

ALA Civil Procedure and Constitutional Law Practice Exam (Sample)

Study Guide



Everything you need from our exam experts!

Copyright © 2026 by Examzify - A Kaluba Technologies Inc. product.

ALL RIGHTS RESERVED.

No part of this book may be reproduced or transferred in any form or by any means, graphic, electronic, or mechanical, including photocopying, recording, web distribution, taping, or by any information storage retrieval system, without the written permission of the author.

Notice: Examzify makes every reasonable effort to obtain accurate, complete, and timely information about this product from reliable sources.

SAMPLE

Table of Contents

Copyright	1
Table of Contents	2
Introduction	3
How to Use This Guide	4
Questions	5
Answers	10
Explanations	12
Next Steps	18

SAMPLE

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.

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!

Questions

SAMPLE

- 1. A class action involving a single named plaintiff from State A and defendants from States B and C asserts a federal question and more than \$75,000 in controversy. The named plaintiff's state is different from the defendants' states. What is the likely outcome?**
 - A. The case cannot be removed to federal court**
 - B. The case may be removed to federal court solely on the basis of federal question and diversity**
 - C. Diversity must be proven for removal, regardless of the federal question claim**
 - D. Removal is only possible under CAFA rules**

- 2. Construction grants can be made toward the cost of physical plant at private colleges and universities, provided that no part of the grant is used for buildings in which religious instruction is offered. Is this program constitutional?**
 - A. Constitutional.**
 - B. Unconstitutional because it fails to respect the separation between church and state.**
 - C. Constitutional only if funds are used for secular purposes and the recipient agrees to that use.**
 - D. Constitutional only if the funds are supervised to prevent religious use.**

- 3. To exercise personal jurisdiction over a nonresident defendant, which concept is essential?**
 - A. The defendant must be domiciled in the forum state.**
 - B. The defendant must have minimum contacts with the forum state.**
 - C. The defendant must be physically present in the forum at all times.**
 - D. The plaintiff must reside in the same forum state.**

- 4. A federal statute requires retirement at age 75 for civil service employees, but age 65 for armed forces civil service employees. A 65-year-old federal employee seeks to block retirement at 65. The strongest argument is that the law:**
- A. denies him a privilege or immunity of national citizenship**
 - B. deprives him of a property right without just compensation**
 - C. is not within the scope of any enumerated powers of Congress in Article I, Section 8**
 - D. invidiously discriminates on the basis of age in violation of the Fifth Amendment**
- 5. A candidate for mayor sues to strike down a five-year residency requirement and to be placed on a primary ballot; The defendant is the party chair but not election officials; The issue is ripe. The correct conclusion is:**
- A. There is no case or controversy because the candidate lacks standing.**
 - B. The qualifications of an elected official present a substantial federal question.**
 - C. The court may reach the merits because the residency requirement denies equal protection.**
 - D. Federal courts may modify the state law by finding substantial compliance.**
- 6. A defendant who contracts with a resident of the forum to perform services in the forum may be subject to personal jurisdiction based on what principle?**
- A. The defendant's distant business activities are irrelevant to forum contacts.**
 - B. The defendant has purposefully availed itself of the forum by contracting for services in the forum.**
 - C. Personal jurisdiction requires actual presence in the forum for the entire contract term.**
 - D. Personal jurisdiction cannot be based on contract unless the defendant signed a forum-specific agreement.**

- 7. What two factors traditionally determine ripeness of a federal case?**
- A. Standing and finality.**
 - B. Fitness of the issues and hardship to the parties.**
 - C. Mootness and admissibility.**
 - D. Jurisdiction and finality.**
- 8. A private school in a state accrediting system admits only Caucasians. The state accredits, licenses teachers, and provides secular textbooks. A private plaintiff sues challenging the admissions policy. Which argument is strongest against the school's discriminatory admissions policy?**
- A. Because education is a public function, the school may not discriminate on racial grounds.**
 - B. The state's involvement is not sufficient to trigger equal protection.**
 - C. The state's substantial involvement in regulation and funding makes the school's discrimination unconstitutional under the Fourteenth Amendment.**
 - D. Licensing alone forbids discrimination.**
- 9. What is the basic aim of the Erie doctrine in diversity cases?**
- A. To require federal courts to apply federal substantive law.**
 - B. To maintain uniform outcomes by applying state substantive law and federal procedural rules.**
 - C. To prohibit federal courts from sitting in diversity.**
 - D. To require state courts to apply federal procedural rules.**

10. In response to concerns about a landfill siting process, residents sue a state agency in federal court seeking declaratory relief. The agency has not yet selected a site. The case is argued to be not ripe for adjudication. Which rationale best supports dismissal?

