

NEW BRUNSWICK BAR 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 first step in the arbitration process?**
 - A. Hold a preparatory conference
 - B. Conduct a hearing
 - C. One party serves notice on the other
 - D. Exchange exhibits and statements of position
- 2. What is excluded from marital property?**
 - A. Assets acquired after marriage
 - B. Family assets
 - C. Proceeds of disposition of non-marital property
 - D. Jointly owned property
- 3. What conditions can lead to an adjustment in the child support amounts due to undue hardship?**
 - A. If the non-custodial parent earns significantly less
 - B. Only if both parents agree to change the amount
 - C. If the regular calculations would create undue hardship for the parents
 - D. When the child has special needs
- 4. What is one of the main protections offered by the Securities Act?**
 - A. Insurance for investors against business failures
 - B. Protection from unfair investment practices
 - C. Tax exemptions for investors
 - D. Guaranteed returns on investments
- 5. What occurs after a stenographer files a transcript of an oral decision?**
 - A. A summary of arguments is prepared
 - B. A copy is sent to the solicitors
 - C. A new trial date is scheduled
 - D. The judgement is appealed immediately
- 6. Which statement is true regarding the admissibility of facts in pleadings?**
 - A. All facts must be pleaded
 - B. Only facts that are contested need to be included
 - C. Facts presumed do not need to be pleaded
 - D. Only legal points must be mentioned

- 7. What is the presumption regarding a will that has been duly executed?**
- A. It is considered invalid until proven otherwise
 - B. It is considered valid until proven otherwise
 - C. It requires witness verification for validity
 - D. It is automatically revoked by the testator's death
- 8. Who supervises the operational activities of the government in New Brunswick?**
- A. The Legislative Assembly
 - B. The Executive Branch
 - C. The Judicial Branch
 - D. The Lieutenant Governor
- 9. What protects the reasonable expectation of privacy during searches?**
- A. Section 7 of the Criminal Code
 - B. Section 8 of the Charter
 - C. General Criminal Law
 - D. Section 24 of the Charter
- 10. What is a major characteristic of an unincorporated association?**
- A. Operates with limited liability
 - B. Formed for a common nonprofit purpose
 - C. Requires formal registration
 - D. Owned by shareholders

Answers

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

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Explanations

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1. What is the first step in the arbitration process?

- A. Hold a preparatory conference
- B. Conduct a hearing
- C. One party serves notice on the other**
- D. Exchange exhibits and statements of position

The first step in the arbitration process is for one party to serve notice on the other. This initial notification is essential as it formally begins the arbitration proceedings, informing the other party of the dispute and the intent to resolve it through arbitration. The notice typically includes relevant details such as the nature of the dispute, the underlying facts, and the relief sought. This step is critical because it establishes the framework for the arbitration, allowing both parties to understand the issues at hand and prepare accordingly. Following this notice, subsequent steps such as holding a preparatory conference, exchanging exhibits and statements of position, and conducting hearings can take place, all of which rely on the foundation laid by the initial notice.

2. What is excluded from marital property?

- A. Assets acquired after marriage
- B. Family assets
- C. Proceeds of disposition of non-marital property**
- D. Jointly owned property

Excluding the proceeds of disposition of non-marital property from marital property is grounded in the principles of equitable distribution during divorce proceedings. Non-marital property typically includes assets that one spouse owned prior to the marriage, inheritances received solely by one spouse, or gifts specifically bequeathed to one spouse. When such assets are sold or otherwise disposed of, the profits or proceeds derived from them maintain their non-marital character and are not subject to division. This preserves the individual ownership rights of the spouse who originally possessed the non-marital asset. In contrast, assets acquired during the marriage or those that fall under the definition of family assets or jointly owned property are included in the marital estate, thus making them subject to equitable division upon divorce. Understanding these distinctions is crucial for comprehending how marital and non-marital properties are differentiated in legal contexts.

