

# Ontario Barrister and Solicitor Practice Exam (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. To address Planning Act violations found after searching the title, what type of requisition letter is required?**
  - A. Root of title requisition**
  - B. Title improvement requisition**
  - C. Statutory compliance requisition**
  - D. General inquiry requisition**
- 2. Which entity can be held vicariously liable in the context of tort law?**
  - A. Only corporations**
  - B. Individuals acting alone**
  - C. Both employers and principals**
  - D. Government bodies exclusively**
- 3. In tort law, who can be sued for vicarious liability?**
  - A. The employee alone**
  - B. The employer alone**
  - C. Both the employer and the employee**
  - D. Neither party can be sued**
- 4. A publicly traded company is NOT required to:**
  - A. Issue new securities regularly**
  - B. Ensure accurate financial reporting**
  - C. Follow corporate governance best practices**
  - D. Pay quarterly or annual dividends to shareholders**
- 5. How is a challenge to the validity of a will commenced where no certificate of appointment has been obtained?**
  - A. By filing a complaint with the local authorities**
  - B. By serving a notice to the executor**
  - C. By issuing a notice of objection to the SCJ in the district of ordinary residence**
  - D. Automatically by the state**

**6. What is NOT a requirement for joint retainers?**

- A. To have a clear fee structure**
- B. To notify clients of potential savings**
- C. To obtain informed consent**
- D. To advise on conflicts of interest**

**7. What is the purpose of a "pre-trial conference"?**

- A. To finalize sentencing dates**
- B. A meeting to discuss case issues and streamline the trial**
- C. To review witness testimonials**
- D. A forum for jury selection**

**8. In which situation would an employer most likely be found liable under vicarious liability?**

- A. When an employee commits a crime during work hours**
- B. When an employee acts outside the scope of their employment**
- C. When an employee is negligent while performing job duties**
- D. When an employee voluntarily attends a work-related event**

**9. What is incorrect about continuance under the OBCA?**

- A. It requires a special resolution of shareholders**
- B. It must be authorized by an ordinary resolution of shareholders**
- C. It involves changing the corporate jurisdiction**
- D. It does not have to be authorized by an ordinary resolution of shareholders**

**10. What constitutes a share consolidation?**

- A. Merging two companies' shares into one.**
- B. Splitting shares into smaller units.**
- C. A going private transaction inflating share values such that minority shareholders receive cash.**
- D. Increasing the share capital without issuing new shares.**

## **Answers**

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

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## **Explanations**

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**1. To address Planning Act violations found after searching the title, what type of requisition letter is required?**

- A. Root of title requisition**
- B. Title improvement requisition**
- C. Statutory compliance requisition**
- D. General inquiry requisition**

A root of title requisition is required in order to address Planning Act violations found after searching the title. A root of title requisition is necessary to fix defects that arise from not complying with the Planning Act. B is incorrect because a title improvement requisition is used to fix defects or issues with the property itself, not with regulatory violations. C is incorrect because a statutory compliance requisition is used to ensure that all legal requirements are met, not just specifically related to Planning Act violations. D is incorrect because a general inquiry requisition is used to request additional information or clarification, not to address specific violations or defects. It is important to use the correct type of requisition letter in order to effectively address any issues found during a title search and ensure a clean title.

**2. Which entity can be held vicariously liable in the context of tort law?**

- A. Only corporations**
- B. Individuals acting alone**
- C. Both employers and principals**
- D. Government bodies exclusively**

Vicarious liability refers to the legal principle that holds one party responsible for the actions of another, based on the relationship between the two. In tort law, this typically arises in the context of employment or agency relationships. The correct entity that can be held vicariously liable includes both employers and principals. Employers can be held liable for the negligent acts of their employees if those acts occur during the course of employment. Similarly, principals can be liable for the actions of their agents when those actions occur within the scope of the agent's authority while carrying out their duties. This principle is rooted in the idea that it is reasonable for employers and principals to bear the consequences of the actions of those they entrust with their authority, as they have control over these relationships and the ability to influence behavior. Other entities, such as individuals acting alone or government bodies exclusively, do not encompass the broader categories covered by this doctrine. While individuals can be liable for their own torts, vicarious liability specifically pertains to the relationships of employers and principals with their employees and agents, respectively. This concept aims to promote a sense of accountability and responsible management within organizations and relationships.

### 3. In tort law, who can be sued for vicarious liability?

- A. The employee alone**
- B. The employer alone**
- C. Both the employer and the employee**
- D. Neither party can be sued**

Vicarious liability is a legal principle in tort law that holds one party responsible for the tortious actions of another, based on the relationship between the two parties, typically that of employer and employee. The essence of this doctrine is that an employer may be held liable for the wrongful acts or omissions of its employees if those actions occur in the course of their employment. In this context, both the employer and the employee can be sued. The rationale behind this is that the employer benefits from the activities of the employee and has a responsibility to ensure that employees perform their duties in a lawful manner. If an employee commits a tort while carrying out their job responsibilities, the employer can be held liable for those actions. This reflects the policy goal of protecting victims by providing them with a source of recovery, as employers are generally seen as having deeper pockets than individual employees. While the employer may be primarily responsible, the employee can also be held personally liable for their own negligent or intentional acts, allowing the injured party multiple avenues for recourse. This joint liability underscores the importance of accountability at both levels within the employer-employee relationship.

