

BAR REMEDIAL LAW PRACTICE EXAM (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. After an answer has been filed, can the plaintiff amend his complaint by changing entirely the nature of the action?**
- A. NO. Amendments cannot alter the nature of the action.
 - B. YES, amendments may substantially alter the nature of the cause of action.
 - C. YES, but only if the substantial change serves substantial justice.
 - D. Yes, the current rules allow amendments that substantially alter the nature of the cause of action, provided the change serves substantial justice and prevents delay.
- 2. Which statement about venue is true for civil actions?**
- A. Venue is the same as jurisdiction and cannot be waived
 - B. Venue is the place where the suit may be filed and may be waived in civil actions
 - C. Venue is chosen by the judge and cannot be challenged
 - D. Venue determines the merits of the case
- 3. In res judicata analysis, the fact that a ground could have been raised in the first petition demonstrates which rule?**
- A. The court must reopen the case at will.
 - B. The second petition is always allowed.
 - C. A judgment is conclusive on matters that could have been raised in relation thereto.
 - D. Only matters pled in the first petition are binding.
- 4. In a scenario where A was declared in default for failure to file an answer, and the motion to set aside is filed after discovery and before receipt of the default order, what is the proper ruling?**
- A. The motion must be denied because it was not filed before judgment.
 - B. Assuming the motion to set aside complies with the rule, it should be granted; such a motion may be filed after discovery even before receipt of the order of default.
 - C. Such a motion may not be granted under any circumstances.
 - D. The motion must be certified by the court.

- 5. When is object evidence formally offered?**
- A. Before any evidence is presented.
 - B. After the presentation of the testimonial evidence.
 - C. During opening statements.
 - D. At the time the judge rules on admissibility.
- 6. Cain was indicted for Murder and, after arraignment, pleaded guilty. The RTC accepted the plea and directed the prosecution to present evidence, but the prosecution failed to present any evidence and the court found Cain guilty based solely on the plea. Is the conviction proper?**
- A. Not proper because prosecution must prove guilt
 - B. Conviction proper
 - C. Valid due to guilty plea
 - D. Needs further sentencing
- 7. Under RA 9282 Sec. 11, decisions of a division of the Court of Tax Appeals are appealed to which body?**
- A. Court of Appeals
 - B. Court of Tax Appeals en banc
 - C. Supreme Court
 - D. Sandiganbayan
- 8. A, who was adopted by B and C, files a petition to change his name. If the RTC grants the change, what is the effect on his relations with his adoptive and natural parents?**
- A. Yes; It does not alter family relations between A and adoptive/natural parents
 - B. Yes; It alters relations with adoptive parents
 - C. No; He cannot change his name
 - D. No; Petition must be brought by adoptive parents
- 9. If a holographic will is contested, how many witnesses must declare handwriting to establish authenticity?**
- A. Two witnesses.
 - B. Three witnesses.
 - C. One witness and an expert.
 - D. Three witnesses who know the handwriting is that of the testator.

10. What are the essential requisites of res judicata (double jeopardy) in civil cases?

- A. Final judgment; jurisdiction; on the merits; identity of parties, subject matter, and causes of action.
- B. Final judgment; identity of witnesses; jurisdiction; identity of remedies.
- C. Final judgment; service of process; identity of parties; casual connection.
- D. Final judgment; res ipsa loquitur; identity of courts.

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Answers

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

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Explanations

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1. After an answer has been filed, can the plaintiff amend his complaint by changing entirely the nature of the action?

- A. NO. Amendments cannot alter the nature of the action.
- B. YES, amendments may substantially alter the nature of the cause of action.
- C. YES, but only if the substantial change serves substantial justice.

D. Yes, the current rules allow amendments that substantially alter the nature of the cause of action, provided the change serves substantial justice and prevents delay.

Amendments to pleadings are liberally allowed to adjust the theory of the case, so the court can do substantial justice and avoid unfair results. After an answer is filed, changing the nature of the action is not automatic; it requires the trial court's leave and must be justified by substantial justice and the prevention of delay. The judge will consider whether the change would prejudice the opponent and hinder the proceeding; if the amendment promotes a fair resolution without causing undue harm or delay, it can be allowed. That's why the statement that amendments may substantially alter the nature of the cause of action, provided the change serves substantial justice and prevents delay, best captures the proper rule. The other options are too absolute or omit the important safeguards about justice and delay.

