

North Carolina Rules of Civil Procedure (NCGS Section 1A-1) Practice Test (Sample)

Study Guide



Everything you need from our exam experts!

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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 service of a production request, how many days does the served party have to provide a written response?**
 - A. 60 days**
 - B. 30 days**
 - C. 45 days**
 - D. 15 days**

- 2. Under Rule 60, the time limit for filing a motion for relief from judgment is which of the following?**
 - A. 6 months**
 - B. 1 year**
 - C. 2 years**
 - D. 3 years**

- 3. After a sheriff returns a summons unexecuted, who may serve it?**
 - A. A member of the plaintiff's family**
 - B. Any person at least 21 years old, not a party, not related to the parties**
 - C. Only a licensed process server**
 - D. The clerk**

- 4. Judgment is entered when it is reduced to writing, signed by the judge, and filed with the clerk, establishing a 30-day window to appeal.**
 - A. Judgment is reduced to writing, signed by the judge, and filed with the clerk**
 - B. Judgment is announced in court**
 - C. Judgment is served on all parties**
 - D. Judgment is sealed by the court**

- 5. How are exhibits incorporated into pleadings under the referenced rule?**
 - A. By attachment to the pleading**
 - B. By no reference to exhibits**
 - C. By adoption by reference**
 - D. By separate filing**

- 6. Which method is valid for serving a natural person at their dwelling under Rule 4j1?**
- A. Deliver to the defendant's dwelling or abode or leave copies with a person 14 or older at the same address**
 - B. Deliver to a neighbor's house only**
 - C. Deliver by email to the defendant**
 - D. Post on courthouse door**
- 7. After expiration, may a judge enlarge the period if the delay was due to excusable neglect?**
- A. False**
 - B. True**
 - C. Only with stipulation**
 - D. Only for misfiling**
- 8. What does 'relation back' mean in amendments?**
- A. An amendment may relate back only if the defendant has new counsel.**
 - B. Relation back does not apply to amendments.**
 - C. Relation back may occur if the amendment concerns a different transaction.**
 - D. An amendment may relate back to the date of the original pleading if it concerns the same conduct, transaction, or occurrence.**
- 9. What discovery devices are commonly available?**
- A. Subpoenas**
 - B. Interrogatories, requests for production of documents, requests for admissions, and depositions.**
 - C. Trial subpoenas, interrogatories, and orders to compel production.**
 - D. Motions for summary judgment and subpoenas.**
- 10. Under Rule 8(b), which term best describes the two recognized forms of denial?**
- A. Specific denials and general denials**
 - B. Valid denials and invalid denials**
 - C. Absolute denials and conditional denials**
 - D. Express denials and implied denials**

Answers

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

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Explanations

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1. After service of a production request, how many days does the served party have to provide a written response?

- A. 60 days
- B. 30 days**
- C. 45 days
- D. 15 days

In North Carolina discovery, the standard deadline to respond to a production request is 30 days. The clock starts when the request is served, and the response can be either producing the requested items or providing written objections. If service is by mail, you add three days under Rule 6, making it effectively 33 days in that scenario. A longer period can be set by court order or agreement, but absent that, 30 days is the rule. If no timely response is provided, the requesting party may move to compel production.

2. Under Rule 60, the time limit for filing a motion for relief from judgment is which of the following?

- A. 6 months
- B. 1 year**
- C. 2 years
- D. 3 years

Rule 60 motions are requests to relieve a party from a final judgment, and in North Carolina the time to bring such a motion is one year from the entry of the judgment for most grounds. This one-year limit helps keep final judgments stable while still allowing relief when a legitimate issue such as mistake, newly discovered evidence, or fraud is involved. So, the correct time frame is one year after the judgment is entered. (Note: there are nuances for void judgments, but the standard rule most often tested is the one-year limit.)

3. After a sheriff returns a summons unexecuted, who may serve it?

- A. A member of the plaintiff's family
- B. Any person at least 21 years old, not a party, not related to the parties**
- C. Only a licensed process server
- D. The clerk

When service can't be completed by the sheriff, North Carolina allows a private individual to take on service. The person must be at least 21 years old, not a party to the suit, and not related to the parties. This provides a neutral, capable option to get a summons served and move the case forward. A family member of a plaintiff is disqualified for potential bias or interest, and the clerk doesn't personally serve process. Requiring only a licensed process server isn't necessary—the rule focuses on age, neutrality, and non-party status, not on licensing.

4. Judgment is entered when it is reduced to writing, signed by the judge, and filed with the clerk, establishing a 30-day window to appeal.

A. Judgment is reduced to writing, signed by the judge, and filed with the clerk

B. Judgment is announced in court

C. Judgment is served on all parties

D. Judgment is sealed by the court

In North Carolina, the clock for appealing a judgment starts only after the judgment is formally entered. That entry happens when the judgment is reduced to writing, signed by the judge, and filed with the clerk. Until that formal entry, the appeal window isn't triggered, even if the judge announced the decision in court. So the written, signed, and filed judgment is what establishes the 30-day window to appeal. Merely announcing the judgment or serving it on parties isn't enough to start that clock, and sealing the judgment isn't related to when the appeal period begins. (Note: if a timely post-trial motion is filed, that can affect the timing in some cases, but the primary rule is that entry starts the appeal period.)

