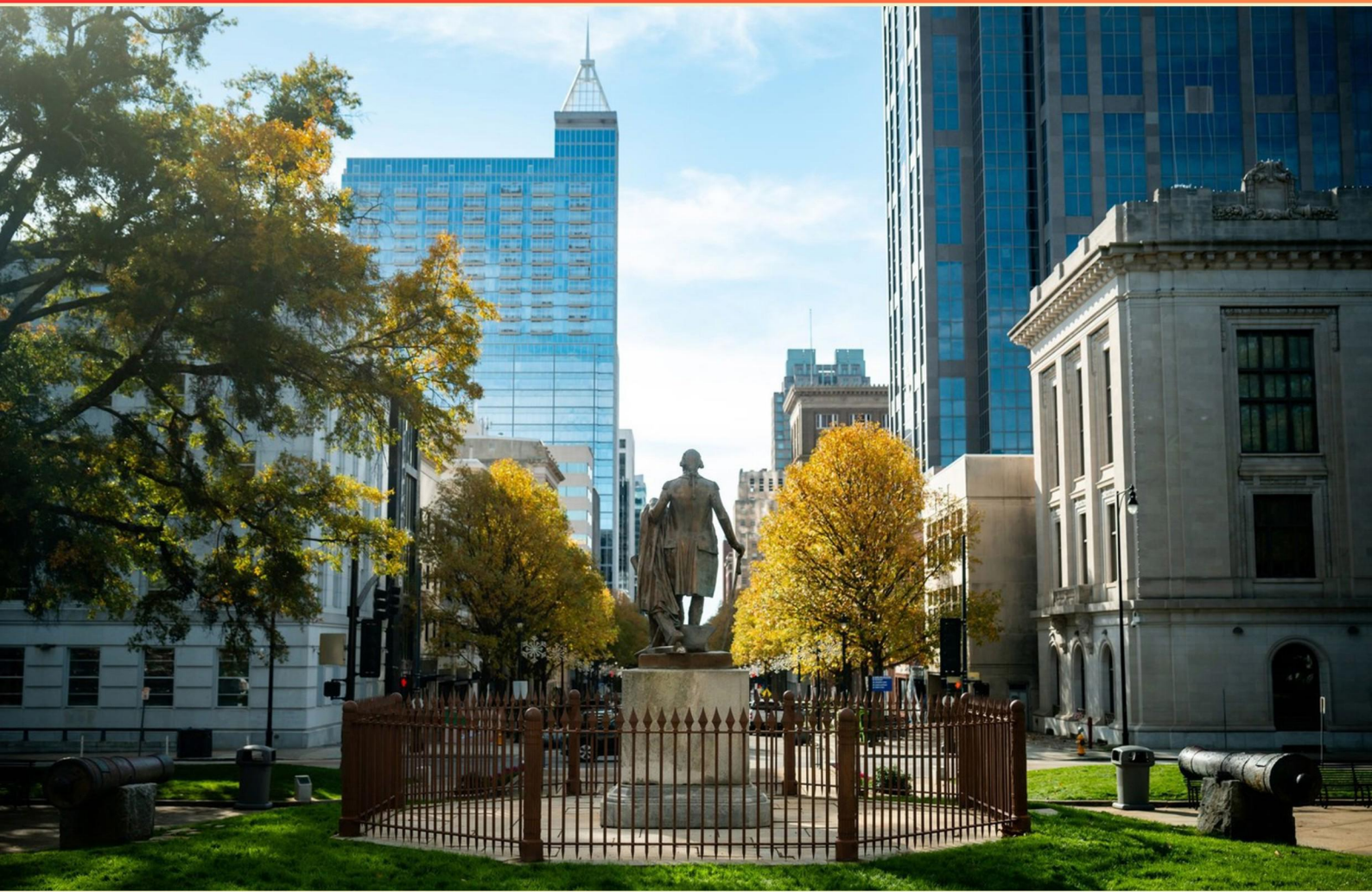


NORTH CAROLINA RULES OF CIVIL PROCEDURE (NCGS SECTION 1A-1) PRACTICE TEST (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

**VISIT US ONLINE FOR
THE FULL VERSION STUDY GUIDE**

<https://ncrulesofcivilprocedure.examzify.com>



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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. An admission may be withdrawn or amended only how?**
 - A. By court on motion
 - B. By the opposing party's consent
 - C. By filing a new answer
 - D. By a new request for admission
- 2. Under signing rules, a party not represented by an attorney will sign.**
 - A. True
 - B. False
 - C. Only if the court orders
 - D. Only in unusual cases
- 3. Which statement best describes a typical outcome of the pretrial conference?**
 - A. Narrowing issues and agreeing on discovery deadlines and settlement prospects.
 - B. Final judgment is entered.
 - C. Case is automatically dismissed.
 - D. Jury is selected.
- 4. How should a plaintiff plead that all conditions precedent have occurred?**
 - A. Generally that all conditions precedent have occurred
 - B. By denial of occurrence
 - C. Only after discovery is complete
 - D. With a detailed timeline of each condition
- 5. Which of the following is a ground for relief from judgment under NC rules?**
 - A. Mistake, inadvertence, excusable neglect, fraud, or other just reasons.
 - B. New evidence that could not have been discovered previously.
 - C. Failure to appear at trial.
 - D. Disagreement with the outcome.