2. Which statement about venue is true for civil actions?

- A. Venue is the same as jurisdiction and cannot be waived
- B. Venue is the place where the suit may be filed and may be waived in civil actions**
- C. Venue is chosen by the judge and cannot be challenged
- D. Venue determines the merits of the case

Venue sets the proper place for filing and trying a civil action, and it is distinct from jurisdiction and from the merits of the case. It reflects where the action should be heard for reasons of convenience and administration, not where the court gains power to decide the case or how the facts will be decided. In civil actions, you can waive venue—parties may not raise the issue, or they may choose to proceed in the venue even if it would normally be improper. This is why the statement that venue is the place where the suit may be filed and may be waived in civil actions is the accurate one. Venue is not determined by the judge as a matter of course, it does not dictate the outcome on the merits, and it is not the same thing as jurisdiction.

3. In res judicata analysis, the fact that a ground could have been raised in the first petition demonstrates which rule?

A. The court must reopen the case at will.

B. The second petition is always allowed.

C. A judgment is conclusive on matters that could have been raised in relation thereto.

D. Only matters pled in the first petition are binding.

In res judicata, once a judgment on the merits becomes final, it binds the parties not only about what was actually argued, but also about what could have been argued in that same action. The reason is to promote finality and prevent piecemeal litigation. If a ground could have been raised in the first petition, it is treated as having been raised for purposes of the judgment, so the judgment is conclusive on that matter in relation to the parties. That's why the rule is that a judgment is conclusive on matters that could have been raised in relation thereto. The other options don't capture this scope: a court isn't obligated to reopen the case at will, a second petition isn't always permitted, and the binding extends to matters that could have been raised as well as those actually pled.

4. In a scenario where A was declared in default for failure to file an answer, and the motion to set aside is filed after discovery and before receipt of the default order, what is the proper ruling?

A. The motion must be denied because it was not filed before judgment.

B. Assuming the motion to set aside complies with the rule, it should be granted; such a motion may be filed after discovery even before receipt of the order of default.

C. Such a motion may not be granted under any circumstances.

D. The motion must be certified by the court.

When a party is in default, the court can set aside that default if the movant shows a meritorious defense and there was no gross neglect in failing to file an answer. Importantly, the move to set aside can be made even after discovery has begun and even before the party has received the formal default order, as long as the motion complies with the rules and is filed in a timely, proper manner. If these conditions are met, the proper ruling is to grant the motion, permitting the case to proceed on its merits. The fact that discovery is underway or that the default order has not yet been received does not preclude relief.

5. When is object evidence formally offered?

A. Before any evidence is presented.

B. After the presentation of the testimonial evidence.

C. During opening statements.

D. At the time the judge rules on admissibility.

The timing of admitting tangible (object) evidence hinges on when you formally offer it to the court. You make that formal offer after a witness has testified and you've laid the groundwork showing what the object would prove and how it's connected to the testimony. This step lets the court see the relevance and the probative value of the item, and it preserves the issue for appeal if the evidence is later excluded. Offering before any evidence is presented would be premature because there's nothing to connect the item to the facts or to establish its relevance yet. Opening statements are not the vehicle for introducing actual evidence; they outline what will be shown, not the evidence itself. And waiting until the judge rules on admissibility would deprive you of presenting the item with the proper foundation and could jeopardize the record you're trying to create for appeal.

6. Cain was indicted for Murder and, after arraignment, pleaded guilty. The RTC accepted the plea and directed the prosecution to present evidence, but the prosecution failed to present any evidence and the court found Cain guilty based solely on the plea. Is the conviction proper?

