

CIVIL PROCEDURE 1 FULL COURSE PRACTICE EXAM (SAMPLE)

STUDY GUIDE



**SAMPLE STUDY GUIDE
WITH LIMITED QUESTIONS**

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THE FULL VERSION STUDY GUIDE**

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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. What is the limit on depositions?

- A. Five
- B. Ten
- C. Fifteen
- D. Twenty

2. What best describes the bases for legal contentions under Rule 11?

- A. Existing law only
- B. Nonfrivolous argument for extending or modifying existing law
- C. Existing law or nonfrivolous argument for extending, modifying, or reversing existing law or establishing new law
- D. Any belief the attorney holds

3. Under Rule 39(b), if no demand for a jury trial is made, how is the case tried?

- A. By a jury.
- B. By the court.
- C. By a magistrate.
- D. By random draw.

4. Which procedural device is used when a complaint fails to meet Rule 8(a) requirements?

- A. Rule 12(b) motion to dismiss
- B. Rule 12(c) judgment on pleadings
- C. Rule 56 summary judgment
- D. Rule 26 discovery request

5. Which of the following documents does Rule 11 apply to?

- A. Pleadings
- B. Interrogatories
- C. Depositions
- D. Subpoenas

- 6. Is there a limit on the number of requests for production of documents?**
- A. None
 - B. Limit of 10
 - C. Limit of 25
 - D. Limit of 100
- 7. Discovery cannot begin until which event occurs?**
- A. The Rule 26(F) Discovery Conference
 - B. The Case Is Filed
 - C. A Verdict Is Reached
 - D. Mediation Occurs
- 8. If the plaintiff fails to obey the order to correct the flaws within 14 days (or other time the court sets), the court must strike the complaint?**
- A. True
 - B. False
 - C. The court will award damages
 - D. The court will dismiss with prejudice
- 9. A For Cause Challenge is defined as what?**
- A. A lawyer's request to excuse a juror because the person appears biased or unable to be fair.
 - B. The dismissal of a juror for discretionary reasons.
 - C. A challenge based on the juror's age.
 - D. A challenge to the juror's education.
- 10. Which rule governs requests for admission?**
- A. Rule 33
 - B. Rule 26
 - C. Rule 34
 - D. Rule 36

Answers

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

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Explanations

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1. What is the limit on depositions?

- A. Five
- B. Ten**
- C. Fifteen
- D. Twenty

The limit on depositions is ten per party. In federal practice, each side may depose up to ten individuals by oral examination without needing the court's permission. This cap is counted per party, so each party in the case has its own ten-deposition allowance. If more than ten are needed, the party must seek leave from the court (usually by showing good cause) or the parties can stipulate to allow additional depositions. Note that certain depositions, such as those of a party or a corporation's designated representative under Rule 30(b)(6), count toward that party's limit.

2. What best describes the bases for legal contentions under Rule 11?

- A. Existing law only
- B. Nonfrivolous argument for extending or modifying existing law
- C. Existing law or nonfrivolous argument for extending, modifying, or reversing existing law or establishing new law**
- D. Any belief the attorney holds

Rule 11 requires that a party's legal contentions be warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law. This ensures that the arguments put before the court have some legal basis or a credible, nonfrivolous theory for changing or adding to the law. The option that states both existing law and a nonfrivolous argument for extending, modifying, or reversing existing law or establishing new law best captures the full standard. The other options are too narrow or wrong: existing law alone omits the possibility of a nonfrivolous argument for changing or creating law; focusing only on extending or modifying existing law excludes reversing or establishing new law; and allowing any belief would undermine the requirement that contentions be legally warranted.

3. Under Rule 39(b), if no demand for a jury trial is made, how is the case tried?

- A. By a jury.
- B. By the court.**
- C. By a magistrate.
- D. By random draw.

If no jury demand is made under Rule 38, the case is tried by the court. The right to a jury trial exists only if a timely demand is filed; without that demand, the default is a bench trial where the judge decides both the legal rulings and the factual issues and renders the judgment. This reflects the idea that a jury trial is not automatic—it must be invoked by a timely request.

4. Which procedural device is used when a complaint fails to meet Rule 8(a) requirements?

A. Rule 12(b) motion to dismiss

B. Rule 12(c) judgment on pleadings

C. Rule 56 summary judgment

D. Rule 26 discovery request

When a complaint doesn't meet Rule 8(a)'s requirement for a short and plain statement showing entitlement to relief, the appropriate step is a Rule 12(b) motion to dismiss for failure to state a claim. This mechanism lets the court dismiss the suit at the pleading stage if the complaint doesn't contain enough facts to support a claim, without needing discovery. The other options address different stages or issues: judgment on pleadings under the related Rule 12(c) comes after pleadings are closed; summary judgment under Rule 56 resolves disputes about material facts (not pleading sufficiency); and a discovery request under Rule 26 seeks information and does not resolve pleading defects.

