BAR EXAM MNEMONICS PRACTICE TEST (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

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How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

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Questions

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1. What is required for the duress defense?

A. Threat to a coworker

B. The threat to the defendant or a close family member

C. Threat to property

D. Threat to someone else

2. Which of the following is NOT categorized as a form of homicide under the VAC framework in NY?

A. Vehicular Homicide

B. Vehicular Assault

C. Criminally Negligent Homicide

D. Kidnapping

3. NY murder is defined as which of the following?

A. When a person, with intent to cause death of another, causes the death of such a person or a 3rd party.

B. Murder requires only recklessness.

C. Murder can be by negligent act.

D. Murder is defined as killing during the commission of a felony.

4. Procedural Due Process is described as requiring a fair hearing under which amendment?

A. The First Amendment

B. 8th Amendment

C. 5th Amendment

D. 14th Amendment

5. For a release to be enforceable, the release must be

A. In writing and supported by new consideration or promissory estoppel.

B. Oral and signed by both parties.

C. Only a handshake is sufficient.

D. Notarized and sealed.

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6. Mutuality of remedy is a prerequisite for specific performance. Which statement best describes it?

A. Both parties must have a remedy available

B. Only plaintiff must have a remedy

C. The contract must be in writing

D. The consideration must be adequate

7. When attachment is levied on personal property, to whom is the levy given?

A. The sheriff

B. The court

C. The holder of the property

D. The plaintiff

8. Which statute governs Domestic Relations in New York?

A. DRL

B. NY Penal Law

C. CPL

D. BCL

9. Which option is NOT an aggravating factor for NY murder?

A. Terrorism.

B. Torture.

C. Lack of Remorse.

D. Serial Murder.

10. Which statements are true about filing a Notice of Pendency?

A. Filing with the county clerk and service within 30 days; does not require court order or bond

B. Requires a court order and a bond

C. Does not require filing with the county clerk

D. Service must occur within 60 days and requires a bond

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Answers

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1. B
2. D
3. A
4. B
5. A
6. B
7. C
8. A
9. C
10. A

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Explanations

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1. What is required for the duress defense?

A. Threat to a coworker

B. The threat to the defendant or a close family member

C. Threat to property

D. Threat to someone else

Duress is a defense grounded in an imminent threat of serious harm that pushes the defendant to commit a crime they otherwise wouldn't. The critical element is that the threat must be directed at the defendant or at someone with whom the defendant has a close, typically familial, relationship. Threats to a coworker or to property don't involve personal harm to the defendant or a family member, and a threat to someone else who isn't a close family member doesn't meet the relationship requirement. Because the defense is about protecting the defendant or a close family member from imminent harm, the scenario in which the threat targets the defendant or a close family member is the one that fits.

2. Which of the following is NOT categorized as a form of homicide under the VAC framework in NY?

A. Vehicular Homicide

B. Vehicular Assault

C. Criminally Negligent Homicide

D. Kidnapping

Under NY's VAC framework, the emphasis is on crimes tied to death or the risk of death that arise from vehicular activity or criminally negligent conduct. Vehicular Homicide fits because it involves death resulting from a vehicle. Vehicular Assault fits because it involves serious harm caused by a vehicle. Criminally Negligent Homicide fits because it covers death caused by a criminally negligent act. Kidnapping, however, is about unlawful confinement or abduction and does not inherently involve death, so it does not fall under the homicide categories the VAC framework covers. Therefore, Kidnapping is the option that is not categorized as a form of homicide under VAC.

3. NY murder is defined as which of the following?

A. When a person, with intent to cause death of another, causes the death of such a person or a 3rd party.

B. Murder requires only recklessness.

C. Murder can be by negligent act.

D. Murder is defined as killing during the commission of a felony.

The main idea here is that murder in New York requires malice in the form of an intent to kill, with causation of death. The mental state is purposefully aiming to end another person's life, not merely acting with recklessness or negligence. When someone acts with that intent and their action actually causes someone's death—even if the person who dies isn't the intended target but a third party—the crime fits the definition of murder. This is why the option describing an intentional act to cause death that results in the death of the intended person or a bystander best captures the essential element. Murder is not satisfied by recklessness or negligence, which describe lesser offenses such as manslaughter. And while there is a felony-murder rule that can hold someone liable for murder if a death occurs during the commission of a felony, that doctrine is separate from the basic definition of murder and does not define murder on its own.

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4. Procedural Due Process is described as requiring a fair hearing under which amendment?

A. The First Amendment

B. 8th Amendment

C. 5th Amendment

D. 14th Amendment

Procedural due process centers on giving a person a fair opportunity to be heard before the government deprives them of life, liberty, or property. That fairness is guaranteed by the Due Process Clauses. When the government acts at the state level, the Fourteenth Amendment makes that essential hearing requirement explicit. The Fifth Amendment provides the same protective framework for federal actions. Because the question focuses on the hearing requirement in the context of state action, the Fourteenth Amendment is the reference most aligned with procedural due process. The other amendments listed don't establish this procedural hearing requirement: the First Amendment protects freedoms like speech and religion, the Eighth addresses cruel and unusual punishment, and the Fifth covers due process for federal actions but not the state-action scope highlighted here.