- A. Political question doctrine applies to this state action.**
- B. Strict scrutiny must be shown to require site selection as necessary for a compelling interest.**
- C. The Eleventh Amendment bars the suit.**
- D. Not ripe for adjudication because site selection is contingent on future action.**

SAMPLE

Answers

SAMPLE

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

SAMPLE

Explanations

SAMPLE

1. A class action involving a single named plaintiff from State A and defendants from States B and C asserts a federal question and more than \$75,000 in controversy. The named plaintiff's state is different from the defendants' states. What is the likely outcome?
- A. The case cannot be removed to federal court
 - B. The case may be removed to federal court solely on the basis of federal question and diversity**
 - C. Diversity must be proven for removal, regardless of the federal question claim
 - D. Removal is only possible under CAFA rules

Removal to federal court is available here because two independent paths line up: a federal question in the claim, and at least some diversity among the parties. A defendant can remove a case that arises under federal law to federal court, regardless of state-law grounds, and the dispute also involves parties from different states (the named plaintiff is from State A while the defendants are from States B and C), which satisfies the basic diversity requirement. The amount in controversy being over \$75,000 fits the traditional diversity/removal threshold, so the case meets the usual jurisdictional bar as well. Although CAFA could also apply if the class meets its thresholds (minimum 100 members and \$5 million in controversy), those criteria aren't stated here, so removal can proceed under the standard federal-question/diversity route. Thus, the case is removable to federal court.

2. Construction grants can be made toward the cost of physical plant at private colleges and universities, provided that no part of the grant is used for buildings in which religious instruction is offered. Is this program constitutional?
- A. Constitutional.**
 - B. Unconstitutional because it fails to respect the separation between church and state.
 - C. Constitutional only if funds are used for secular purposes and the recipient agrees to that use.
 - D. Constitutional only if the funds are supervised to prevent religious use.

The key idea is neutral, secular government aid to religiously affiliated institutions. The Establishment Clause bars funding that directly supports religious instruction or endorses religion, but it does not forbid giving funds to a religiously affiliated college for secular purposes, as long as the money isn't used to promote or finance religious activities. Here, the grants would cover the cost of physical plant, with a clear restriction that none of the funds go to buildings used for religious instruction. That means the aid is directed to secular facilities and activities, not to religious indoctrination. Because the program is neutrally available and the use of the funds is limited to secular purposes, it does not amount to government endorsement or support of religion. Modern precedents permit such neutral aid to religious institutions when safeguards ensure the funds aren't used for religious purposes, so the program is constitutional. The other formulations would require additional conditions (like recipient consent, or mandatory supervision) that aren't necessary to reach constitutional status here; the essential point is that neutral, secular use of the funds keeps the aid within constitutional bounds.

- 3. To exercise personal jurisdiction over a nonresident defendant, which concept is essential?**
- A. The defendant must be domiciled in the forum state.**
 - B. The defendant must have minimum contacts with the forum state.**
 - C. The defendant must be physically present in the forum at all times.**
 - D. The plaintiff must reside in the same forum state.**

Minimum contacts with the forum state is the essential concept. Under due process, a court may exercise personal jurisdiction over a nonresident only if the defendant has purposefully established significant connections with the forum and maintaining the suit would not offend traditional notions of fair play and substantial justice. This can manifest in two main ways: specific jurisdiction, where the claim arises out of the defendant's in-state activities connected to those contacts; and general jurisdiction, where the defendant's contacts are so continuous and systematic that they are essentially at home in the forum. Domicile can justify jurisdiction in some circumstances, but it's not required for nonresidents and isn't the core rule here. Physical presence isn't necessary for jurisdiction either, and where the plaintiff lives has no bearing on the defendant's in-state power to be hauled into court.

