

BAR EXAM MNEMONICS PRACTICE TEST (SAMPLE)

STUDY GUIDE



Prepare with structure. Pass with confidence



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Table of Contents

Copyright	1
Table of Contents	2
Introduction	3
How to Use This Guide	4
Questions	5
Answers	8
Explanations	10
Next Steps	16

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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.

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

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- 1. Which action allows entering another's land to abate a nuisance?**
 - A. Consent
 - B. Self-Defense
 - C. Entry to Abate a Nuisance
 - D. Detention for Investigation

- 2. Which events terminate an offer?**
 - A. Time lapse revocation, death or insanity of offeree, intervening illegality, rejection or counteroffer, time lapse (reasonable or specified)
 - B. Acceptance and performance
 - C. Advertisements and invitations to deal
 - D. Speech restrictions and disclaimers

- 3. Which term best matches the concept of intentionally or with recklessness disregard a known risk?**
 - A. Knowledge
 - B. Negligence
 - C. Malice
 - D. General Intent

- 4. Time-Barred Debt: what makes it enforceable despite lack of consideration?**
 - A. A signed writing
 - B. A court judgment
 - C. A verbal promise
 - D. A written promise to pay by debtor

- 5. Which statute governs Agency and Partnership in New York?**
 - A. BCL
 - B. CPL
 - C. DRL
 - D. NY Partnership Law

- 6. What does general intent in criminal law require?**
- A. The defendant intends the act itself and its general consequences without requiring proof of a specific result
 - B. The defendant must intend a specific outcome
 - C. The defendant must intend to commit a separate crime
 - D. The defendant must prove malice
- 7. Under the general rule, a forged signature is not effective as the signature of the person named. Which option best states that rule?**
- A. It is always effective
 - B. It is never effective
 - C. It is not effective under the general rule
 - D. It depends on the instrument
- 8. What are the 5 steps needed to obtain a TRO?**
- A. Make an Ex Parte Motion for Preliminary Injunction via OTSC; 2) Demonstrating 'significant prejudice' if NO notice is given to OC; 3) Ask for a TRO; 4) Judge signs the OTSC including a TRO; 5) Get an expedited return date
 - B. File a complaint; 3) Serve defendants; 4) Move to strike; 5) Obtain TRO
 - C. File a motion for default; 4) Notify; 5) TRO; 6) Final order
 - D. Publish notice; 5) Obtain bond; 6) Wait for hearing; 7) TRO
- 9. Under which circumstance can a plaintiff obtain a 6-month continuance on the SoL?**
- A. When the action is dismissed for lack of PJx
 - B. When the action is commenced timely but dismissed before trial, π gets additional 6 months from dismissal to re-file the action
 - C. When there is a voluntary discontinuance
 - D. When the action is commenced late
- 10. Under the Wharton Rule, which statement is correct?**
- A. You can be convicted even if others are acquitted
 - B. You can be convicted if there is a mistake about participation
 - C. You cannot be convicted if all other parties are acquitted
 - D. You can be convicted only if all parties are convicted

Answers

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

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Explanations

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1. Which action allows entering another's land to abate a nuisance?

- A. Consent
- B. Self-Defense
- C. Entry to Abate a Nuisance**
- D. Detention for Investigation

The main concept is the right of entry to abate a nuisance—the self-help privilege that lets a person stop a nuisance by entering the land of the nuisance-causing party, rather than waiting for a court order. This remedy is designed for situations where the nuisance is ongoing and immediate action is needed to prevent harm, and it must be limited to what is necessary to abate the nuisance. The entering party should act reasonably, only as long as needed, and avoid creating extra damage. So why this is the best answer: it directly corresponds to the situation of trying to stop a nuisance by taking steps on someone else's property. It's not about consent, which is merely permission and not the act of abating itself; it's not about self-defense, which is about protecting a person or property from imminent harm, not about curing a nuisance on land; and it isn't about detention for investigation, which serves a different purpose.