A. Not proper because prosecution must prove guilt

B. Conviction proper

C. Valid due to guilty plea

D. Needs further sentencing

A guilty plea alone cannot sustain a conviction; the prosecution must prove guilt beyond a reasonable doubt. Even if the accused pleads guilty, the court cannot convict solely on that plea unless there is a proper factual basis and the plea is voluntary and properly accepted after the defendant is advised of rights. In this scenario, the RTC accepted Cain's plea and then expected the prosecution to present evidence, but no evidence was offered. With no proof of the elements of murder, there is no basis to convict, because the burden to prove guilt rests with the prosecution. The conviction based solely on the plea lacks an evidentiary foundation, so the proper outcome is that such a conviction is not proper.

7. Under RA 9282 Sec. 11, decisions of a division of the Court of Tax Appeals are appealed to which body?

A. Court of Appeals

B. Court of Tax Appeals en banc

C. Supreme Court

D. Sandiganbayan

The thing being tested is how appeals from a division of the Court of Tax Appeals are handled. Under that provision, a division's decision must be reviewed by the Court of Tax Appeals sitting en banc. This means the full court of the CTA, not the regular appellate courts, considers the ruling to ensure uniformity and address important questions that may arise from the division's decision. The Court of Appeals, Sandiganbayan, or a direct leap to the Supreme Court aren't the immediate appellate forum for those division decisions; the next step within the CTA structure is the en banc review, with possible further action to the Supreme Court after that.

8. A, who was adopted by B and C, files a petition to change his name. If the RTC grants the change, what is the effect on his relations with his adoptive and natural parents?

A. Yes; It does not alter family relations between A and adoptive/natural parents

B. Yes; It alters relations with adoptive parents

C. No; He cannot change his name

D. No; Petition must be brought by adoptive parents

Changing a name is about how someone is identified, not about altering established family relationships. When A was adopted by B and C, the law already creates a parent-child relationship with the adoptive parents and, upon final adoption, terminates any parental ties to the natural parents. A grant of a name change does not touch those relations. It merely changes A's name in records and daily life, while the existing parental status—as the child of the adoptive parents—remains unchanged. Thus, the adoption relationship and the status with respect to the natural parents are not altered by the name change.

9. If a holographic will is contested, how many witnesses must declare handwriting to establish authenticity?

- A. Two witnesses.
- B. Three witnesses.
- C. One witness and an expert.

D. Three witnesses who know the handwriting is that of the testator.

Proving handwriting is essential when a holographic will is challenged. The most reliable way to establish that the document was indeed written by the testator is to have three witnesses who personally know the testator's handwriting and can testify that the handwriting in the will is his. This level of corroboration helps guard against forgery or misidentification and provides a solid basis for admitting the will to probate in a contested situation. While a holographic will is ordinarily valid without witnesses, contest scenarios rely on extrinsic evidence of handwriting, and having three knowledgeable witnesses is the strongest, most persuasive form of that proof.

10. What are the essential requisites of res judicata (double jeopardy) in civil cases?

- A. Final judgment; jurisdiction; on the merits; identity of parties, subject matter, and causes of action.**
- B. Final judgment; identity of witnesses; jurisdiction; identity of remedies.
- C. Final judgment; service of process; identity of parties; casual connection.
- D. Final judgment; res ipsa loquitur; identity of courts.

Res judicata bars a later suit when a court has previously resolved the dispute in a final judgment that is valid and enforceable, on the merits, between the same parties or their successors, and over the same subject matter and causes of action. The key idea is that once rights have been finally determined by a competent court, re-litigating those same rights is improper. Final judgment is essential because a preclusive effect only attaches after the case is actually closed and decided, not to preliminary rulings or interlocutory orders. The court must have jurisdiction, meaning it had proper authority over the subject matter and the parties involved. The decision must be on the merits, so it resolved the substantive rights and claims—not merely dismissed for procedural reasons. And there must be identity: the parties (or their successors in interest), the subject matter, and the causes of action in the second action must be the same as in the first. That combination—final judgment on the merits by a court with proper jurisdiction, between the same parties for the same subject matter and causes of action—is what makes res judicata applicable. Elements like identity of witnesses, remedies, service of process, casual connections, or doctrinal concepts like res ipsa loquitur do not define res judicata and thus are not part of its requisites.

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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