**Testbank**

to accompany

**The new lawyer**

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by

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**Chapter 1 – The life of a lawyer**

**Multiple choice questions**

1. A myth about being a lawyer is?

@ See Chapter 1 ‘Myths about being a lawyer’.

\*a. Legal work is glamorous, exciting and financially rewarding

b. Legal professionals are expected to advise and advocate on behalf of individuals

c. Some problems can be challenging and complex

d. Depending on whether you are a solicitor or a barrister, the workload will be different

2. Why are communication skills important for lawyers?

@ See Chapter 1 ‘Lawyers give clear advice about complicated problems’.

\*a. To communicate effectively with clients from different backgrounds with different levels of expertise and knowledge

b. To prove to your clients your level of expertise

c. To impress clients

d. To teach legal rules and principles to clients

3. Why do lawyers need negation skills?

@ See Chapter 1 ‘Lawyers negotiators and advocates’.

a. To resolve legal disputes using discussion and compromise

b. It helps lawyers to represent the best interest of their clients

c. To get the best outcome for their clients by persuasion and advocacy

\*d. All of the options are correct

4. Day-to-day legal tasks of a solicitor include?

@ See Chapter 1 ‘Solicitors’.

\*a. Drafting documents, conducting legal negotiations and meeting with members of the public

b. Accepting briefs and providing specialised opinions

c. Providing legal advice and opinions on difficult legal questions

d. Drafting complex court documents

5. Barristers are trained legal professionals who?

@ See Chapter 1 ‘Barristers’.

a. Are typically self-employed

b. Take briefs from solicitors and, provide legal advice and opinions

c. Draft a range of legal documents

\*d. All of the options are correct

6. Identify work sectors that a legal graduate can choose to practice?

@ See Chapter 1 ‘Work Sectors’.

a. Public sector, private practice and in-house counsel

\*b. Private, public and community sectors

c. In-house Counsel, Legal Aid and Community legal centre

d. Community legal centre, judiciary and Legal Aid

7. What is a summer clerkship?

@ See Chapter 1 ‘Private Sector – private practice’.

\*a. Work experience opportunity usually available prior to commencing final year of law school

b. Unpaid work leading to full time employment

c. Paid work leading to full time employment at the completion of your final

 year

d. Any work opportunity undertaken during the summer break

8. Who is an in-house counsel?

@ See Chapter 1 ‘Private Sector – In-house counsel’.

a. A lawyer employed by a medium-sized law firm

\*b. A lawyer employed by a large organisation to provide all legal advice and representation on behalf of the organisation

c. A lawyer employed by a large law firm

d. All lawyers who are in private practice

9. What are some of the legal services provided by government lawyers?

@ See Chapter 1 ‘Public Sector – Government’.

a. Drafting legislation and meeting with other partners of the law firm

b. Development of legal policy and meeting members of the public on a regular

 basis

c. Negotiating on behalf of clients

\*d. Drafting of legislation and development of legal policy

10. Who appoints judges?

@ See Chapter 1 ‘Public Sector – Judiciary’.

\*a. Usually appointed by the State Governor on the advice of the relevant Attorney-General

b. The Queen

c. The Prime Minister

d. The Treasurer

11. Some of the specific services provided by community legal centres are?

@ See Chapter 1 ‘Community Sector – community legal centres’.

\*a. Free legal advice and referral and limited representation in special cases

b. Free meals and accommodation

c. Only limited representation in special cases

d. Free legal research service

12. What does the term ‘Alternative Dispute Resolution’ refer to?

@ See Chapter 1 ‘Community Sector – Alternative Dispute Resolution’.

a. The resolution of disputes using litigation

b. Litigation and mediation

\*c. The resolution of disputes using mediation, arbitration and conciliation

d. Litigation and conciliation

13. The key areas of academic practice are?

@ See Chapter 1 ‘Community Sector – Legal Academic’.

