

# New York Law (NYLE) Practice Exam (Sample)

## Study Guide



**Everything you need from our exam experts!**

**This is a sample study guide. To access the full version with hundreds of questions,**

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# Table of Contents

<b>Copyright</b> .....	<b>1</b>
<b>Table of Contents</b> .....	<b>2</b>
<b>Introduction</b> .....	<b>3</b>
<b>How to Use This Guide</b> .....	<b>4</b>
<b>Questions</b> .....	<b>6</b>
<b>Answers</b> .....	<b>10</b>
<b>Explanations</b> .....	<b>12</b>
<b>Next Steps</b> .....	<b>19</b>

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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. Don't worry about getting everything right, 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, and take breaks to retain information better.**

## 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.**

## 7. Use Other Tools

**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!**

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## **Questions**

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- 1. Which of the following is true about medical expense claims under the no-fault insurance law?**
  - A. They can be claimed indefinitely after the accident.**
  - B. They have a cap of \$10,000 per individual.**
  - C. They require proof of injury to access benefits.**
  - D. They are reimbursed for services needed within a year of the accident.**
- 2. Which one of the following statements concerning expert testimony is false?**
  - A. An expert may rely on hearsay evidence if the hearsay is admissible.**
  - B. An expert's opinion must be based solely on facts and data.**
  - C. An expert's methodology must be widely accepted in the scientific community.**
  - D. An expert may rely on hearsay evidence in stating her opinion only if the hearsay evidence is admissible in its own right.**
- 3. Is it necessary for a conflict of interest waiver to be confirmed in writing?**
  - A. Yes, the client must confirm it in writing**
  - B. Yes, either the client or the lawyer must confirm it in writing**
  - C. Yes, both the client and lawyer must confirm it in writing**
  - D. No, but it is advisable for the lawyer to confirm it in writing**
- 4. What can a mortgage lender do upon a mortgagee's default in New York?**
  - A. Only commence a civil action on the note**
  - B. Commence a foreclosure action, and may commence a civil action on the note with leave of court**
  - C. Only commence a foreclosure without any further action**
  - D. Negotiate directly with the borrower without court involvement**

**5. Privilege stands in all the following scenarios except:**

- A. The client does not in fact retain the attorney.**
- B. The attorney's law clerk is present during the communication.**
- C. The client is a corporate representative.**
- D. The prospective client allows a friend to be present during the conversation.**

**6. Unless stated otherwise, the time period for filing a motion for summary judgment is measured from:**

- A. The action was commenced.**
- B. The defendant served an answer to the complaint.**
- C. The note of issue was filed.**
- D. The request for judicial intervention was served.**

**7. Shortly after a victim was robbed, she identified the defendant in a photographic array that was not unduly suggestive. At a trial of the defendant for robbery, may the victim testify regarding her prior identification of the defendant by photograph?**

- A. No, because testimony regarding a pre-trial photographic identification is never admissible.**
- B. No, unless there is an independent source for the victim's pre-trial photographic identification of the defendant.**
- C. Yes, if the photographic identification was conducted pursuant to a blind procedure.**
- D. Yes, regardless of the procedure pursuant to which the photographic identification was conducted.**

**8. How should the court calculate maintenance and child support when a couple with children is divorcing?**

- A. The parties calculate child support and seek court approval for maintenance**
- B. Child support should be calculated first**
- C. Maintenance should be calculated first**
- D. Child support and maintenance should be calculated concurrently**

**9. What is the minimum requirement for establishing a general partnership?**

- A. 1 person**
- B. 2 or more persons**
- C. 3 or more entities**
- D. Any legal entity**

**10. What defines the role of the presiding officer in a public body?**

- A. To ensure everyone speaks equally.**
- B. To dictate terms without approval.**
- C. To identify topics for executive sessions.**
- D. To maintain decision-making power.**

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## **Answers**

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

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## **Explanations**

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**1. Which of the following is true about medical expense claims under the no-fault insurance law?**

