

NEW YORK STATE COURT ASSISTANT LEGAL TERMINOLOGY PRACTICE TEST (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. Which instrument is used to end a case or abandon a claim with the court?**
 - A. Return Date
 - B. Affidavit
 - C. Stipulation of discontinuance
 - D. Notice of Appearance

- 2. What is the term for a written agreement that extends a party's deadline to respond or appear?**
 - A. Extension Agreement
 - B. Waiver
 - C. Stipulation (for extension of time)
 - D. Continuance

- 3. What does nunc pro tunc mean?**
 - A. After this
 - B. Here and now
 - C. From now on
 - D. Now for then

- 4. The formal process of using a court order to seize personal or real property is called what?**
 - A. Bail
 - B. Appearance
 - C. Attach
 - D. Appellee

- 5. What is the heading at the top of pleadings that identifies the court, parties, and case number?**
 - A. Docket
 - B. Title Page
 - C. Index Number
 - D. Caption

6. Which term describes the voluntary withdrawal of a case or claim without prejudice?

- A. Voluntary Dismissal
- B. Dismissal with Prejudice
- C. Stipulation
- D. Judgment

7. What is a warrant?

- A. A written court authorization for a peace or police officer to arrest a person
- B. A court order to publish a notice
- C. A casual invitation to a hearing
- D. A private contract

8. What filing notifies the court and the opposing party that a party will appear and participate in the action?

- A. Notice of Appearance
- B. Affidavit
- C. Return Date
- D. Stipulation of discontinuance

9. What is the document attached to a will and forming part of the will called?

- A. Calendar
- B. Consanguinity
- C. Common law
- D. Codicil

10. Which body typically issues a warrant?

- A. City council
- B. Attorney general
- C. A police officer's desk
- D. A court or judge

Answers

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

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Explanations

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1. Which instrument is used to end a case or abandon a claim with the court?

- A. Return Date
- B. Affidavit
- C. Stipulation of discontinuance**
- D. Notice of Appearance

The instrument used to end a case or abandon a claim is a stipulation of discontinuance. It is a written agreement, signed by all parties or their attorneys, to withdraw the action and stop further court proceedings. When this agreement is filed with the court and, if required, approved by the judge (often "so-ordered"), the case or specific claims are terminated. The language may specify that the dismissal is with prejudice (you can't sue again on the same claim) or without prejudice (you may refile later), depending on the terms and rules. This stands in contrast to a return date, which is simply a scheduled court date; an affidavit, which is a sworn statement used to support or oppose motions; and a notice of appearance, which is just notice that a particular attorney represents a party. None of those actions ends the case like a stipulation of discontinuance does.

2. What is the term for a written agreement that extends a party's deadline to respond or appear?

- A. Extension Agreement
- B. Waiver
- C. Stipulation (for extension of time)**
- D. Continuance

In court practice, a written agreement that extends a party's deadline to respond or appear is called a stipulation for extension of time. A stipulation is an agreement between the parties, often filed with the court, that grants more time to plead, respond, or appear. When the court approves it, it may be entered as a stipulation and order to formalize the extension. This fits the scenario because the purpose is specifically to extend deadlines, not to waive rights or delay the entire proceedings. The other terms don't capture this precise idea: an extension agreement isn't a standard term, a waiver means giving up a right, and a continuance usually refers to postponing a court appearance or trial rather than extending a pleading deadline.

3. What does nunc pro tunc mean?

- A. After this
- B. Here and now
- C. From now on
- D. Now for then**

Nunc pro tunc means "now for then." It's used in court practice to give an action a retroactive effect, treating it as if it had occurred at an earlier time even though the filing or entry happens later. This is useful for correcting the record or recognizing an act to be effective from a previous date—for example, when a judgment should have a backdated entry to reflect what the court decided earlier. That retroactive sense is why the option that translates to "now for then" is the best choice. The other phrases describe present or future timing ("here and now," "from now on") or something following the present ("after this"), which don't capture the retroactive effect.

4. The formal process of using a court order to seize personal or real property is called what?

- A. Bail
- B. Appearance
- C. Attach**
- D. Appellee

In civil procedure, attachment is the court-ordered seizure of a debtor's assets to secure a claim or ensure payment of a judgment. The court issues a writ allowing the sheriff or other officer to seize property—either personal items like bank accounts or other assets, and sometimes real property—to prevent dissipation of assets before the case is resolved or to satisfy a judgment after victory. This remedy protects the party pursuing the claim by maintaining assets available to satisfy what's owed. Bail is about securing a defendant's appearance in court, not seizing assets. Appearance refers to coming to court. An appellee is the party against whom an appeal is taken.

