

May/June 2020

PAR1501

INTRODUCTION TO PARALEGAL STUDIES

100 Marks
Duration: 2 hours

INSTRUCTIONS FOR A FULL MCQ EXAM WITH ASSESSMENT INFO TOOL ON MYUNISA

1. The examination is consists of **Multiple-Choice Question types only**.
2. The examination question paper counts **100 marks** and consists of **50 Multiple-Choice Questions each worth 2 marks**. Answer all of the questions.
3. The duration of the examination is **2 hours**. You will be allowed a further **thirty (30) minutes after the conclusion** of the official examination period to upload your examination responses (answers) onto the myUnisa platform for further processing.
4. This is a **closed-book examination**. While the examination is in progress, you are not allowed to consult another person or any source in order to assist you to answer any of the questions contained in this question paper. You may also not assist another student in answering any of the questions contained in this question paper.
5. The answers to this MCQ examination may only be submitted online on myUnisa. **The Unisa MCQ App cannot be used for examination submissions.**
- 5.1 Access myUnisa at <https://my.unisa.ac.za/portal> and login using your **student number** and myUnisa **password**.
- 5.2 Click on the **“myAdmin”** tab in the top navigation
- 5.3 In the **“Assessments”** submenu, click on the **“Assessment Info”** tool in the drop-down list
 - A list of all available assessments will display
 - Find the corresponding examination assessment number for your module
 - Click on the **Submit** link in the Action column and follow the steps described below.

Step 1: Enter the total number of questions required for the assessment.

 - Enter the total number of questions for your assessment in the **Number of Questions** field
 - Click on the **Continue** button.

Step 2: Fill out multiple-choice question answers

The number of questions requested in the previous step will now be displayed with five answer options next to each one. Please note that each row represents a question in your assignment.

- Click on the **radio button** [the small circle] that corresponds to your answer for that question.
- Click on the **Continue** button to move to step 3.
- If you want to restart the assignment, click on **Clear Form** to remove all your selections and start from new.

Step 3: Verify the answers to your multiple-choice assignment

This screen presents a summary of all your answers. Use it as a final check.

- Click on the **Continue** button to submit your assignment. If you do not click Continue, no submission action will take place.
- If you want to redo the answers to the assignment, click **Back** to go back to the previous step.

Step 4: Assessment submission report

This is your proof that your examination answers were successfully submitted. If you do not see this screen, Unisa has not received your submission.

It is advisable to print this page or make a screen capture for record purposes. A copy of this page will also be emailed to your myLife email account.

PLEASE NOTE:

If you experience technical problems, of any kind, on the day of the examination and your examination answers are not submitted by the cut-off time, you will be marked as absent and automatically deferred to the October/November 2020 examination. No other type of submission of your examination answers will be accepted.

SECTION A

This section consists of multiple-choice questions. Choose only ONE correct answer for each question.

QUESTION 1

Complete the sentence by filling in the CORRECT statement:

A paralegal _____

1. has a law degree.
2. is a legal professional.
3. has informal legal training.
4. specialises in court work.

QUESTION 2

Indicate the CORRECT statement:

The following is true of the definition of a paralegal:

1. The term paralegal has a uniform definition contained in the African Charter.
2. The term paralegal is comprehensively defined in the South African Constitution.
3. The definition of the term paralegal can be deduced from current South African legislation.
4. There is no agreement on what a paralegal is and thus no universally accepted definition of the term exists.

QUESTION 3

Indicate the CORRECT statement:

Paralegals play an important role in society because they

1. specialise in court work just like advocates.
2. are less expensive than legal professionals.
3. resolve disputes through formal legal procedures.

4. have the right to appear in the High Court.

QUESTION 4

Indicate the CORRECT statement:

Paralegals who work in law firms are responsible for

1. instructing advocates on legal matters.
2. instructing attorneys on legal matters.
3. preparing simple general legal documents.
4. representing clients in the Constitutional Court.

QUESTION 5

Indicate the CORRECT statement:

Negotiation takes place when

1. two or more people who are in conflict meet with each other and attempt to resolve conflict.
2. two disputing parties agree to ask a third person to help them to resolve a dispute between them.
3. two or more disputing parties request a third person to act like a judge and resolve a dispute for them.
4. two or more parties in a dispute request either a mediator or an arbitrator to resolve their dispute.