- 6. Which of the following is an accepted method of service when serving and returning under Rule 5b?**
- A. Hand to party or attorney, deliver to office, fax or email allowed
 - B. Email beholden to 5 pm cutoff
 - C. Mail only
 - D. No email allowed
- 7. Process may be issued only if the action has what two jurisdictional elements?**
- A. Subject matter jurisdiction and personal jurisdiction
 - B. Venue and bail
 - C. Federal jurisdiction and state consent
 - D. Venue and standing
- 8. For a default judgment entered by a judge, how many days' notice is required before a hearing?**
- A. One day
 - B. Ten days
 - C. Three days
 - D. No notice required
- 9. Additional parties may be brought in when their presence is required to grant relief, and jurisdiction can be obtained.**
- A. When presence of parties other than those to the original action is required for granting relief, court shall order them to be brought in as defendants if jurisdiction can be obtained
 - B. Only with written consent of all parties
 - C. Only after completion of discovery
 - D. Only if the court deems it appropriate for efficiency
- 10. What are the essential elements for entry of judgment?**
- A. Judgment is reduced to writing, signed by the judge, and filed with the clerk
 - B. Judgment is announced in open court and publicly posted
 - C. Judgment is served by mail to all parties
 - D. Judgment is sealed and archived

Answers

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

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Explanations

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1. An admission may be withdrawn or amended only how?

- A. By court on motion
- B. By the opposing party's consent
- C. By filing a new answer
- D. By a new request for admission

In North Carolina, an admission obtained through a request for admission is binding, but you may withdraw or amend it only with a court's permission obtained by filing a motion. Rule 36 provides that a matter admitted is conclusively established unless the court, on motion, permits withdrawal or amendment. The court weighs fairness and prejudice to the other side, so withdrawal or amendment is a matter for judicial decision rather than something you can do just by consent or by filing a different pleading. This is the mechanism that protects accuracy while preserving fairness in the record.

2. Under signing rules, a party not represented by an attorney will sign.

- A. True
- B. False
- C. Only if the court orders
- D. Only in unusual cases

In North Carolina, every pleading, motion, or other paper filed in a civil action must be signed by an attorney of record, or, if the party is not represented by an attorney, by the party themselves. So a pro se party—the party not represented by an attorney—must sign the document. The signature serves as the signer's certification that they have read the filing and that, to the best of their knowledge after reasonable inquiry, it is not for an improper purpose; the factual allegations have evidentiary support or will likely have after discovery; and the legal contentions are warranted by existing law or a nonfrivolous argument for changing the law. This rule ensures accountability and proper handling of the case. If there is counsel, the attorney signs instead; the other options don't reflect the standard rule.

3. Which statement best describes a typical outcome of the pretrial conference?

- A. Narrowing issues and agreeing on discovery deadlines and settlement prospects.
- B. Final judgment is entered.
- C. Case is automatically dismissed.
- D. Jury is selected.

A pretrial conference is about shaping the case before it goes to trial. Its main purpose is to streamline what will be litigated and to set a practical plan for moving forward. At this conference, the judge and the parties work to narrow the issues that will go to trial, establish deadlines for discovery (like when documents are due, when depositions will occur, and any required disclosures), and discuss whether the parties see a path to settlement. Having these details lined up helps avoid surprises and keeps the case on a realistic timeline. Final judgment is not entered at a pretrial conference; that happens after trial or on motions for judgment. A case isn't automatically dismissed at this stage; dismissal would be due to procedural issues or other separate rules. Jury selection occurs at trial, not at the pretrial conference, though the conference may determine whether the trial will be to a jury or a bench trial.

4. How should a plaintiff plead that all conditions precedent have occurred?

A. Generally that all conditions precedent have occurred

B. By denial of occurrence

C. Only after discovery is complete

D. With a detailed timeline of each condition

When a plaintiff's claim depends on conditions precedent, the pleading should assert, in general terms, that all conditions precedent to the action have occurred, been performed, or been waived. This straightforward allegation gives the defendant notice of the basis for the claim and satisfies the requirement to present a short, plain statement of the claim. There's no need to list every condition or provide a detailed timeline at the pleading stage. If any condition did not occur, that can be shown later through discovery or proof at trial, and the defendant can respond accordingly. Denials or defenses about whether conditions occurred belong in responsive pleadings, not as the initial general assertion.