2. Which events terminate an offer?

- A. Time lapse revocation, death or insanity of offeree, intervening illegality, rejection or counteroffer, time lapse (reasonable or specified)**
- B. Acceptance and performance
- C. Advertisements and invitations to deal
- D. Speech restrictions and disclaimers

An offer can be terminated by events that prevent acceptance or make performance impossible. The best list of termination events includes time limits, revocation, offeree death or loss of capacity, intervening illegality, and rejection or a counteroffer. If the offer specifies a time limit or a reasonable time passes without acceptance, the offer lapses. The offer can be revoked by the offeror at any time before acceptance. If the offeree dies or becomes insane before accepting, the offer ends (similarly, death of the offeror would also terminate it). If what is proposed becomes illegal before acceptance, the offer is terminated by illegality. Finally, a rejection or counteroffer ends the original offer because it destroys the offer's ability to be accepted as stated. Advertisements and invitations to deal are not offers in themselves, so they don't terminate an offer. Acceptance and performance typically bring about contract formation rather than simply terminating an outstanding offer, and speech restrictions or disclaimers don't terminate an offer.

3. Which term best matches the concept of intentionally or with recklessness disregard a known risk?

- A. Knowledge
- B. Negligence
- C. Malice**
- D. General Intent

The concept tested is malice, specifically conscious disregard of a known risk. Malice covers situations where the actor not only intends to cause harm but also acts with knowledge of a danger and proceeds anyway, showing a reckless disregard for the potential harm. That mindset fits the phrase "intentionally or with recklessness disregard a known risk," because it goes beyond mere awareness to a deliberate choice to disregard that risk. Knowledge is just awareness of facts and doesn't imply any disregard for risk. Negligence is about failing to exercise reasonable care—carelessness without the actor consciously choosing to ignore the risk. General intent concerns simply performing the act with purpose, not necessarily recognizing or disregarding the risk involved. So the mental state described—knowing the risk and proceeding anyway—best aligns with malice.

4. Time-Barred Debt: what makes it enforceable despite lack of consideration?

- A. A signed writing**
- B. A court judgment
- C. A verbal promise
- D. A written promise to pay by debtor

When a contract claim is time-barred, a signed writing by the debtor acknowledging the debt or promising to pay can revive the obligation. The signature on that writing shows the debtor's current consent to be bound, creating a new enforceable promise even though the original agreement may have lacked or exhausted consideration. That signed promise is enough to toll or restart the statute of limitations, so the creditor can sue again. A signed writing is the form that reliably triggers this revival. A court judgment, while it enforces liability, isn't what creates the revival after the time bar. A verbal promise typically won't toll the statute, and a written promise to pay that isn't signed by the debtor usually won't bind the debtor in the same way.

5. Which statute governs Agency and Partnership in New York?

- A. BCL
- B. CPL
- C. DRL
- D. NY Partnership Law**

Agency within a partnership in New York is governed by the NY Partnership Law. This body of law sets how partners act as agents for the partnership and when the partnership can be bound by their actions. It covers who has authority to bind the firm, what counts as the ordinary course of business, and the scope of a partner's power to bind the partnership in dealings with third parties. The other statutes mentioned operate in different areas: the Business Corporation Law governs corporate entities, the Criminal Procedure Law handles criminal process, and the Domestic Relations Law deals with family law. So the framework that specifically governs agency and partnership matters in New York is the NY Partnership Law.

6. What does general intent in criminal law require?

- A. The defendant intends the act itself and its general consequences without requiring proof of a specific result**
- B. The defendant must intend a specific outcome
- C. The defendant must intend to commit a separate crime
- D. The defendant must prove malice

General intent focuses on the act itself and its general consequences. The defendant must intend to perform the prohibited act, but there is no requirement to intend a particular result beyond that act. This means you don't have to aim for a specific outcome; you just intend to do what the law prohibits and anticipate that some harmful or unintended consequence may occur. If the case required a specific outcome, that would be a specific-intent situation. If the mental state demanded an intent to commit a separate crime or malice, that would point to a different type of mens rea. In general-intent offenses, the key idea is: intent to perform the act itself, with awareness that some consequence may follow, not a planned, precise result.

7. Under the general rule, a forged signature is not effective as the signature of the person named. Which option best states that rule?