QUESTION 6

Indicate the CORRECT statement:

It is generally argued that paralegals should enjoy formal recognition

1. because they possess a legal qualification and are therefore legal professionals.
2. because minimum standards for the training of paralegals and paralegal practice must be established.
3. because they specialise in court work.

4. in order to ensure that paralegals charge the same rates as other legal professionals.

QUESTION 7

Indicate the CORRECT statement:

When conducting an interview, a paralegal is encouraged to speak to a client in

1. the language that the paralegal speaks fluently.
2. a universal language, namely, English.
3. the client's own language.
4. the language in which the paralegal was trained.

QUESTION 8

Indicate the INCORRECT statement:

Mediation is not suited to all disputes. It may however be used to resolve disputes relating to

1. consumer complaints.
2. criminal cases.
3. labour matters.
4. divorce matters.

QUESTION 9

Indicate the CORRECT statement:

During a mediation process

1. a mediator acts as a representative of one of the parties.
2. an arbitrator acts as a representative of one of the parties.
3. a mediator must remain objective and neutral.
4. a mediator makes a final and binding ruling on the matter.

QUESTION 10

Indicate the INCORRECT statement:

The following are characteristics of a paralegal:

1. A paralegal has a basic knowledge of the law.
2. A paralegal can be employed at a law firm.
3. A paralegal can work at a community centre.
4. A paralegal is a legal professional.

QUESTION 11

Indicate the CORRECT statement:

“Income” refers to

1. monies paid.
2. income minus expenses.
3. monies received.
4. an organisation’s trust fund.

QUESTION 12

Indicate the CORRECT statement:

Legal Aid South Africa is an example of a

1. corporate institution.
2. government organisation.
3. labour law consultancy.
4. community-based organisation.

QUESTION 13

Indicate the INCORRECT statement:

The NCBPA has the following objectives:

1. the development of uniform standards and training for paralegals.
2. the development of legal professionals to serve as arbitrators.
3. human rights education of the greater public.
4. the development of a code of ethics for paralegals.

QUESTION 14

Indicate the INCORRECT statement:

The following training methods can be used when working with a large group of people at a workshop:

1. Lectures.
2. Debates.
3. Wheels.
4. Go-arounds.

QUESTION 15

Indicate the CORRECT statement:

One of the methods that can be used when participants at a workshop are introduced to each other is:

1. Role-play.
2. Play.
3. Case studies.
4. Icebreakers.

QUESTION 16

Indicate the CORRECT statement:

You are attending a workshop on family violence. Without prior notice, the presenter asks you to pretend that you are a paralegal providing advice to a victim of family violence. Your friend is asked to act as the family violence victim. This training method is referred to as a...

1. case study.
2. play.
3. debate.
4. role-play.

QUESTION 17

Indicate the CORRECT statement:

An attorney

1. has a basic knowledge of the law.
2. specialises in court work.
3. works at a community centre.
4. works directly with clients at a law firm.

QUESTION 18

Indicate the CORRECT statement:

A person who is qualified through education, training or work experience to perform legal, social welfare or related work, which requires basic knowledge of the law, is known as a

1. lawyer.
2. paralegal.
3. mediator.
4. arbitrator.

QUESTION 19

Indicate the INCORRECT statement:

The advantages of paralegals are that they are:

1. skilled in resolving disputes without resorting to formal legal processes.
2. situated in areas where there is a need for basic legal advice.

3. from outside the community they serve.
4. more approachable than legal professionals.

QUESTION 20

Indicate the INCORRECT statement:

When referring a matter to an attorney, a paralegal must:

1. understand the legal problem involved.
2. obtain all the necessary information before referring the case to the attorney.
3. explain to the client that the case is referred to an attorney and what action will be taken by the attorney.
4. consider the referred matter as finalised and not follow it up further with the attorney.

QUESTION 21

Indicate the CORRECT statement:

A person who has a law degree and works directly with a client is known as an

1. advocate.
2. interpreter.
3. attorney.
4. arbiter.

QUESTION 22

Indicate the CORRECT statement:

Paralegals employed in law firms may perform the following duties:

1. appear in divorce proceedings.
2. represent clients in magistrates' courts.
3. monitor cases.

4. brief advocates.