5. For a release to be enforceable, the release must be

A. In writing and supported by new consideration or promissory estoppel.

B. Oral and signed by both parties.

C. Only a handshake is sufficient.

D. Notarized and sealed.

A release is a contract in which one party gives up a claim against another, so its enforceability follows standard contract formation rules. To be enforceable, the release must be in writing and supported by some form of consideration. Writing helps prove the agreement and, for many claims, satisfies the statute of frauds. New consideration means there's something of value being exchanged beyond the mere wish to settle the dispute—often a payment, a change in rights, or some other inducement attached to the release. If there's no new consideration, the release may not be enforceable unless a court finds promissory estoppel applies—where one party relies on the release to their detriment and that reliance is sufficient to enforce the promise despite lack of new consideration. Notarization or sealing isn't required to make a release enforceable, and a simple handshake typically isn't enough because it usually lacks both a written record and the necessary consideration or reliance that would support enforceability. That's why the best statement is that a release must be in writing and supported by new consideration or by promissory estoppel.

6. Mutuality of remedy is a prerequisite for specific performance. Which statement best describes it?

A. Both parties must have a remedy available

B. Only plaintiff must have a remedy

C. The contract must be in writing

D. The consideration must be adequate

Specific performance is an equitable remedy that foundations its availability on having a valid path to relief for the party seeking enforcement. The idea of mutuality of remedy means the court will not order this remedy unless there is a suitable way for the plaintiff to obtain relief if the other side breaches. In practice, what matters is that the plaintiff has a remedy to enforce the contract; the defendant's own potential remedy isn't the gating factor. If damages would be adequate, or if the contract isn't sufficiently reciprocal in its relief structure, specific performance might be denied. The key point is that the plaintiff must have a workable remedy to rely on, while the defendant's ability to seek relief isn't the controlling requirement. The contract being in writing or the adequacy of consideration isn't what determines specific performance here.

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7. When attachment is levied on personal property, to whom is the levy given?

A. The sheriff

B. The court

C. The holder of the property

D. The plaintiff

The levy is directed at the person who has possession or custody of the property—the holder. When attachment is levied on personal property, the officer enforcement reaches the property in the holder's hands, not the court or the plaintiff, and not the sheriff as a recipient. The sheriff carries out the levy, but the actual target of the levy is the holder who possesses the property, so that the property can be seized or restrained for later satisfaction of the judgment.

8. Which statute governs Domestic Relations in New York?

A. DRL

B. NY Penal Law

C. CPL

D. BCL

The statute that governs Domestic Relations in New York is the Domestic Relations Law, which is part of the New York Consolidated Laws and directly covers family-law matters such as marriage, divorce and separation, child custody and visitation, child support, spousal support, paternity, and adoption. This area is distinct from other bodies of law: the NY Penal Law sets crimes and penalties, the Criminal Procedure Law (CPL) governs the process in criminal cases, and the Business Corporation Law (BCL) governs corporate matters. So, for issues involving families and related court procedures in New York, the DRL is the applicable statute.

9. Which option is NOT an aggravating factor for NY murder?

A. Terrorism.

B. Torture.

C. Lack of Remorse.

D. Serial Murder.

Aggravating factors are specific circumstances defined by statute that make a murder offense more severe and can lead to harsher penalties. In New York, factors like terrorism, torture, or serial murder show extreme brutality, scale, or deliberate planning, so they clearly qualify as aggravators that elevate the seriousness of the crime. Lack of remorse, on the other hand, isn't a statutory aggravating factor. It relates to the defendant's attitude rather than the conduct that the law treats as elevating the offense. While a court might consider remorse (or the lack of it) in weighing penalties, it is typically viewed as a mitigating or non-statutory factor, not something that by itself upgrades the crime under the aggravating-factor framework. That's why this option is the one that does not fit as an aggravating factor.

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10. Which statements are true about filing a Notice of Pendency?

A. Filing with the county clerk and service within 30 days; does not require court order or bond

B. Requires a court order and a bond

C. Does not require filing with the county clerk

D. Service must occur within 60 days and requires a bond

A Notice of Pendency alerts anyone dealing with the property that a lawsuit affecting the title is pending, so they proceed with caution about transfers or encumbrances. For it to be effective, it must be filed with the county clerk where the property sits, placing the notice on public record. After filing, a copy must be served on all parties to the action within 30 days. This timing is crucial because the pendency attaches to the property as long as the notice is properly filed and timely served. Importantly, filing does not require a court order, and a bond is not required as part of the standard filing itself. The court can impose or lift conditions in particular circumstances, but those are not part of the basic filing requirements.

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Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

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We wish you the very best on your exam journey. You've got this!

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