\*a. Research, teaching and service

b. Research, private practice and meeting students

c. Private practice and writing

d. Meeting students and travelling

14. Often law students work as paralegals in law firms, one of their tasks include?

@ See Chapter 1 ‘Community Sector – Paralegal’.

a. Providing comprehensive legal advice and opinion

b. Representing clients in court

\*c. Putting together briefing papers when a barrister is being briefed

d. Representing clients in tribunals

15. In order to qualify to practise law in Australia, you need to?

@ See Chapter 1 ‘Your legal education – ‘Legal education in Australia’.

a. Complete of a Bachelor of Laws degree (LLB)

b. Complete of a Juris Doctor degree (JD)

c. Complete of practical legal training (PLT)

\*d. Complete Bachelor of Laws degree (LLB) or a Juris Doctor degree (JD) and practical legal training

16. Where was the first law school in Australia established in 1855?

@ See Chapter 1 ‘A brief history of legal education’.

a. University of Melbourne

b. University of Queensland

c. University of Adelaide

\*d. University of Sydney

17. How were lawyers trained in Australia during the early 19th century?

@ See Chapter 1 ‘A brief history of legal education’.

a. By formal legal education

\*b. On-the-job training and guidance from experienced legal practitioners

c. By completing written assignments

d. By completing a written examination

18. A doctrinal approach to teaching and learning law is?

@ See Chapter 1 ‘A brief history of legal education’.

a. Learning about legal doctrine

b. Dividing the law into discrete subject areas

c. Identifying a set of principles for each subject area

\*d. All of the options are correct

19. According to the 1987 Pearce Report, a serious problem with Australian legal education at the time was?

@ See Chapter 1 ‘A brief history of legal education’.

\*a. ‘dreary’ programs

b. Over enthusiastic academic staff

c. Too theoretical

d. Too Practical

20. What is known as the Priestly 11?

@ See Chapter 1 ‘Contemporary legal education’.

a. Number of electives required to be completed by law students

\*b. Eleven subjects that must be covered by law students before admission as a lawyer

c. Number of law schools in Australia

d. Eleven subjects offered by all law schools

21. Identify which Threshold Learning Outcome (TLO) relates to thinking skills as set out in the Bachelor of Laws Learning and Teaching Academic Standards Statement published by the Australian Learning and Teaching Council?

@ See Chapter 1 ‘Contemporary legal education’.

a. TLO 1

b. TLO 2

\*c. TLO 3

d. TLO 4

22. According to the Bachelor of Laws Learning and Teaching Academic Standards Statement published by the Australian Learning and Teaching Council, what does Threshold Learning Outcome (TLO) 6 mean by ‘self-management’?

@ See Chapter 1 ‘Contemporary legal education’.

a. Law students are required to manage their time efficiently

b. Law students are required to work independently

\*c. Graduates of Bachelor of Laws will be able to reflect on and assess their own capabilities and performance

d. Immediately upon completion of Bachelor of Laws degree, graduates will be able to appear in complex court matters

23. The main difference between traditional and contemporary legal education is?

@ See Chapter 1 ‘Learn effectively’.

a. Contemporary legal education emphasises on legal doctrine

b. Traditional legal education involves the facilitation of effective learning

c. Contemporary legal education adopts a scientific approach to law

\*d. Contemporary teaching provides the opportunity for students to engage productively with subject matter

24. In a contemporary learning environment, what is most likely to happen?

@ See Chapter 1 ‘Learn effectively’.

\*a. The law teachers will provide material to facilitate your learning

b. Law students will receive knowledge by being attentive to their law teacher

c. Students will have to rely on other student’s summaries of the subject to prepare for exams

d. Students will be required to memorise the subject content

25. What does a deep learning approach adopted by effective learners involve?

@ See Chapter 1 ‘Learn effectively’.

a. Examine arguments critically

b. Question the assumptions on which they are based

c. Relate them to previous knowledge and understanding

\*d. All of the options are correct

26. What is an exam tip?

@ See Chapter 1 ‘Learn effectively’.

a. Exam preparation starts the day before the exam

b. Simply read through your notes

\*c. Get a good night’s sleep the day before the exam

d. Don’t read the examination instructions

27. As much as receiving a practical context to understand the realities of legal practice, getting work experience is beneficial for?

@ See Chapter 1 ‘Get Work experience’.