QUESTION 23

Indicate the CORRECT statement:

Which one of the following statements is most clear in ensuring that a member of the public does not confuse a paralegal with a legal professional?

1. I am a legal assistant.
2. I am not a legal assistant.
3. I am a paralegal.
4. I am not a lawyer.

QUESTION 24

Indicate the INCORRECT statement:

Training material can include the following:

1. pamphlets, booklets and handouts
2. images, diagrams, charts, newspaper and magazine clippings, quotes and maps
3. Twitter, Facebook and Instagram
4. textbooks, notes and training manuals

QUESTION 25

Indicate the INCORRECT statement:

The following guidelines should be followed when using written training material:

1. Use short and simple sentences in plain language.
2. Use bullet points, numbering and headings – avoid long, tedious paragraphs and discussions.
3. Include images, diagrams, graphs and charts where possible.
4. Include newspapers, social media and mobile data.

SECTION B

In this section, you must indicate whether a statement is TRUE or FALSE.

QUESTION 26

Paralegals play an important role in the implementation of the values and provisions contained in the Constitution.

1. TRUE
2. FALSE

QUESTION 27

In terms of the Constitution paralegals have the discretion to act outside their mandate or instructions.

1. TRUE
2. FALSE

QUESTION 28

An affidavit or sworn statement is a document in which the person making the statement swears that the facts contained in the statement are true.

1. TRUE
2. FALSE

QUESTION 29

“Wheels” is one of the training methods that a facilitator can use at a workshop.

1. TRUE
2. FALSE

QUESTION 30

Floating is a reporting method that can be used during a workshop.

1. TRUE
2. FALSE

QUESTION 31

It is important for a paralegal to remember to issue a receipt after receiving money.

1. TRUE
2. FALSE

QUESTION 32

Section 35 of the Constitution provides for the right to privacy.

1. TRUE
2. FALSE

QUESTION 33

Paralegals may not under any circumstances act outside their mandate or instructions.

1. TRUE
2. FALSE

QUESTION 34

Once a paralegal has referred his/her client to the relevant agency or organisation, he/she is no longer involved in the case at all.

1. TRUE
2. FALSE

QUESTION 35

A sworn statement or affidavit must be signed before a Commissioner of Oaths.

1. TRUE
2. FALSE

QUESTION 36

During a mediation process, a mediator acts as a judge.

- 1. TRUE
- 2. FALSE

QUESTION 37

During an arbitration process, an arbitrator acts a facilitator, and does not make a final decision on the matter.

- 1. TRUE
- 2. FALSE

QUESTION 38

Section 9 of the Constitution of the Republic of South Africa, 1996 makes provision for the right to legal presentation.

- 1. TRUE
- 2. FALSE

QUESTION 39

In order to work as a paralegal, one must have a law degree.

- 1. TRUE
- 2. FALSE

QUESTION 40

The Legal Aid Board is funded by the government and employs paralegals to work in their justice centres.

- 1. TRUE
- 2. FALSE

QUESTION 41

Law clinics provide back-up legal services for paralegal advice offices situated in urban communities with wealthy inhabitants.

1. TRUE
2. FALSE

QUESTION 42

As a paralegal, you should *only* be able to communicate with a client who seeks advice.

1. TRUE
2. FALSE

QUESTION 43

A description of the legal problem must be provided on the instruction sheet of the file.

1. TRUE
2. FALSE

QUESTION 44

Petty cash is used to make small cash payments.

1. TRUE
2. FALSE

QUESTION 45

When using written training materials, it is not important for participants to read and understand these materials.

1. TRUE
2. FALSE

QUESTION 46

The more people participate in a workshop, the more likely it is that they will understand and remember the principles taught.

- 1. TRUE
- 2. FALSE

QUESTION 47

A deposit slip must be filled in at the bank so that the bank pays the money into the correct account.

- 1. TRUE
- 2. FALSE

QUESTION 48

The NPI is a voluntary association representing South African paralegals and their training organisations.

- 1. TRUE
- 2. FALSE

QUESTION 49

Section 9 of the Constitution provides for the right to “equality before the law and the right to equal protection and benefit of the law”.

- 1. TRUE
- 2. FALSE

QUESTION 50

Generally, paralegals receive two kinds of training, namely, social media training and LLB training.

- 1. TRUE
- 2. FALSE

TOTAL: 50 X 2 = 100 marks