3. What conditions can lead to an adjustment in the child support amounts due to undue hardship?

- A. If the non-custodial parent earns significantly less
- B. Only if both parents agree to change the amount
- C. If the regular calculations would create undue hardship for the parents**
- D. When the child has special needs

The correct choice highlights that regular calculations for child support can be adjusted if they would create undue hardship for the parents. This acknowledgment captures the essence of child support laws, which aim to balance the financial responsibilities of parenthood with the economic realities that parents may face. Undue hardship refers to a situation where the financial obligations imposed by standard child support calculations would place an excessive burden on a parent's ability to meet their basic needs or those of the child. This could include scenarios where a parent faces unexpected job loss, significant medical expenses, or other financial difficulties that were not accounted for in the original support agreement. In contrast to this choice, other options focus on specific situations like income differences or agreement between parents, which do not encompass the broader criteria used to assess undue hardship. It's important to recognize that decisions surrounding child support adjustments need to consider a comprehensive overview of a parent's financial situation and the best interests of the child. The underlying principle is to ensure that support arrangements remain fair and just, allowing for modifications when necessary based on genuine financial need.

4. What is one of the main protections offered by the Securities Act?

- A. Insurance for investors against business failures
- B. Protection from unfair investment practices**
- C. Tax exemptions for investors
- D. Guaranteed returns on investments

The Securities Act is primarily designed to promote transparency and fairness in the securities markets, which is achieved through the protection from unfair investment practices. This encompasses a range of regulations that ensure that investors have access to important information about the securities in which they are investing, helping to prevent fraud and misleading practices. The Act requires issuers of securities to provide detailed disclosures about their financial condition, risks, and business operations, which assists investors in making informed decisions. By addressing issues such as insider trading, false statements, and other manipulative practices, the Act helps to create a more equitable marketplace. This protection is crucial for maintaining investor confidence and ensuring that markets operate fairly, which is a fundamental principle underlying the functioning of capital markets. The other options, such as providing insurance for investors or guaranteed returns, do not accurately reflect the primary objectives of the Securities Act. Instead, the Act focuses on safeguarding against unfair practices, thereby promoting a more secure and reliable investment environment.

5. What occurs after a stenographer files a transcript of an oral decision?

- A. A summary of arguments is prepared
- B. A copy is sent to the solicitors**
- C. A new trial date is scheduled
- D. The judgement is appealed immediately

After a stenographer files a transcript of an oral decision, it is customary for a copy of that transcript to be sent to the solicitors involved in the case. This step is significant because it allows the parties to review the official record of the decision and understand the grounds upon which it was made. Having access to the transcript ensures that all parties have the same information regarding the decision, which is crucial for any subsequent legal steps, such as the preparation for appeals or further litigation. The process of distributing the transcript aligns with the principle of maintaining transparency and fairness in legal proceedings, as both sides must have the opportunity to evaluate the decision as delivered by the judge. This practice also coordinates with the procedures that follow judicial decisions, where the responses of the parties can be based on the official documentation of the case.

6. Which statement is true regarding the admissibility of facts in pleadings?

- A. All facts must be pleaded
- B. Only facts that are contested need to be included
- C. Facts presumed do not need to be pleaded**
- D. Only legal points must be mentioned

The statement regarding the admissibility of facts in pleadings that is accurate is that facts presumed do not need to be pleaded. In civil procedure, there are certain facts that are regarded as established unless disproven, which means they do not require formal pleading by either party. This streamlines the process because it allows the court to focus on genuinely contested issues rather than on facts that are already accepted as true. In contrast, the need to plead all facts can burden the pleadings with unnecessary details about every aspect of a case, especially those that are already legally presumed. For instance, if a fact is universally acknowledged or recognized within the jurisdiction, such as the age of majority, it does not require pleading. Therefore, this principle helps to simplify the legal process and conserves judicial resources. The other options suggest a more rigid or incorrect approach to pleading requirements. For instance, stating that all facts must be pleaded overlooks the nuances of legal presumptions. Similarly, the idea that only contested facts need to be included ignores the role of established facts in clarifying the issues at hand. Lastly, the notion that only legal points must be mentioned undermines the importance of factual context in pleadings, which aids in presenting a complete and coherent argument to the court.