- A. They can be claimed indefinitely after the accident.**
- B. They have a cap of \$10,000 per individual.**
- C. They require proof of injury to access benefits.**
- D. They are reimbursed for services needed within a year of the accident.**

The assertion that medical expense claims under the no-fault insurance law are reimbursed for services needed within a year of the accident is accurate because New York's no-fault insurance laws stipulate that expenses for necessary medical treatment must be incurred within a specified timeframe following the accident. This provision ensures that victims can receive timely medical care and financial compensation for their medical needs directly arising from the accident. The nature of no-fault insurance is such that it allows for quicker access to benefits for medical expenses without the necessity to prove fault or negligence. However, it does impose certain limitations, such as the timeframe within which the medical expenses must be claimed. This is essential for managing claims efficiently and ensuring that the expenses are directly related to the accident. Medical expenses incurred beyond the one-year limit may not be eligible for reimbursement, which emphasizes the importance of seeking medical care promptly post-accident. Understanding these timelines can significantly impact the individual's ability to secure the compensation they need for recovery.

**2. Which one of the following statements concerning expert testimony is false?**

- A. An expert may rely on hearsay evidence if the hearsay is admissible.**
- B. An expert's opinion must be based solely on facts and data.**
- C. An expert's methodology must be widely accepted in the scientific community.**
- D. An expert may rely on hearsay evidence in stating her opinion only if the hearsay evidence is admissible in its own right.**

The selection of the statement that an expert may rely on hearsay evidence in stating her opinion only if the hearsay evidence is admissible in its own right highlights an important facet of expert testimony in legal proceedings. The assertion is inaccurate because an expert can indeed rely on hearsay evidence under certain conditions, particularly when the hearsay is not offered for the truth of the matter asserted but to support the expert's opinion, which may be considered reliable and helpful to the fact-finder. Experts often build their conclusions on a foundation that includes a combination of their own experience, specialized knowledge, and data from various sources, some of which might be hearsay. The rules allow experts to incorporate hearsay into their opinions as long as it is of a type commonly relied upon by experts in the field. Therefore, the statement suggesting that hearsay must be independently admissible in order for an expert to rely on it is misleading. In contrast, it is accurate that experts may rely on admissible hearsay, their opinions can take into account widely accepted methodologies, and their conclusions should find support in valid underlying facts and data. These elements contribute to the expert's credibility and the reliability of their testimony in a legal context.

### 3. Is it necessary for a conflict of interest waiver to be confirmed in writing?

- A. Yes, the client must confirm it in writing**
- B. Yes, either the client or the lawyer must confirm it in writing**
- C. Yes, both the client and lawyer must confirm it in writing**
- D. No, but it is advisable for the lawyer to confirm it in writing**

In the context of a conflict of interest waiver, it is essential that either the client or the lawyer confirms the waiver in writing to ensure clarity and protect the interests of all parties involved. This writing serves not only as documentation but also as a safeguard against potential misunderstandings or disputes regarding the waiver in the future. Having this confirmation in place helps establish that the client was aware of the potential conflicts and willingly chose to proceed with the representation despite those conflicts, which is crucial for both ethical compliance and legal protection. Written waivers provide a clear record to demonstrate that informed consent was obtained. Verbal agreements may not provide sufficient protection and could lead to complications if later questioned, making it prudent to have written confirmation as a best practice. This is why it's emphasized that it is sufficient for either the client or the lawyer to have written confirmation rather than necessitating that both parties confirm in writing.

