

NORTH CAROLINA CERTIFIED PARALEGAL EXAMINATION GUIDE

Paralegal Exam Structure

- Includes 125 multiple choice questions.
- Two 90-minute sessions with a 15-minute break in between.
- Testing will begin at 8:45am and finish at 12:30pm.
- Remote exam administration.

- No books - *This is a closed-book exam. All examinees are prohibited from using, consulting, engaging, or otherwise interacting with any outside resource during the exam. This includes, but is not limited to, mobile devices (including cell phones), tablets and computers (other than the one used to take the exam), books of any kind, notes, and/or other people.*

* Additional details pertaining to the examination application, administration, and purpose may be found on the website. (<https://www.nccertifiedparalegal.gov/for-paralegals/how-to-get-certified/examination/>)

References

Below is a complete list of all references which were used in the creation of the examination. This list refers to the current edition of each reference.

Textbooks:

1. *Black's Law Dictionary*, 6th Pocket Edition
2. *Introduction to Paralegal Studies*, 6th ed., Wolters Kluwer - by Katherine A. Currier and Thomas E. Eimmermann (2017)
3. *Law Office Technology: A Theory-Based Approach*, 9th ed., by Douglas Lusk, Cynthia Traina Donnes, J.D., M.A. (2023)
4. *Paralegal Today: The Legal Team at Work*, 8th ed., by Miller and Meinzingler (2021)

Online Resources:

5. North Carolina Administrative Code (reports.oah.state.nc.us/ncac.asp)
6. North Carolina General Statutes (ncleg.gov/Laws/GeneralStatutes)
7. North Carolina Judicial Branch (nccourts.gov)
8. North Carolina Office of Administrative Hearings (oah.nc.gov)
9. North Carolina Register (oah.nc.gov/documents/north-carolina-register?combine=&page=0)

10. North Carolina Rules of Professional Conduct (ncbar.gov/for-lawyers/ethics/rules-of-professional-conduct/)
11. North Carolina Secretary of State (sosnc.gov)
12. North Carolina State Bar Guidelines for Use of Paralegals in Rendering Legal Services (nccertifiedparalegal.gov/guidelines/guidelines-on-the-use-of-paralegals/)

Subject Matter

The examination tests the applicant's knowledge across various topics and paralegal skill sets, as outlined below:

| Topic Areas | Domains | Tasks |
|-------------------------------------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Administrative Law – Coming in June 2025 | Communication | 1. Collaborate with attorneys to prepare for legal proceedings or assigned tasks. |
| Civil Litigation | | 2. Interview clients or others to obtain information required for the assignment. |
| Commercial Law | | 3. Communicate with clients, witnesses, or other professionals to obtain information. |
| | Organization | 4. Provide information and timely periodic updates to the attorney or client. |
| Criminal Law | | 5. Adhere to ethical standards of the legal profession by complying with all guidelines to protect the public's interest. |
| Estate Planning and Admin. | | 1. Organize and maintain calendaring and practice or case management systems to provide efficiency and ensure deadlines are met. |
| | Documentation | 2. Organize and maintain document management system to ensure accuracy and efficiency in the delivery of legal services. |
| Ethics | | 3. Prioritizing assignments to ensure efficiency in the delivery of legal services. |
| Family Law | Analysis | 1. Draft and prepare documents and other written correspondence for attorney review, as required by the assignment. |
| Legal Research | | 2. Coordinate the proper execution of documents to ensure their validity. |
| | Research | 3. Draft and prepare form documents for use by attorneys and co-workers to enhance efficiency and maintain consistency. |
| Legal System | | 1. Evaluate and analyze information to determine what is relevant to the client's matter. |
| | | 2. Apply proper legal analysis to the facts to suggest possible courses of action for the attorney's consideration. |
| | | 3. Analyze the proposed courses of action with the attorney to determine whether any will lead to an acceptable outcome for the client. |
| | | 1. Determine the applicable sources of information required to complete the assignment. |

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| <p>Real Estate</p> <p>Technology</p> | | <p>2. Research primary and secondary authorities to find the law applicable to the assignment.</p> <p>3. Gather other information for the assignment by searching the Internet; computer-based engines; and local, county, state, federal, and international records as applicable.</p> |
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Below is a list of each topic area and a sampling of material that may be covered on the examination. This list is provided only for informational purposes and is not a comprehensive list. There may be questions under each topic area on the exam which are not included in the list below.

