

Addendum: Certified Paralegal Exam Fundamentals 1st Edition, Version 2

Revision [1.8]:

Page [6]

Constitutions Section

The last sentence on page should read: The incorporation process has evolved under a process of “selective incorporation” where the United States Supreme Court has incorporated parts of certain amendments as cases arise, rather than incorporating an entire amendment at once.

Page [9]

Bullet point number 13 – should read.

To exercise exclusive **jurisdiction** in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

Page [71]

Question 7 – Should read.

7. This motion asks the court to enter judgment as a matter of law if the moving party proves there is no genuine dispute as to any material fact and is entitled to the relief requested.

- a. Motion for directed verdict
- b. Motion in limine
- c. Motion to show cause
- d. Motion for summary judgment

Page 375 – Answer

7. D. Motion for summary judgment

Page [121]

2nd bullet point should read.

“A single-member LLC will be considered a disregarded tax entity for federal tax purposes (in which case it is treated as a pass-through conduit such as a sole proprietorship), unless it elects to be classified as an association (**also known as corporation**).”

Page [133]

Question Number 21 option b. should read.

b. Single member LLC is taxed as a sole proprietorship

Page [152]

First sentence under Homicide should read.

Common law murder is the unlawful killing of a human being with malice **aforethought**.

Page [177]

3rd paragraph, second sentence under Initial Appearance – Arraignment should read.

A defendant charged with a **federal felony** may only be tried pursuant to a grand jury indictment.

Page [217]

Question 6 should read.

The deadline to file IRS Form 706 to report the **Generation-Skipping** Tax is due:

Page [218]

Question Number 11 – please ignore, removed from textbook.

Pages [370] & [372]

States that you must use all statutes in the Skills section of the exam (the essay). This is not correct. You do not need to use all statutes. In the essay, only **relevant** statutes need to be applied.

Page [375]

Question Number 23 (Chapter 1 – United States Legal System) should read.

23. **D. Exceeds \$75,000.** Federal court jurisdiction is limited to cases provided for by the Constitution or specifically authorized by Congress. This includes cases between citizens from different states when the amount in controversy exceeds \$75,000, which is referred to as “diversity” jurisdiction.

Page [377]

Question Number 2 (Chapter 4 – Corporate/Commercial Law) should read.

2. **B. Not timely filing tax returns.** The remaining answers are typically reasons why a court may determine that the corporate veil has been pierced.

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Practice Questions Answer Key - Chapter 4: Corporate and Commercial Law
Question 21 option b. should read

b. Single member LLC is taxed as a sole proprietorship

Page [381]

Practice Questions Answer Key – Chapter 6: Estate Planning and Probate
Question 4 should read

4. **A. An advanced care directive.** An advanced health care directive allows someone to express their desires and preferences of medical and life support decisions, including donations of organs and designation of primary physician.

Page [383]

Practice Questions Answer Key - Chapter 8: Torts
Question 2 should read

2. B. Preponderance of the Evidence. Beyond a reasonable doubt is the burden for a criminal case. Clear and convincing required 70-75% confidence that the facts support the decision. Conclusive is just a random word meaning serving to prove a case.

Page [384]

Question Number 6 (Chapter 8 – Torts) should read.

A. Falsely posting on Facebook that John robbed a bank.

B, C, and D are all examples of slander.

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