### 4. What can a mortgage lender do upon a mortgagee's default in New York?

- A. Only commence a civil action on the note**
- B. Commence a foreclosure action, and may commence a civil action on the note with leave of court**
- C. Only commence a foreclosure without any further action**
- D. Negotiate directly with the borrower without court involvement**

In New York, when a mortgagee defaults on their obligations, a mortgage lender has specific legal remedies available. The correct answer indicates that the lender can initiate a foreclosure action as a remedy to recover the amount owed under the mortgage. Foreclosure is a legal process by which a lender seeks to recover the balance of the loan from a borrower who has stopped making payments, typically through a court proceeding that allows the lender to sell the property securing the loan to satisfy the debt. Furthermore, the option allows for the possibility of commencing a civil action on the note, which is the formal promissory note that embodies the borrower's promise to repay the loan. However, the lender must seek permission from the court to do so. This approach reflects that while the lender has various options for recourse, starting with foreclosure is a standard legal remedy available without any prerequisites, while pursuing a monetary judgment on the note requires court involvement. In contrast, other alternatives presented do not fully encapsulate the correct legal process in New York. For example, simply commencing a civil action on the note without addressing foreclosure would not suffice, as foreclosure is typically the more direct route to remedy a default. Initiating foreclosure without any further actions does not reflect the lender's ability to also

## 5. Privilege stands in all the following scenarios except:

- A. The client does not in fact retain the attorney.
- B. The attorney's law clerk is present during the communication.
- C. The client is a corporate representative.
- D. The prospective client allows a friend to be present during the conversation.**

In this context, privilege refers to the legal principle that protects certain communications from being disclosed in legal proceedings. Such privilege is generally designed to maintain confidentiality between an attorney and their client. When a client has a conversation with an attorney, the presence of third parties can affect the confidentiality of that conversation. In the scenario where the prospective client allows a friend to be present during the conversation, the presence of that friend can terminate the attorney-client privilege. This is because privilege is generally predicated on the idea that the communication is intended to be confidential between the attorney and the client. If a third party is present and involved in the discussion, it compromises that confidentiality. In contrast, the other scenarios demonstrate circumstances where privilege can still stand. For instance, if a client does not retain the attorney, communications may not be privileged because there was no established attorney-client relationship. Similarly, communications involving a law clerk may still be protected if they relate to legal work and the clerk is acting within the scope of their duties. The corporate representative scenario also maintains privilege, as communications made by a corporate representative on behalf of the corporation are generally considered privileged under the corporate attorney-client privilege doctrine. Overall, the critical aspect is that the presence of third parties, such as a friend,

## 6. Unless stated otherwise, the time period for filing a motion for summary judgment is measured from:

- A. The action was commenced.
- B. The defendant served an answer to the complaint.
- C. The note of issue was filed.**
- D. The request for judicial intervention was served.

The correct answer is that the time period for filing a motion for summary judgment is measured from when the note of issue was filed. This is significant because, in New York civil practice, the note of issue marks the completion of discovery and indicates that a case is ready for trial. By establishing this point in time as the starting point for motions, the rules aim to ensure that all parties have had a fair opportunity to gather evidence and prepare their case before an ultimate decision is made by the court. This system helps avoid prematurely filed summary judgment motions that could potentially disrupt the litigation process. In contrast, the action being commenced, the defendant serving an answer, or the request for judicial intervention occurring do not provide the same clarity regarding the completion of discovery and preparation for trial. Therefore, these events are not recognized as relevant benchmarks for applying the timeline to file a motion for summary judgment.

7. Shortly after a victim was robbed, she identified the defendant in a photographic array that was not unduly suggestive. At a trial of the defendant for robbery, may the victim testify regarding her prior identification of the defendant by photograph?

- A. No, because testimony regarding a pre-trial photographic identification is never admissible.
- B. No, unless there is an independent source for the victim's pre-trial photographic identification of the defendant.
- C. Yes, if the photographic identification was conducted pursuant to a blind procedure.**
- D. Yes, regardless of the procedure pursuant to which the photographic identification was conducted.