5. Which of the following documents does Rule 11 apply to?

A. Pleadings

B. Interrogatories

C. Depositions

D. Subpoenas

Rule 11 governs the signatures and certifications that accompany papers filed with the court. It requires that every pleading, along with any signed written motion or other paper presented to the court, be signed by an attorney or party and contain a certification that, to the best of the signer's knowledge after inquiry, the filing is not for an improper purpose, the claims or defenses have a basis in law, and the factual contentions have evidentiary support. Pleadings are the formal court filings that initiate or shape the litigation, so Rule 11 directly applies to them. Interrogatories, depositions, and subpoenas are discovery tools and are not, by themselves, papers filed with the court as pleadings, so Rule 11 does not govern the discovery requests.

6. Is there a limit on the number of requests for production of documents?

A. None

B. Limit of 10

C. Limit of 25

D. Limit of 100

There is no fixed numerical cap on the number of requests for production of documents in federal discovery. The rules allow you to serve as many requests as needed, so long as they are relevant and proportionate to the case. The court can limit or tailor discovery if the requests become unduly burdensome or disproportionate, or through protective orders. The numbers in the other options apply to other discovery devices (like interrogatories or requests for admissions) but not to production requests. That's why the best answer is that there is no preset limit.

7. Discovery cannot begin until which event occurs?

A. The Rule 26(f) Discovery Conference

B. The Case Is Filed

C. A Verdict Is Reached

D. Mediation Occurs

In federal civil procedure, discovery is planned in a mandatory meeting called the Rule 26(f) Discovery Conference. This conference brings the parties together to discuss and plan the scope, methods, and timeline of discovery, exchange initial disclosures, address preservation issues, and set a coordinated discovery schedule. The court uses that conference to shape the scheduling order and deadlines for discovery, so actual discovery activities are coordinated to follow after this meeting. The case being filed is just the start of litigation and doesn't by itself trigger discovery planning, while a verdict or mediation are not prerequisites for discovery in the typical framework.

8. If the plaintiff fails to obey the order to correct the flaws within 14 days (or other time the court sets), the court must strike the complaint?

A. True

B. False

C. The court will award damages

D. The court will dismiss with prejudice

The key idea is that sanctions for failing to cure pleading defects are discretionary, not automatic. If the plaintiff doesn't fix the flaws within the time the court sets, the judge can sanction under applicable rules (often by dismissing the action for failure to comply with a court order or for failure to prosecute), and that dismissal may be with or without prejudice depending on the circumstances. Striking the entire complaint is not mandatory law; the court has several possible responses and will choose based on the situation. Damages aren't the remedy for pleading defects, and while dismissal with prejudice is a possible outcome, it's not guaranteed, nor is striking the complaint the required action.

9. A For Cause Challenge is defined as what?

A. A lawyer's request to excuse a juror because the person appears biased or unable to be fair.

B. The dismissal of a juror for discretionary reasons.

C. A challenge based on the juror's age.

D. A challenge to the juror's education.

For-cause challenges target jurors who cannot be fair or impartial. A lawyer asks the court to excuse a juror because the juror appears biased or unable to be fair, whether due to strong beliefs, personal relationships with parties, prior commitments that would affect neutrality, or any factor that would prevent an impartial verdict. The judge decides based on the juror's ability to be fair, often after questioning during voir dire. This is different from removal for discretionary reasons, which refers to peremptory challenges that allow a party to strike a juror without giving a reason. Grounds like age or education aren't themselves the defining basis for a for-cause challenge; they must be linked to actual bias or inability to be impartial.

10. Which rule governs requests for admission?

- A. Rule 33
- B. Rule 26
- C. Rule 34
- D. Rule 36**

Requests for admission are governed by Rule 36 of the Federal Rules of Civil Procedure. This rule lets a party serve written requests on another party to admit the truth of any matter within the scope of discovery, including the genuineness of described documents. The purpose is to streamline trial by obtaining sworn assurances on facts that are undisputed or documents whose authenticity is in question, so those issues don't have to be proven at trial. Key ideas to remember: responses are usually due within 30 days (subject to extensions or court orders), and a response can admit, deny, or state that the matter cannot be admitted or denied with a brief explanation. An admission under this rule is generally conclusive at trial unless the court allows withdrawal or amendment for good cause. This device is distinct from interrogatories (Rule 33) and document production requests (Rule 34), and it sits within the broader discovery framework set by Rule 26.

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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://civilprocedure1fullcourse.examzify.com>

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

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