement with defense counsel wherein defense counsel is paid a set fee for each part of litigation is called:

A. Flat fee

B. Phased fee

C. Hourly fee

D. Case fee

6. The form of discovery wherein one party to the lawsuit submits written questions to be answered by other parties to the lawsuit is called:

A. Request for admissions

B. Depositions

C. Interrogatories

D. Res ipsa loquitor

7. A motion that is filed prior to trial when the moving party believes that no material facts are in dispute is called a:

A. Motion for summary judgment

B. Motion to dismiss

C. Motion for directed verdict

D. Motion to preclude

8. Cross-claims and third-party complaints are usually heard:

A. Simultaneously with the original lawsuit

B. Before the original lawsuit

C. After the original lawsuit

D. Both are heard by a different court.

9. The “duty to defend is broader than its duty to pay damages” means:

A. The insurer may provide coverage, but may not pay damages.

B. The insurer may not provide coverage, but will pay damages.

C. The insurer may provide a defense, but may not pay the claim.

D. The insurer may not provide a defense, but may pay the claim.

10. The legal doctrine that states that lower courts must follow the precedents set by higher courts is called:

A. Stare decisis

B. An appellate decision

C. Estoppel

D. Strict liability