7. What is the presumption regarding a will that has been duly executed?

- A. It is considered invalid until proven otherwise
- B. It is considered valid until proven otherwise**
- C. It requires witness verification for validity
- D. It is automatically revoked by the testator's death

A will that has been duly executed is presupposed to be valid until proven otherwise, reflecting the legal principle that recognizes the importance of an individual's intent to distribute their estate according to their wishes. This presumption serves not only to uphold the testator's intentions but also to provide stability and certainty within the estate planning process. When a will is executed properly—meaning it follows the required legal formalities, such as being signed by the testator in the presence of witnesses—there is a strong assumption that it accurately reflects the testator's desires and is enforceable. It places the burden of proof on those challenging the will to demonstrate its invalidity, rather than requiring affirmation of its validity every time a will is presented for probate. Other options imply different assumptions that do not align with established legal principles. For instance, the idea that a will is invalid until proven valid undermines the very purpose of estate planning, while requiring witness verification for validity fails to account for scenarios where such verification has already occurred through proper execution. The notion of automatic revocation by the testator's death misunderstands the relationship between a will and the actions taken by the testator, as it is the will itself that dictates the distribution of assets post-mortem under

8. Who supervises the operational activities of the government in New Brunswick?

- A. The Legislative Assembly
- B. The Executive Branch**
- C. The Judicial Branch
- D. The Lieutenant Governor

The operational activities of the government in New Brunswick are supervised by the Executive Branch. This branch is responsible for implementing and enforcing laws and policies, as well as managing the day-to-day affairs of the government. The Executive Branch consists of the Premier and Cabinet ministers, who are responsible for specific areas such as finance, health, and education. Their roles involve not just administration but also strategic planning and overseeing various government departments to ensure effective governance. In contrast, the Legislative Assembly's primary role is to make laws rather than supervise operations directly. The Judicial Branch interprets the law and ensures that justice is served, but it does not engage in the operational oversight of government functions. The Lieutenant Governor acts mainly as a ceremonial figure representing the monarch, and while they do perform important constitutional duties, they do not supervise the government's operational activities.

9. What protects the reasonable expectation of privacy during searches?

- A. Section 7 of the Criminal Code
- B. Section 8 of the Charter**
- C. General Criminal Law
- D. Section 24 of the Charter

The correct response highlights the importance of Section 8 of the Charter, which specifically protects individuals against unreasonable search or seizure, thus safeguarding the reasonable expectation of privacy. This section establishes that everyone has the right to be secure against arbitrary interference in their personal domain, which includes their homes, belongings, and private communications. It underscores the necessity for law enforcement to have proper justification, such as reasonable grounds or a warrant, before conducting searches that could infringe on an individual's privacy rights. Section 8 is a fundamental component of ensuring that privacy rights are respected within the context of law enforcement and criminal procedures, making it clear that any evidence obtained through unreasonable searches may be deemed inadmissible in court. This provision reflects the balance between the necessity of police powers to ensure public safety and the protection of individual freedoms. In contrast, the other options relate to different aspects of law and rights. For example, Section 7 of the Charter deals with the right to life, liberty, and security of the person, but it does not specifically address searches and seizures. General Criminal Law encompasses a broader range of legal principles and rules but does not single out privacy expectations. Section 24 of the Charter provides remedies for violations of rights but does not directly pertain to the

10. What is a major characteristic of an unincorporated association?

- A. Operates with limited liability
- B. Formed for a common nonprofit purpose**
- C. Requires formal registration
- D. Owned by shareholders

An unincorporated association is primarily characterized by being formed for a common nonprofit purpose. This means that it typically consists of a group of individuals who come together to pursue a shared goal or objective that is not profit-driven, such as community service, recreation, or charitable activities. Unincorporated associations do not have a distinct legal personality separate from their members, which underlines their focus on collective endeavors rather than profit-making. In contrast, other characteristics associated with different types of organizations are not applicable to unincorporated associations. For example, limited liability is a feature often associated with incorporated entities, not unincorporated associations. Formal registration is generally not a requirement for establishing an unincorporated association, as they can be formed relatively informally. Additionally, while unincorporated associations might have members, they do not operate on a basis of ownership like corporations that are owned by shareholders. All of these aspects affirm that the defining feature of unincorporated associations is their focus on nonprofit objectives, making the correct choice about their character.

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://newbrunswickbar.examzify.com>

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

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