### 4. A publicly traded company is NOT required to:

- A. Issue new securities regularly**
- B. Ensure accurate financial reporting**
- C. Follow corporate governance best practices**
- D. Pay quarterly or annual dividends to shareholders**

A publicly traded company is required to issue new securities regularly as this helps in raising capital for the company. Issuing new securities helps the company grow and expand its business. It is also required to ensure accurate financial reporting as this provides transparency and accountability to shareholders and potential investors. Additionally, following corporate governance best practices is essential for a publicly traded company as it ensures the ethical and responsible management of the company. However, paying quarterly or annual dividends to shareholders is not a requirement for a publicly traded company. While many companies choose to distribute dividends to shareholders as a way to share profits, it is not mandatory and can vary depending on the company's financial performance and strategy.

**5. How is a challenge to the validity of a will commenced where no certificate of appointment has been obtained?**

- A. By filing a complaint with the local authorities**
- B. By serving a notice to the executor**
- C. By issuing a notice of objection to the SCJ in the district of ordinary residence**
- D. Automatically by the state**

When challenging the validity of a will, option A is incorrect because a complaint with the local authorities is not the proper legal process for challenging a will. Option B is incorrect because serving a notice to the executor would only be necessary if the certificate of appointment had already been obtained. Option D is incorrect because there is no automatic process for challenging the validity of a will. Option C is the correct answer because it refers to the proper legal process of issuing a notice of objection to the Superior Court of Justice (SCJ) in the district where the deceased person normally lived. This process allows the court to determine if the will is valid and appoint an executor.

**6. What is NOT a requirement for joint retainers?**

- A. To have a clear fee structure**
- B. To notify clients of potential savings**
- C. To obtain informed consent**
- D. To advise on conflicts of interest**

Joint retainers require a clear fee structure, informed consent, and advising on conflicts of interest. Clients should always be made aware of potential savings, however, this is not a strict requirement for joint retainers. Other options may be offered or discussed with clients, but it is not necessary for the joint retainer to be valid. Therefore, B is not a requirement for joint retainers.

**7. What is the purpose of a "pre-trial conference"?**

- A. To finalize sentencing dates**
- B. A meeting to discuss case issues and streamline the trial**
- C. To review witness testimonials**
- D. A forum for jury selection**

The purpose of a "pre-trial conference" is primarily to facilitate a meeting where the parties involved in a case can discuss pertinent issues before the trial begins. This gathering aims to streamline the upcoming trial by identifying and addressing various elements, such as the facts of the case, potential legal issues, and any procedural matters that may affect the proceedings. This conference allows both sides to clarify their positions and negotiate possible resolutions, including settlements or plea agreements. By doing so, it contributes to promoting efficiency in the trial process, ensuring that the proceedings can focus on the essential matters at hand. The pre-trial conference also enables the judicial officer to gauge the readiness of the parties and to set timelines and schedules that can help reduce delays once the trial commences. In contrast, finalizing sentencing dates pertains to post-trial outcomes and does not take place during a pre-trial conference. Reviewing witness testimonials is typically part of trial preparation rather than a focus of the pre-trial meeting. Lastly, jury selection is a separate process that occurs after the pre-trial phase, making it unrelated to the purposes of the pre-trial conference.

**8. In which situation would an employer most likely be found liable under vicarious liability?**

- A. When an employee commits a crime during work hours**
- B. When an employee acts outside the scope of their employment**
- C. When an employee is negligent while performing job duties**
- D. When an employee voluntarily attends a work-related event**

The concept of vicarious liability holds an employer legally responsible for the actions of an employee performed within the scope of their employment. This means that if an employee causes harm or damages due to negligence while carrying out their job duties, the employer can be held liable for those actions. This principle is grounded in the idea that employers benefit from their employees' work and should bear the cost of those risks associated with it. In the context of negligence, if an employee fails to meet the standard of care expected in their role, leading to someone else's injury or damage to property, the employer can be implicated for failing to adequately supervise or train the employee. The employer's liability arises because the negligent act is performed as part of the employee's responsibilities at work. The other situations generally do not fall under vicarious liability. If an employee commits a crime during work hours, the employer may not be responsible unless the crime is closely related to the employee's duties. Acts outside the scope of employment usually do not result in employer liability, as the principle of vicarious liability requires the act to be connected to the employee's work. Voluntary attendance at work-related events may involve different liability considerations, often relating more to personal conduct rather than employer oversight.

**9. What is incorrect about continuance under the OBCA?**

- A. It requires a special resolution of shareholders**
- B. It must be authorized by an ordinary resolution of shareholders**
- C. It involves changing the corporate jurisdiction**
- D. It does not have to be authorized by an ordinary resolution of shareholders**

Continuance under the OBCA (Ontario Business Corporations Act) requires a special resolution of shareholders. This means that a specific number or percentage of shareholders must approve the decision for the continuance to be valid. Option B, on the other hand, incorrectly states that it only requires an ordinary resolution of shareholders. Option C is also incorrect because continuance does not involve changing the corporate jurisdiction, as it is simply a transfer of the corporation from one jurisdiction to another.

## 10. What constitutes a share consolidation?

- A. Merging two companies' shares into one.
- B. Splitting shares into smaller units.
- C. A going private transaction inflating share values such that minority shareholders receive cash.**
- D. Increasing the share capital without issuing new shares.

A share consolidation refers to a company reducing the number of shares outstanding and increasing the value of each share. Option A is incorrect because merging shares into one would not result in a reduction of outstanding shares. Option B is incorrect because splitting shares into smaller units would result in an increase in the number of shares, not a decrease. Option D is also incorrect because increasing share capital would result in the issuance of new shares, not a reduction in outstanding shares. A going private transaction does not necessarily involve merging two companies and it does not involve splitting shares or issuing new shares. Therefore, option C is the most accurate answer.

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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://ontariosolicitorexam.examzify.com>**

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

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