The scenario describes a situation where a victim has made a pre-trial identification of a defendant via a photographic array. In New York law, the admissibility of such testimony revolves around the reliability of the identification process and whether it raises concerns of suggestiveness. The correct understanding is that if the photographic identification was conducted in a way that minimizes the risk of suggestive influences—known as a "blind procedure"—the victim's testimony regarding that identification may indeed be admissible in court. A "blind procedure" entails that the person administering the photographic array does not know which photograph is that of the suspect, reducing the chance of influencing the victim's identification. This adherence to procedure demonstrates a commitment to fairness and the integrity of eyewitness testimony. Because the identification was not unduly suggestive, and the photograph was recognized through a proper technique, it strengthens the validity of the identification process. Thus, the victim's testimony about her prior identification is accepted in court under these conditions, aligning with the principles of fairness embedded in New York law. In contrast, the other options address misconceptions or less favorable conditions. Option A incorrectly asserts that such testimony is never admissible, which is not the case if proper procedures are followed. Option B introduces the notion of needing

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## 8. How should the court calculate maintenance and child support when a couple with children is divorcing?

- A. The parties calculate child support and seek court approval for maintenance
- B. Child support should be calculated first
- C. Maintenance should be calculated first**
- D. Child support and maintenance should be calculated concurrently

The calculation of maintenance and child support during divorce proceedings is a process that requires careful consideration of the financial circumstances of both parents and the needs of the children. When determining how to approach these calculations, the sequential order in which they are addressed can significantly impact the overall determination of financial obligations. Calculating maintenance first is critical because maintenance, often referred to as spousal support, is intended to ensure that one spouse can maintain a reasonable standard of living post-divorce. The amount and duration of maintenance will influence the income available for both parties, thereby affecting how child support is determined. If maintenance is calculated first, it allows the court to establish the financial needs of the recipient spouse before considering the needs of any children and the ability of the payor spouse to contribute financially to both obligations. In contrast to this approach, calculating child support first does not take into consideration the financial strain that spousal maintenance may impose on the payor. Concurrent calculations, while they might seem logical, could lead to confusion about how each obligation impacts the other. When maintenance is properly prioritized, the resultant financial picture is clearer, enabling the court to make informed decisions about both child support and maintenance that reflect the realities of maintaining a household for a child. Thus, prioritizing the calculation

## 9. What is the minimum requirement for establishing a general partnership?

- A. 1 person
- B. 2 or more persons**
- C. 3 or more entities
- D. Any legal entity

To establish a general partnership, the minimum requirement is that there must be two or more persons involved. A general partnership is defined as an association of two or more individuals or entities who come together to operate a business for profit. Each partner contributes to the business, shares in the profits, and participates in the management. This defining characteristic of requiring multiple individuals or entities is rooted in the collaborative nature of partnerships, where each partner brings their own skills, resources, and investment into the venture. A single individual cannot form a general partnership alone, as the very essence of a partnership involves shared responsibilities and decision-making among the partners. The other options do not accurately reflect this requirement. For instance, having only one person would not meet the threshold for a partnership, and while any legal entity can act as a partner, the criteria for forming a general partnership centers exclusively on the existence of multiple parties involved in the business endeavor.

**10. What defines the role of the presiding officer in a public body?**

- A. To ensure everyone speaks equally.**
- B. To dictate terms without approval.**
- C. To identify topics for executive sessions.**
- D. To maintain decision-making power.**

The role of the presiding officer in a public body includes a variety of responsibilities that are crucial for the effective functioning of meetings. One of the key responsibilities is to identify topics for executive sessions, which are closed meetings held to discuss sensitive issues that cannot be disclosed to the public, such as personnel matters or legal strategies. This duty is important because it ensures that the public body can operate with confidentiality when necessary and that the discussions held in these sessions are aligned with legal provisions governing such meetings. This responsibility aligns with the need for transparency and legality in governmental operations, as the presiding officer must also ensure that the topics discussed in executive sessions meet statutory requirements. Identifying appropriate topics for these sessions reflects the presiding officer's role in balancing public interests with the need for privacy in certain discussions. Other roles, such as ensuring equal participation or maintaining decision-making power, may not fully encapsulate the specialized duties tied to the identification of executive session topics. These other aspects can be elements of the presiding officer's function but do not specifically define it as clearly as the duty related to executive sessions does.

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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](mailto:hello@examzify.com).**

**Or visit your dedicated course page for more study tools and resources:**

**<https://nyle.examzify.com>**

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

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