- A. It is always effective
- B. It is never effective
- C. It is not effective under the general rule**
- D. It depends on the instrument

The main idea here is that a signer's forged signature on a negotiable instrument is not treated as the actual signature of the person named. Because the signature did not come from the named individual, it generally cannot bind that person or be used to enforce the instrument against them. That's why the correct statement is that it is not effective under the general rule—the forged signature does not count as the named person's signature in the absence of any later ratification or adoption. In contrast, the other options aren't accurate. A forged signature isn't always effective, since it's usually invalid unless the signer later adopts it or other exceptions apply. Saying it's never effective ignores the possibility of ratification or other doctrines that can make a forged signature binding in specific circumstances. Saying it depends on the instrument is too vague for the general rule, which applies broadly, with exceptions.

8. What are the 5 steps needed to obtain a TRO?

- A. Make an Ex Parte Motion for Preliminary Injunction via OTSC; 2) Demonstrating 'significant prejudice' if NO notice is given to OC; 3) Ask for a TRO; 4) Judge signs the OTSC including a TRO; 5) Get an expedited return date
- B. File a complaint; 3) Serve defendants; 4) Move to strike; 5) Obtain TRO
- C. File a motion for default; 4) Notify; 5) TRO; 6) Final order
- D. Publish notice; 5) Obtain bond; 6) Wait for hearing; 7) TRO

The key idea is the expedited, ex parte path to a temporary restraining order using an order to show cause. You begin by filing an Ex Parte Motion for a Preliminary Injunction and attach an Order to Show Cause. This OTSC is the mechanism that lets the court consider emergency relief without the usual notice period. A critical part of this step is proving significant prejudice if notice were given, which helps justify waiving normal notice requirements and moving forward quickly. Next, you ask the court for a TRO in the same filing, so you don't have to wait. If the judge agrees, they sign the OTSC and include the TRO, creating an immediate, temporary protection order. Finally, you secure an expedited return date—the hearing that will decide whether the TRO should be continued as a longer-term injunction or dissolved. This sequence—ex parte motion with an OTSC showing irreparable harm or prejudice from delay, request for a TRO, the judge's sign-off on the OTSC with the TRO, and an expedited return date—maps onto the correct process. The other sequences don't fit because they omit the essential ex parte mechanism and the order-to-show-cause framework, or they rely on normal notice, defaults, or post-notice procedures (like publication or bonds) that aren't part of obtaining a TRO through this emergency pathway.

9. Under which circumstance can a plaintiff obtain a 6-month continuance on the SoL?

- A. When the action is dismissed for lack of PJx
- B. When the action is commenced timely but dismissed before trial, π gets additional 6 months from dismissal to re-file the action
- C. When there is a voluntary discontinuance
- D. When the action is commenced late

When a timely-filed action is dismissed before trial, the statute of limitations is effectively paused, and the plaintiff is given an automatic six-month window to re-file the same claim. This six-month extension starts from the date of dismissal and applies because the original filing was within the allowable period, so the plaintiff isn't penalized for a procedural disposition that ended the case before any merits were decided. It's a safeguard for timely plaintiffs to pursue their claim again without losing the right to sue. This protection doesn't apply if the case wasn't started within the deadline, or if the dismissal is with prejudice (which would bar re-filing), or in scenarios where discontinuances or other dismissals don't preserve the right to re-file. In the described situation—timely commencement followed by dismissal before trial—the six-month window to re-file best fits.

10. Under the Wharton Rule, which statement is correct?

- A. You can be convicted even if others are acquitted**
- B. You can be convicted if there is a mistake about participation
- C. You cannot be convicted if all other parties are acquitted
- D. You can be convicted only if all parties are convicted

The concept being tested is Wharton's Rule, which applies to offenses that inherently require the participation of two or more people to commit. Because the crime hinges on a joint act, a person can be found guilty for their own participation even if one or more co-participants are acquitted or not charged. The fate of the others doesn't erase your own conduct; if you personally engaged in the act in a way that the statute requires two people to perform, your liability stands. This is why you can be convicted even when others are acquitted. The other statements implying that the remaining party cannot be convicted or that participation mistakes automatically bar conviction don't align with the rule's focus on individual responsibility for one's own role in a joint offense.

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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:

<https://barexammnemonics.examzify.com>

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

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