5. What is the heading at the top of pleadings that identifies the court, parties, and case number?

- A. Docket
- B. Title Page
- C. Index Number
- D. Caption**

The heading at the top of pleadings that identifies the court, parties, and case number is called the caption. It sits at the very start and lists the court and jurisdiction (for example, the state and county), the names of the plaintiff and defendant, and the case's index number. This placement and content ensure everyone, including the clerk, knows exactly which case this document belongs to and under which court it's filed. The other terms describe different ideas: the docket is the court's calendar/record of filings, the index number is the specific case number shown in the caption, and a title page is not the element used to identify the case in NY pleadings.

6. Which term describes the voluntary withdrawal of a case or claim without prejudice?

- A. Voluntary Dismissal**
- B. Dismissal with Prejudice
- C. Stipulation
- D. Judgment

Voluntary dismissal is the act of a party choosing to withdraw a case or a claim. When the dismissal is without prejudice, it means the case can be filed again in the future—the withdrawal does not bar the claim on its merits. This is the exact situation described by the term in question. Dismissal with prejudice, by contrast, ends the case on the merits and prevents any future action on the same claim. A stipulation is merely an agreed-upon resolution between the parties, which can include dismissal but is not itself the act of withdrawing. A judgment is the court's final ruling resolving the dispute, not a voluntary withdrawal.

7. What is a warrant?

- A. A written court authorization for a peace or police officer to arrest a person
- B. A court order to publish a notice
- C. A casual invitation to a hearing
- D. A private contract

A warrant is a written court order that authorizes law enforcement to take a specific action, typically to arrest a named person or to search a place. In the context of this question, it refers to a written court authorization for a peace or police officer to arrest a person. This captures the essential function of a warrant: a judge or magistrate issues it based on probable cause, directing officers to act. The other descriptions don't fit a warrant: a court order to publish a notice is not about arrest, a casual invitation to a hearing isn't a formal order, and a private contract isn't enforceable by police actions.

8. What filing notifies the court and the opposing party that a party will appear and participate in the action?

- A. Notice of Appearance
- B. Affidavit
- C. Return Date
- D. Stipulation of discontinuance

A Notice of Appearance is the filing that notifies the court and the opposing party that a party will appear and participate in the action. It signals that counsel (or the party if proceeding pro se) will be involved in handling the case, so future papers and communications should be directed to them and the court will recognize them as the party's representative. This helps prevent default judgments by making clear who is authorized to represent and receive documents for that side. An affidavit is a sworn statement of facts used to support or oppose motions, not a notice of participation. A return date is the scheduled court appearance date, not a filing that informs who will participate. A stipulation of discontinuance is an agreement to end the case, which has nothing to do with who will appear or participate.

9. What is the document attached to a will and forming part of the will called?

- A. Calendar
- B. Consanguinity
- C. Common law
- D. Codicil

A codicil is a separate instrument that amends or supplements a will. It is executed with the same formalities as the will (with signatures and witnesses, where required) and, once valid, becomes part of the will, reading together with its provisions. It allows updating gifts, changing beneficiaries, adding or removing executors, or revising the residuary clause without drafting an entirely new will. The other terms don't fit because calendar is just a date tool, consanguinity refers to blood relationships, and common law is a body of law—not a document that modifies a will.

10. Which body typically issues a warrant?

- A. City council
- B. Attorney general
- C. A police officer's desk
- D. A court or judge**

Warrants are judicial orders issued by a court or judge. In criminal procedure, a warrant authorizes a search or an arrest and must be based on probable cause shown in an affidavit. A court or judge reviews the evidence and signs the warrant, providing an impartial check on police power. Police officers carry out warrants, but they do not issue them themselves. The city council cannot issue warrants because it's a legislative body, not a judicial one. The attorney general handles certain legal matters and prosecutions, but issuing warrants isn't their routine role. A police officer's desk is the place for preparing or executing warrants, not issuing them. So the best answer is that a court or judge issues warrants.

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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://nyscourtassistantlegalterms.examzify.com>

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

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