5. How are exhibits incorporated into pleadings under the referenced rule?

A. By attachment to the pleading

B. By no reference to exhibits

C. By adoption by reference

D. By separate filing

Exhibits are incorporated into pleadings by adopting them by reference. This means you attach the document as an exhibit and expressly state that the exhibit is incorporated by reference into the pleading, so its contents are treated as if fully set forth in the pleading. This approach keeps the pleading concise while ensuring the court considers the exhibit as part of the pleading for purposes of claims, defenses, and evidence. Separate filing isn't required merely to have the exhibit considered, and there must be some reference or incorporation rather than no reference at all.

6. Which method is valid for serving a natural person at their dwelling under Rule 4j1?

A. Deliver to the defendant's dwelling or abode or leave copies with a person 14 or older at the same address

B. Deliver to a neighbor's house only

C. Deliver by email to the defendant

D. Post on courthouse door

Rule 4(j1) allows you to serve a natural person at the defendant's dwelling by either delivering the summons and complaint to the defendant's dwelling or abode, or by leaving copies with a person who lives at that address and is at least 14 years old. This ensures notice by reaching someone who actually resides at the home, even if you don't hand the papers directly to the defendant. This is why delivering to the defendant's dwelling or leaving them with a person aged 14 or older at the same address is the valid method. Serving at a neighbor's house doesn't meet the requirement of targeting the defendant's own dwelling. Emailing the defendant isn't the authorized method under Rule 4(j1) for this type of service, and posting on the courthouse door is a different, usually supplemental, mechanism that isn't the daytime dwelling-based service described by 4(j1).

7. After expiration, may a judge enlarge the period if the delay was due to excusable neglect?

A. False

B. True

C. Only with stipulation

D. Only for misfiling

A deadline can be extended after it has passed if the delay was caused by excusable neglect. In North Carolina practice, the court may enlarge the time for performing an act even after expiration when the failure to act timely results from excusable neglect, and the movant seeks relief. Excusable neglect includes things like inadvertence, miscalculation of dates, or delays beyond the party's control, such as issues with counsel. The request is typically made by motion, and the court has discretion to grant relief based on fairness and the surrounding circumstances. There's no requirement for stipulation or for misfiling to justify an extension.

8. What does 'relation back' mean in amendments?

- A. An amendment may relate back only if the defendant has new counsel.
- B. Relation back does not apply to amendments.
- C. Relation back may occur if the amendment concerns a different transaction.
- D. An amendment may relate back to the date of the original pleading if it concerns the same conduct, transaction, or occurrence.**

Relation back means an amendment can be treated as filed on the date of the original pleading if it arises from the same conduct, transaction, or occurrence described in that pleading. The point is that the amendment isn't introducing a new claim based on a different set of facts; it's about extending or clarifying the same nucleus of facts already involved in the case. That's why the best answer says an amendment may relate back to the original filing date when it concerns the same conduct, transaction, or occurrence. This rule helps avoid prejudice from time limits and keeps the case cohesive around the same events. New counsel or a completely different transaction aren't the triggers for relation back, and saying relation back doesn't apply to amendments is incorrect.

9. What discovery devices are commonly available?

- A. Subpoenas
- B. Interrogatories, requests for production of documents, requests for admissions, and depositions.**
- C. Trial subpoenas, interrogatories, and orders to compel production.
- D. Motions for summary judgment and subpoenas.

The main idea is the set of tools you use in pretrial discovery to obtain information from the other side. The four common discovery devices are interrogatories, requests for production of documents, requests for admissions, and depositions. Interrogatories are written questions you send to the other party, who must provide sworn written answers. Requests for production ask the other side to hand over documents and other tangible materials for inspection. Requests for admissions are statements the other party must admit or deny, which helps narrow issues for trial. Depositions involve oral questioning under oath with a record of the testimony, allowing real-time cross-examination and the opportunity to observe credibility. Subpoenas can be used to compel nonparties to provide information or appearance, but they're more about extending discovery to nonparties and are not the core set of discovery tools between parties. The other options mix trial-related items or enforcement/motion tools (like trial subpoenas, orders to compel, or motions for summary judgment), which aren't the standard discovery devices used to gather initial information from the opposing party.

10. Under Rule 8(b), which term best describes the two recognized forms of denial?

- A. Specific denials and general denials**
- B. Valid denials and invalid denials**
- C. Absolute denials and conditional denials**
- D. Express denials and implied denials**

Under Rule 8(b), how a party responds to the allegations matters, and there are two recognized ways to deny those allegations. A general denial is a blanket denial of all allegations in the pleading, used when the party disputes everything. A specific denial, on the other hand, denies the truth of particular allegations (often by paragraph or issue), allowing the party to admit some facts while denying others. This distinction helps keep the issues clear for the court and for trial, showing exactly which facts are disputed and which are admitted. The other pairings listed don't reflect the standard distinctions used under Rule 8(b).

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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://ncrulesofcivilprocedure.examzify.com>

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

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