\*a. Gaining skills such a collaboration, communication and working with a client

 focus

b. Successfully completing your legal studies

c. Gaining all your practical legal training skills

d. Getting to know clients

28. What is the benefit of volunteering at a community legal centre?

@ See Chapter 1 ‘volunteer’.

a. You will be the first in your class to gain employment

\*b. It enhances your CV and sends a strong message of your commitment to law

 and justice

c. The ability to obtain employment immediately upon completing Bachelor of

 Laws

d. The community will benefit from knowing you

29. A reward of getting involved in law school mooting is?

 @ See Chapter 1 ‘compete’.

a. You get more marks for extra activities

b. You don’t have to spend as much time on completing your subject tasks

\*c. Adds another dimension to your law school experience

d. It makes no difference

30. Law students can enhance their learning experience by getting involved or taking advantage of?

@ See Chapter 1 ‘Get involved’.

a. Being an active member of your study body

b. Holding an office in a student association

c. Attending events organised by students associations

\*d. All of the options are correct

31. Your professional identity as a lawyer also include?

@ See Chapter 1 ‘What is a professional identity’.

\*a. Your self-concept as a member of the legal profession

b. Making more money

c. Adhering only to your own ethical standards

d. Putting your interest before others’

32. Which of the following best explains why legal education plays a significant role in the development of students’ professional identities?

@ See Chapter 1 ‘The importance of a positive professional identity’.

\*a. In the first year, students’ personal and professional identities are adaptable

b. Formative years at law school are not relevant

c. There is no connection between student life and professional identity

d. Law students are taught how to be lawyers

33. One ethical requirement which can assist in developing an ethical identity at law school is?

@ See Chapter 1 ‘The importance of a positive professional identity’.

\*a. Ensuring that you don’t commit plagiarism in your academic writing

b. Ensuring you vote at the student council meetings

c. Reading texts on ethical requirements

d. By copying your friend’s answer

34. When you use other people’s words, ideas, research findings or information in your work, what must you do?

@ See Chapter 1 ‘Academic integrity’.

a. It’s your own work because you completed your task

b. Paraphrase and the work will be your own work

\*c. Acknowledge all sources

d. Acknowledge some of the sources

35. What is plagiarism?

@ See Chapter 1 ‘Academic integrity’.

a. Paraphrasing a passage and including reference

b. Acknowledging all sources in your written work

c. Displaying academic integrity

\*d. Stealing other’s ideas, expressions, language and thoughts and, falsely holding as yours

36. What are two important criteria for admission as a lawyer in Australia that could adversely be affected, if you were found to have committed plagiarism at university?

@ See Chapter 1 ‘Academic integrity’.

\*a. Fit and proper person and of good fame and character

b. Active with proper manners

c. Famous and active

d. Person of good character and active

37. Why is maintaining a ‘fit and proper person to be admitted’ and ‘of good fame and character’ important for law students?

@ See Chapter 1 ‘Academic integrity’.

\*a. if you are found guilty of plagiarism, you are most likely to fail the ‘fit and proper person’ criteria and be refused admission as a lawyer

b. It helps you gain employment upon completion of the Bachelor of Laws

 degree

c. You will be able to get elected to the student union

d. You will earn more money as a lawyer

38. While plagiarism is the act of using another person’s work without appropriate acknowledgement, plagiarism can be committed?

@ See Chapter 1 ‘Avoiding plagiarism when conducting legal research’.

\*a. Even if you did not intend to do so

b. When you include reference for all your direct quotes

c. When you paraphrase and include all reference

d. When you use someone’s idea and acknowledge the original author

39. Why is using another student’s assistance to complete your own assignment referred to as ‘collusion’?

@ See Chapter 1 ‘Avoiding plagiarism when conducting legal research’.

\*a. Because you have completed the assignment in collaboration with another student and submitted as your own independent work

b. Because you completed a group assignment with specific instructions from the law teacher

c. Collusion is not plagiarism

d. Because you have used your study time wisely

40. How can plagiarism be avoided?

@ See Chapter 1 ‘Avoiding plagiarism when conducting legal research’.

a. Use your own words to express someone’s ideas but always include a

 reference

b. Directly quote by placing it in quotation marks and include a reference

c. Summarise the ideas of another and include a reference

\*d. All of the options are correct