- 4. A federal statute requires retirement at age 75 for civil service employees, but age 65 for armed forces civil service employees. A 65-year-old federal employee seeks to block retirement at 65. The strongest argument is that the law:**
- A. denies him a privilege or immunity of national citizenship**
 - B. deprives him of a property right without just compensation**
 - C. is not within the scope of any enumerated powers of Congress in Article I, Section 8**
 - D. invidiously discriminates on the basis of age in violation of the Fifth Amendment**

Equal protection applies to the federal government through the Fifth Amendment. The rule here treats people differently based on age: civil service employees must retire at 75, while armed forces civil service employees retire at 65. That creates an age-based classification that isn't tied to a clear, legitimate objective for one group over the other. In constitutional terms, a law that uses age as the sole basis for a retirement cutoff invites an invalid classification unless a strong rational basis is shown; without a solid, service-related justification, the distinction is an invidious form of age discrimination under the Fifth Amendment. The other options miss the central issue. It isn't about citizenship privileges, a taking of property, or a lack of Congressional power—the law regulates retirement ages, which Congress can do, and the claim isn't about a property interest or a constitutional limit on Congress's powers. The strongest challenge rests on the age-based discrimination argument under the Fifth Amendment.

5. A candidate for mayor sues to strike down a five-year residency requirement and to be placed on a primary ballot; The defendant is the party chair but not election officials; The issue is ripe. The correct conclusion is:

- A. There is no case or controversy because the candidate lacks standing.**
- B. The qualifications of an elected official present a substantial federal question.**
- C. The court may reach the merits because the residency requirement denies equal protection.**
- D. Federal courts may modify the state law by finding substantial compliance.**

The key idea here is standing in federal court. For a case to go forward, the plaintiff must show a concrete, personal injury that the court can redress. Here, the plaintiff is challenging a state residency rule and seeks to be placed on a primary ballot, but the defendant is a party chair—an actor who is not a government election official. Even though the dispute is ripe, the plaintiff’s alleged injury isn’t personally redressable by a court against this private defendant. A private party cannot compel the state to place someone on a ballot, and striking down the residency requirement would be a general rule affecting everyone, not an order that specifically grants the plaintiff a ballot spot. Because there’s no redressable, personal injury against the defendant, the case fails to meet standing requirements, so there is no case or controversy for the federal court to resolve. As a result, the other options fail because they presume the court can address merits or modify state law under this private-party challenge, which standing blocks.

6. A defendant who contracts with a resident of the forum to perform services in the forum may be subject to personal jurisdiction based on what principle?

- A. The defendant’s distant business activities are irrelevant to forum contacts.**
- B. The defendant has purposefully availed itself of the forum by contracting for services in the forum.**
- C. Personal jurisdiction requires actual presence in the forum for the entire contract term.**
- D. Personal jurisdiction cannot be based on contract unless the defendant signed a forum-specific agreement.**

Purposeful availment through a contract. When a defendant enters into an agreement with a resident of the forum to perform services in that forum, the defendant has intentionally directed activity toward the forum and has created a forum-based connection. Under the due process standard for specific jurisdiction, if the plaintiff’s claim relates to that contract or its performance, the forum may constitutionally exercise jurisdiction because the defendant has purposefully availed itself of the forum’s laws and protections, and jurisdiction would be reasonable. Distant business activities aren’t the controlling factor here because the contract to perform services in the forum establishes the necessary contact. Requiring presence in the forum for the entire contract term isn’t needed; jurisdiction can attach based on the contract and its forum-based performance. And a forum-specific agreement isn’t a prerequisite for jurisdiction—the contract itself can provide the basis for the forum’s authority.

7. What two factors traditionally determine ripeness of a federal case?

A. Standing and finality.

B. Fitness of the issues and hardship to the parties.

C. Mootness and admissibility.

D. Jurisdiction and finality.

Ripeness asks whether a federal case is ready for judicial review. The two factors that traditionally govern this are the fitness of the issues and the hardship to the parties. Fitness of the issues means the dispute is primarily a legal question and can be decided on the present record without waiting for more factual development. If waiting wouldn't change the legal questions or the record is already sufficient to decide them, the case is fit for review. If the situation depends on uncertain future events or needs extensive factual development, it isn't yet fit. Hardship to the parties looks at the concrete consequences of delaying review. If withholding decision would cause ongoing harm, enforcement actions, or other real burdens on the parties, there's enough hardship to justify immediate consideration. The other options mix concepts that relate to different limits on federal courts: standing concerns who has the right to sue; finality concerns when agency action is ripe for review; mootness concerns whether the controversy has ended; admissibility isn't about ripeness; jurisdiction is about the court's power and finality about when review is appropriate. Together, fitness of the issues and hardship to the parties best capture what makes a case ripe for federal adjudication.