5. Which of the following is a ground for relief from judgment under NC rules?

A. Mistake, inadvertence, excusable neglect, fraud, or other just reasons.

B. New evidence that could not have been discovered previously.

C. Failure to appear at trial.

D. Disagreement with the outcome.

Relief from a final judgment in North Carolina comes under Rule 60(b), which sets out several bases for undoing or modifying a judgment. The broad phrasing covers mistakes, inadvertence, surprise, or excusable neglect, as well as fraud or other misconduct by the other party, and also allows a catch-all for other just reasons. This makes the option that lists mistake, inadvertence, excusable neglect, fraud, or other just reasons match the statutory grounds precisely. While newly discovered evidence is also a recognized ground, the rule requires that the evidence be newly discovered and that due diligence could not have brought it to light in time to move for a new trial, so the standalone statement about new evidence isn't as complete as the broader list. A failure to appear at trial can lead to consequences like a default, but relief from judgment isn't a separate ground on its own; it would typically be pursued under the excusable neglect or other relatable grounds. Disagreement with the outcome isn't itself a basis for relief from a judgment.

6. Which of the following is an accepted method of service when serving and returning under Rule 5b?

A. Hand to party or attorney, deliver to office, fax or email allowed

B. Email beholden to 5 pm cutoff

C. Mail only

D. No email allowed

Under Rule 5(b), serving and returning papers can be done in several ways, including personal delivery to the party or to the party's attorney, delivering a copy to the party's or attorney's office, and even electronic methods such as fax or email when allowed by the rule or by agreement. That's why the option listing all of these methods is correct: it reflects the range of accepted methods, including both traditional personal/service-at-office routes and electronic transmission. The other statements don't fit because they either limit service to mail only, assert that email isn't allowed, or introduce a cutoff time for email that isn't part of the rule.

7. Process may be issued only if the action has what two jurisdictional elements?

- A. Subject matter jurisdiction and personal jurisdiction**
- B. Venue and bail
- C. Federal jurisdiction and state consent
- D. Venue and standing

The requirement tested is that process may be issued only when the action has both subject matter jurisdiction and personal jurisdiction. Subject matter jurisdiction is the court's power to hear the type of case and adjudicate its issues. Personal jurisdiction is the court's power to bind the defendant to its judgment, typically established by proper service of process or by the defendant's presence or contacts within the state under the long-arm statute. If either component is missing, issuing process would be improper because the court cannot validly exercise authority over the case or over the defendant. The other elements—venue, standing, bail, or federal versus state consent—do not determine whether process can be issued.

8. For a default judgment entered by a judge, how many days' notice is required before a hearing?

- A. One day
- B. Ten days
- C. Three days**
- D. No notice required

The main idea here is how much notice the court must give before holding a hearing on a default judgment that the judge will enter. In North Carolina, when the court is going to hear and decide a default judgment entered by the judge, the party against whom the default is sought must receive at least three days' notice of the hearing. This shorter notice reflects the procedural posture of a default—the nondefaulting side hasn't defended the case yet, so the hearing is expedited compared to a full trial, but due process still requires some warning and an opportunity to appear. One day of notice would be too short to prepare or arrange to participate; ten days' notice is associated with other kinds of motions or procedures, and no notice without a specific exception would generally be improper.

9. Additional parties may be brought in when their presence is required to grant relief, and jurisdiction can be obtained.

- A. When presence of parties other than those to the original action is required for granting relief, court shall order them to be brought in as defendants if jurisdiction can be obtained**
- B. Only with written consent of all parties
- C. Only after completion of discovery
- D. Only if the court deems it appropriate for efficiency

Compulsory joinder of necessary parties under the NC Rules. When someone is necessary to obtain complete relief in the action, and the court can obtain jurisdiction over that person, the party must be brought into the suit. This rule ensures the court can grant full and binding relief in one proceeding and prevents inconsistent obligations or protection gaps for anyone with an interest affected by the judgment. If the presence of such a party is required and the court has or can obtain jurisdiction, they should be added as a party—typically as a defendant if their involvement is adverse to the existing parties—so the dispute can be resolved in a single action. If jurisdiction over the added party cannot be obtained, the court may proceed without them or take other steps allowed by Rule 19 (such as dismissal or severance).

10. What are the essential elements for entry of judgment?

- A. Judgment is reduced to writing, signed by the judge, and filed with the clerk**
- B. Judgment is announced in open court and publicly posted
- C. Judgment is served by mail to all parties
- D. Judgment is sealed and archived

The essential step for entry of judgment is that the judgment must be reduced to writing, signed by the judge, and filed with the clerk. This creates an official, enforceable record of the court's decision. The written document captures the exact terms of the judgment, the judge's signature authenticates the decision, and filing with the clerk places the judgment in the court record and starts the post-judgment framework (enforcement, appeals, etc.). Merely announcing the decision in open court or posting it publicly, serving it by mail, or sealing and archiving it does not constitute the formal entry of judgment.

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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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