Administrative Law – Coming in June 2025

- Administrative law matter versus a trial court matter
- Agencies versus municipalities
- Purpose and powers of the Office of Administrative Hearings (OAH)
- Role of Administrative Law Judges (ALJ)
- Adopting and amending agency rules and regulations
- Differences between agency hearings and OAH hearings
- OAH hearing process
- Administrative Code
- North Carolina Register

Civil Litigation

- Types of civil actions and elements required (personal injury, breach of contract, etc.)
- Rules of Civil Procedure
- Rules of Evidence
- Statutes of limitation and other court deadlines
- Procedures for filing pleadings and motions with the court
- Service of process
- Answers and other responsive pleadings, including affirmative defenses
- Counterclaims, crossclaims, third-party, and intervenor actions
- Pre-trial, discovery, dispositive, trial, and post-trial motions
- Methods of discovery (interrogatories, requests for production of documents, requests for admission, inspections, depositions, expert disclosures, etc.)
- Trial preparation and procedures
- General understanding of the appellate process

Commercial Law

- Uniform Commercial Code (UCC) contents and application
- Secretary of State purpose and functions

- Differences between domestic and foreign corporations
- Different types of entities and ownership
- Formation of business entities
- Elements of a contract
- Contract negotiations

Criminal Law

- Rules of Criminal Procedure
- Rules of Evidence
- Classification, Types, and Elements of Crimes (felonies versus misdemeanors)
- Concept of criminal intent
- Pre-trial procedures and motions
- Statutes of limitation and other court deadlines
- Trial preparation and procedures
- General understanding of the appellate process

Estate Planning and Administration

- Procedures of estate planning and administration
- Elements and clauses in a valid will and trust
- Appointment of personal representatives/guardians
- Probate Process (intestate/testate)
- Clerk of Superior Court's role
- Property ownership/transfer in estates

Ethics

- Unauthorized practice of law (UPL)
- Rules of Professional Conduct
- Formal Ethics Opinions
- Attorney-client relationship
- Protecting confidential and personally identifiable information (PII)
- Requirements regarding paralegal communications
- Trust account activities and obligations
- Conflicts of interest
- Attorney/paralegal misconduct

Family Law

- Prenuptial Agreements
- Marriage requirements
- Absolute divorce
- Divorce from bed and board
- NC Child Support Guidelines
- Child custody orders
- Parental rights
- Domestic violence and protective orders
- Equitable distribution
- Alimony and post-separation support

Legal Research

- Primary versus secondary sources
- Mandatory versus persuasive authority
- Process of enacting legislation
- Case law
- Common law versus statutory law
- Memorandums of law and case briefs
- Online legal research applications
- Shepardizing

Legal Systems

- State court structure
- Jurisdiction
- Branches of state government and their powers
- Process of enacting bills
- Administrative Office of the Courts
- Office of Administrative Hearings

Real Estate

- Real versus personal property
- Types and limitations of property ownership
- Leases and landlord/tenant laws
- Residential real estate
- Easements/restrictive covenants/assessments
- Statute of frauds
- Condemnation/adverse possession
- Transfer of ownership
- Legal descriptions
- Liens affecting title
- Title search
- Title insurance
- Recording process
- Disbursements

Technology

- Law office systems – servers, networks, individual processors/laptops
- Case management versus document management systems
- Basic law office software – word processing, spreadsheets, presentations, PDFs
- Redaction methods
- Mail mergers and document assembly processes
- eCourts portals
- Internet security and compliance
- Wire fraud

Sample Questions

*(Please note that sample questions were taken from previous exams and are included only as a reference for types of questions and suggested answers. They are not intended for use as legal authority. **THESE QUESTIONS WILL NOT BE ON THE EXAM.**)*

1. Which would be considered a secondary source?
 - a. A North Carolina case
 - b. A North Carolina general statute
 - c. The North Carolina Constitution
 - d. A North Carolina law review article

How would you approach this question? Eliminate the choices that are primary sources: statutes, cases, and constitutions. A law review or law journal article is a secondary source. Thus, (d) is the correct answer.

2. A gift of personal property by will is called:
 - a. A bequest.
 - b. A devise.
 - c. An advancement.
 - d. A codicil.

A review of the definitions of these terms would reveal that (a) is the correct answer.

Disclaimer - All information on the examination provided above is subject to change without notice at the discretion of the North Carolina State Bar or the Board of Paralegal Certification.