

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.

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 of the following is not listed among the five defenses in the material?**
 - A. Negligence
 - B. Mistake
 - C. Insanity
 - D. Voluntary intoxication

- 2. What is the time limit for making a Motion for Summary Judgment?**
 - A. Within 120 days of filing of the note of issue (which places the case on the court's calendar)
 - B. Within 60 days of filing of the note of issue
 - C. Within 90 days of filing of the note of issue
 - D. Within 30 days of filing of the note of issue

- 3. In Miller obscenity, which factor is identified?**
 - A. Artistic value
 - B. Prurient interest relative to community standards
 - C. Political content
 - D. Scientific significance

- 4. Under New York law, which statement describes Kidnapping 1 vs Kidnapping 2?**
 - A. Kidnapping 1 requires abducting for ransom or 12+ hours with intent to rape/rob/injure
 - B. Kidnapping 2 requires concealment in a secret place
 - C. Kidnapping 1 requires consent
 - D. Kidnapping 2 requires intent to commit a crime

- 5. MAP GO FAP: Which item corresponds to appeals as a matter of right?**
 - A. Arraignment
 - B. Misdemeanor When Imprisonment Is Imposed
 - C. Post Charge Line-Ups
 - D. Appeals as a Matter of Right

6. Statute of limitations for breach of warranty?

- A. Four years from the date the product was delivered to the next buyer in the chain
- B. Three years from delivery to consumer
- C. Five years from manufacture
- D. Two years from sale

7. In the strict scrutiny mnemonic 'Strict scrutiny Applies To Very Educated People', which right is included?

- A. Travel
- B. Freedom of Association
- C. Voting
- D. Privacy

8. Under which body of law is a requirements contract acceptable?

- A. Common law
- B. UCC Article 2
- C. Restatement of Contracts
- D. UCC Article 9

9. Degrees to Felony Murder: The correct statement is?

- A. Murder 1 if the death was accidental
- B. Murder 2 if the death was accidental
- C. Murder 2 if the death was intentional
- D. Murder 3 if the death was intentional

10. What is an Order to Show Cause?

- A. A standard Motion on Notice
- B. A type of Motion on Notice that is a preliminary order, signed ex parte, directing the adversary to Show Cause why it should not be granted; after it is signed, the order and underlying motions papers are served on opponent
- C. A summons
- D. A subpoena

Answers

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

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Explanations

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1. Which of the following is not listed among the five defenses in the material?

- A. Negligence**
- B. Mistake
- C. Insanity
- D. Voluntary intoxication

Defenses are arguments that excuse or justify conduct, preventing liability by showing the crime's elements aren't met or the actor wasn't morally or legally responsible. Negligence isn't a defense in this sense—it's a failure to exercise reasonable care. It describes fault or a standard of conduct, but it does not provide a lawful excuse or justification for a criminal act. That's why it isn't listed among the defenses. Mistake, insanity, and voluntary intoxication are recognized defenses because they can negate the mental state or justify the conduct in different ways: a mistaken belief can negate intent, insanity argues a lack of capacity to appreciate wrongdoing, and voluntary intoxication can defeat specific-intent requirements for certain crimes.

2. What is the time limit for making a Motion for Summary Judgment?

- A. Within 120 days of filing of the note of issue (which places the case on the court's calendar)**
- B. Within 60 days of filing of the note of issue
- C. Within 90 days of filing of the note of issue
- D. Within 30 days of filing of the note of issue

The key idea here is timing tied to when the case is officially set for trial. In this area of practice, once the note of issue is filed, the case is placed on the court's calendar, signaling that discovery is essentially complete and the case is ready for a motion practice. From that moment, you have 120 days to serve and file a motion for summary judgment. This 120-day window is what keeps trial planning on track and prevents last minute attempts to resolve the case without a trial. So the best answer is that the motion must be brought within 120 days after the note of issue is filed. The other timeframes—60, 90, or 30 days—don't align with the established schedule for moving for summary judgment once the case is on the calendar, and they would disrupt the orderly timing of motions and trial preparation. Extensions can sometimes be obtained for good cause, but the baseline rule is 120 days from the note of issue.

3. In Miller obscenity, which factor is identified?

- A. Artistic value
- B. Prurient interest relative to community standards**
- C. Political content
- D. Scientific significance

At the heart of Miller obscenity is a three-part test for material to be deemed obscene and thus unprotected. The first and central factor asks whether the work, taken as a whole, would appeal to prurient interest under contemporary community standards. Prurient interest means a lustful or lascivious interest in sex, and "community standards" anchors what is considered prurient to the norms of the local audience. If the material fails this prong—if it does not appeal to such interest according to the standards—that alone can prevent finding obscenity, regardless of other aspects. The other prongs cover whether the work depicts sexual conduct in a patently offensive way and whether it lacks serious literary, artistic, political, or scientific value. The latter is why options like artistic value or political content are not the primary factor in identification; they relate to the absence of serious value rather than the prurient-prong itself.

4. Under New York law, which statement describes Kidnapping 1 vs Kidnapping 2?

- A. Kidnapping 1 requires abducting for ransom or 12+ hours with intent to rape/rob/injure
- B. Kidnapping 2 requires concealment in a secret place
- C. Kidnapping 1 requires consent
- D. Kidnapping 2 requires intent to commit a crime

Under NY law, kidnapping has two degrees, with first-degree kidnapping reserved for the most serious scenarios. The defining threshold is that the abduction must be for ransom or last at least 12 hours with the intent to commit a violent felony such as rape, robbery, or injuring the victim. That combination—ransom as a motive or a prolonged confinement paired with intent to commit a violent crime—elevates the conduct to first-degree kidnapping. This is why the statement describing the first-degree scenario as requiring abducting for ransom or lasting 12 or more hours with intent to rape, rob, or injure is the correct one. The other options misstate elements: consent cannot make kidnapping legitimate, concealment in a secret place is not the defining feature of the second degree, and while intent to commit a crime can be part of related offenses, it does not alone establish the second-degree distinction in the way the stated threshold does.