8. A private school in a state accrediting system admits only Caucasians. The state accredits, licenses teachers, and provides secular textbooks. A private plaintiff sues challenging the admissions policy. Which argument is strongest against the school's discriminatory admissions policy?

A. Because education is a public function, the school may not discriminate on racial grounds.

B. The state's involvement is not sufficient to trigger equal protection.

C. The state's substantial involvement in regulation and funding makes the school's discrimination unconstitutional under the Fourteenth Amendment.

D. Licensing alone forbids discrimination.

State action is the key idea here. The Fourteenth Amendment protects people from the government's discriminatory actions, not private conduct. But when the state is deeply involved with a private school—accrediting the school, licensing its teachers, and supplying secular textbooks—that involvement can be enough to make the school's actions resemble state actions. In that entangled setup, a discriminatory admissions policy by the private school becomes an issue of state action and falls under constitutional scrutiny. So the strongest argument against the policy is that the state's substantial regulation and funding effectively render the school's conduct subject to the Equal Protection Clause. Mere labeling the activity as education or relying on licensing alone isn't enough to conclude state action in most cases, and licensing by itself doesn't automatically forbid discrimination unless there are specific statutory or regulatory requirements prohibiting it. Hence those other points don't carry as much weight as the demonstrated entanglement.

9. What is the basic aim of the Erie doctrine in diversity cases?

- A. To require federal courts to apply federal substantive law.**
- B. To maintain uniform outcomes by applying state substantive law and federal procedural rules.**
- C. To prohibit federal courts from sitting in diversity.**
- D. To require state courts to apply federal procedural rules.**

The main idea behind Erie in diversity cases is to prevent a federal court from applying its own set of substantive rules to a state claim, while still letting federal procedural rules govern how the case is fought in court. In diversity situations, federal courts must use state substantive law to determine elements of the claim, defenses, statutes of limitations, and other substantive issues, but they apply the Federal Rules of Civil Procedure for how the case is adjudicated. This approach aims to avoid inequitable results and forum shopping, by ensuring that the substantive rights and obligations come from the state where the dispute arose, not from federal-law preferences, while keeping the procedural process uniform under federal control. So the best choice captures both pieces: state substantive law for what the rights are, and federal procedural rules for how the case proceeds. The other statements misstate the doctrine: federal courts do sit in diversity, and they do apply federal procedural rules in that setting; ERIE does not require state courts to apply federal procedural rules.

10. In response to concerns about a landfill siting process, residents sue a state agency in federal court seeking declaratory relief. The agency has not yet selected a site. The case is argued to be not ripe for adjudication. Which rationale best supports dismissal?

- A. Political question doctrine applies to this state action.**
- B. Strict scrutiny must be shown to require site selection as necessary for a compelling interest.**
- C. The Eleventh Amendment bars the suit.**
- D. Not ripe for adjudication because site selection is contingent on future action.**

The key idea here is ripeness—the idea that a federal court won't decide a case until there's a concrete, ready-to-happen dispute. In this scenario, residents challenge a landfill siting process, but no site has been selected yet. Because the agency's final action hasn't occurred, there's no definite, imminent injury or concrete decision to review. Any relief would be premature and would amount to an advisory opinion about a process that is still ongoing and could unfold in multiple ways. Waiting until a site is actually chosen (or until a final agency decision is issued) ensures the court can address a real, concrete controversy with a concrete action to review. That's why the dismissal based on ripeness is the strongest rationale. Other options aren't as fitting: the political question doctrine isn't triggered simply by a regulatory siting process, since land-use decisions can be justiciable when there's a concrete dispute; the Eleventh Amendment concerns about sovereign immunity don't resolve the lack of a ripe controversy here; and strict scrutiny isn't at issue in the ripeness analysis. The best explanation is that the case isn't ripe because site selection depends on future action.

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:

<https://alacivilprocedureconlaw.examzify.com>

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

SAMPLE