5. MAP GO FAP: Which item corresponds to appeals as a matter of right?

- A. Arraignment
- B. Misdemeanor When Imprisonment Is Imposed
- C. Post Charge Line-Ups
- D. Appeals as a Matter of Right

Appeals as a matter of right refers to the type of appellate review that a defendant is guaranteed to have without needing special permission. In this question, the item that literally names this concept—"Appeals as a Matter of Right"—is the best match because it directly identifies the specific category of appeal being discussed. The other options describe different stages or procedures in criminal proceedings: arraignment is a pre-trial formal charging step; a sentence imposing imprisonment on a misdemeanor concerns sentencing rather than how appeals are brought; and post-charge line-ups relate to identification, not appeals. So the explicit label of "Appeals as a Matter of Right" is the correct choice because it matches the concept exactly.

6. Statute of limitations for breach of warranty?

- A. Four years from the date the product was delivered to the next buyer in the chain
- B. Three years from delivery to consumer
- C. Five years from manufacture
- D. Two years from sale

The essential idea is when a warranty claim under the UCC must be filed. For breach of warranty, the statute of limitations is four years, and it starts when delivery or tender of delivery occurs. In a distribution chain, the clock begins at the moment the product is delivered to the buyer in the chain, so later buyers can sue within four years of that delivery. This aligns with the rule that liability for breach of warranty accrues at the time the goods are delivered, not when the defect is discovered or at some later sale or manufacture date. The other options don't fit because they propose different time spans or wrong starting points (three years from delivery to the consumer, five years from manufacture, or two years from sale), whereas four years from delivery to the next buyer in the chain reflects the standard accrual rule under the UCC.

7. In the strict scrutiny mnemonic 'Strict scrutiny Applies To Very Educated People', which right is included?

- A. Travel
- B. Freedom of Association**
- C. Voting
- D. Privacy

The idea being tested is which rights are remembered as subject to strict scrutiny. The mnemonic lists four fundamental rights tied to strict scrutiny: travel, freedom of association, voting, and privacy. Among the options, the right that is included in that mnemonic is freedom of association, which is why it's the best choice. Freedom of association protects the right to join and form groups, a First Amendment liberty, and when a law burdens it, the government must show a compelling interest and that the means are narrowly tailored to achieve it. The other options—travel, voting, and privacy—are also rights often connected to strict scrutiny, but the prompt specifically points to the association right.

8. Under which body of law is a requirements contract acceptable?

- A. Common law
- B. UCC Article 2**
- C. Restatement of Contracts
- D. UCC Article 9

A requirements contract is a sale-of-goods arrangement that the UCC specifically recognizes. Under Article 2, contracts for the sale of goods can include a buyer's promise to purchase all of its needs for a given good from a single seller for a period of time. The quantity is not fixed in advance; instead it's measured by the buyer's actual requirements, and the contract must be implemented in good faith. This flexibility is precisely what Article 2—through its rules on output and requirements contracts—allows. That's why this body of law is the correct one. The common-law framework governs contracts generally but doesn't authorize these quantity-measured-for-need arrangements as a standard mechanism in the way the UCC does. The Restatement of Contracts covers general contract principles but doesn't provide the specific structure for requirements contracts. UCC Article 9 deals with secured transactions, not the sale of goods.

9. Degrees to Felony Murder: The correct statement is?

- A. Murder 1 if the death was accidental
- B. Murder 2 if the death was accidental**
- C. Murder 2 if the death was intentional
- D. Murder 3 if the death was intentional

Felony murder treats a death that occurs during the commission of a felony as murder, even if there was no intent to kill. The level of the murder charge often tracks the killer's mental state about the death itself. When the death is accidental, there is no intent to kill, so the charge under the felony-murder rule is typically second-degree murder, reflecting malice shown by the dangerous conduct rather than premeditated killing. If the death were intentional, a more serious charge—often first-degree murder in many jurisdictions—would be possible. The other options misstate how intent affects the degree in felony murder, so the statement aligning with second-degree murder for an accidental death best fits the general rule.

10. What is an Order to Show Cause?

- A. A standard Motion on Notice
- B. A type of Motion on Notice that is a preliminary order, signed ex parte, directing the adversary to Show Cause why it should not be granted; after it is signed, the order and underlying motions papers are served on opponent
- C. A summons
- D. A subpoena

An Order to Show Cause is an urgent court tool used to obtain rapid relief by making the other side explain why the court should not grant the requested remedy. It operates as a special kind of motion where the court issues a preliminary order directing the opponent to show cause at a specified time why the relief should not be granted. Often issued on an expedited, ex parte basis to preserve the status quo, the order itself is issued first and then served along with the supporting papers so the opponent knows to appear and respond. This description matches the concept of an Order to Show Cause as a type of Motion on Notice that is a preliminary order, signed ex parte, directing the adversary to show cause why it should not be granted, with the order and papers served afterward. A standard motion on notice lacks that urgent show-cause mechanism, while a summons starts a case and a subpoena commands appearance or production.

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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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