

Utah Law School 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

- 1. In a dispute over earnest money, which action is NOT required of the broker?**
 - A. Invite the parties to resolve the dispute if marked "MAY"**
 - B. Notify the parties of the dispute within 15 days**
 - C. Distribute the funds to the rightful party**
 - D. Remind the parties of mediation agreement if marked "SHALL"**
- 2. What is a "writ of garnishment" in Utah law?**
 - A. A request for a new trial in civil cases.**
 - B. A court order to hold a debtor's funds from a third party.**
 - C. A notice of appeal in a criminal case.**
 - D. A legal document to initiate a lawsuit.**
- 3. What is a key aspect of the parental rights established under Utah's Child Protective Act?**
 - A. Rights are limited to visitation only.**
 - B. Parents have no rights once a child is removed from their care.**
 - C. Rights include making decisions concerning the child's welfare.**
 - D. Parental rights vary widely based on economic status.**
- 4. Which of the following is not an element necessary to prove negligence in Utah?**
 - A. Duty**
 - B. Breach of duty**
 - C. Affidavit**
 - D. Damages**
- 5. What is Rule 26 in the Utah Rules of Civil Procedure concerned with?**
 - A. Filing a lawsuit**
 - B. Discovery and disclosure of information**
 - C. Judgment enforcement**
 - D. Appellate procedures**

- 6. Which legal requirement must real estate contracts in Utah comply with?**
- A. Existence of a witness**
 - B. Written form**
 - C. Notarization**
 - D. Oral agreement**
- 7. What constitutes "insider trading" under Utah law?**
- A. Buying or selling overcrowded stock.**
 - B. Trading based on publicly available information.**
 - C. Buying or selling securities based on material non-public information.**
 - D. None of the above.**
- 8. What does "primarily responsible" mean in regards to Utah's child support guidelines?**
- A. The parent with the majority of custody is responsible for the child's basic needs**
 - B. The non-custodial parent is entirely financially responsible**
 - C. The state is responsible for welfare checks**
 - D. Both parents share equal financial responsibility**
- 9. Which of the following scenarios requires a real estate license for property management?**
- A. A secretary showing an empty apartment**
 - B. Collecting rents for her widowed mother**
 - C. Renting empty units and collecting rents for reduced rent**
 - D. Collecting rents for a friend without compensation**
- 10. What is the primary law governing employment in Utah?**
- A. The Fair Labor Standards Act**
 - B. The Utah Employment Practices Act**
 - C. The Occupational Safety and Health Act**
 - D. The Family and Medical Leave Act**

Answers

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

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Explanations

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1. In a dispute over earnest money, which action is NOT required of the broker?
- A. Invite the parties to resolve the dispute if marked "MAY"
 - B. Notify the parties of the dispute within 15 days
 - C. Distribute the funds to the rightful party**
 - D. Remind the parties of mediation agreement if marked "SHALL"

The action that is not required of the broker in a dispute over earnest money is to distribute the funds to the rightful party. In situations where there is a dispute regarding earnest money, brokers are typically prohibited from unilaterally deciding who should receive the funds without first resolving the dispute or receiving mutual agreement from the parties involved. The broker's role is to act as a neutral facilitator, helping to mediate communication between the parties but not taking independent action to distribute funds without their explicit resolution. The other actions listed are part of the broker's obligations in handling disputes. Inviting parties to resolve the dispute, notifying them within a specified timeframe, and reminding them of any mediation agreements are all tasks that brokers are expected to perform as they help navigate the situation. This ensures that all parties are informed and have opportunities to resolve their issues, which aligns with the broker's responsibilities under real estate laws and ethical practices.

2. What is a "writ of garnishment" in Utah law?
- A. A request for a new trial in civil cases.
 - B. A court order to hold a debtor's funds from a third party.**
 - C. A notice of appeal in a criminal case.
 - D. A legal document to initiate a lawsuit.

A writ of garnishment in Utah law is indeed a court order directed at a third party who owes money or holds property belonging to a debtor. This legal mechanism allows a creditor to obtain funds directly from the debtor's accounts or other assets held by the third party, effectively freezing or seizing those assets to satisfy a debt or judgment. In practical terms, when a creditor successfully seeks a writ of garnishment, that creditor can lay claim to funds that are otherwise owed to the debtor by the third party, such as a bank or an employer. This process provides the creditor with a means to collect the amount awarded by the court without needing the debtor's direct cooperation, ensuring that creditors have a legal avenue to recover debts when straightforward collection efforts have failed. The other options focus on entirely different legal procedures. For instance, a new trial request does not pertain to the retrieval of funds from a debtor's assets, nor does a notice of appeal relate to garnishment; it involves challenging a court's decision in a criminal case. Initiating a lawsuit also deviates from the nature of garnishment, as that process involves starting legal action instead of enforcing an existing judgment through asset recovery.

3. What is a key aspect of the parental rights established under Utah's Child Protective Act?

- A. Rights are limited to visitation only.**
- B. Parents have no rights once a child is removed from their care.**
- C. Rights include making decisions concerning the child's welfare.**
- D. Parental rights vary widely based on economic status.**

The key aspect of parental rights established under Utah's Child Protective Act is that parents have the right to make decisions concerning their child's welfare. This encompasses the authority to make important decisions related to education, health care, and overall upbringing, which is fundamental to the parent-child relationship. The law recognizes that parents generally have the first responsibility in ensuring their child's well-being, provided that the child is not at risk of harm or neglect. In cases where Child Protective Services intervene due to concerns for a child's safety, parents retain certain rights regarding their involvement in their child's life, including opportunities to participate in case planning and decision-making processes. It's crucial to understand that these rights are designed to preserve the family unit wherever safe and appropriate, reflecting the belief that parents are best positioned to make decisions that serve their child's best interests. Understanding this context highlights the importance of parental involvement, as it aligns with the guiding principle that maintaining family integrity is paramount unless there are compelling reasons to sever that bond. This principle is essential in fostering positive outcomes for children while balancing the state's responsibility to protect vulnerable individuals.

4. Which of the following is not an element necessary to prove negligence in Utah?

- A. Duty**
- B. Breach of duty**
- C. Affidavit**
- D. Damages**

In a negligence claim, it is essential to establish certain elements to prove the case effectively. The elements of negligence typically include duty, breach of duty, causation, and damages. Duty refers to the legal obligation that one party owes to another to act with a certain standard of care. Breach of duty involves demonstrating that the party failed to uphold that standard of care. Damages pertain to the actual losses suffered by the plaintiff as a result of the negligent actions. An affidavit is a written statement made under oath that is used to present evidence in legal proceedings. While affidavits can support a case, they are not a fundamental component required to establish a negligence claim. Thus, the lack of requirement for an affidavit in proving negligence makes it the correct answer in this context. In essence, while affidavits may serve as important supportive documentation in a variety of legal contexts, they do not constitute an element necessary for establishing negligence in Utah.

5. What is Rule 26 in the Utah Rules of Civil Procedure concerned with?

- A. Filing a lawsuit**
- B. Discovery and disclosure of information**
- C. Judgment enforcement**
- D. Appellate procedures**

Rule 26 in the Utah Rules of Civil Procedure pertains specifically to discovery and disclosure of information. This rule establishes the framework for the discovery process, which is a critical phase in civil litigation where parties can obtain evidence and information from each other to prepare for trial. Under Rule 26, parties are required to disclose certain information automatically, which promotes transparency and helps to prevent surprises during the litigation. This includes the necessity of disclosing witnesses, documents, and other evidence that a party intends to use in support of their claims or defenses. Additionally, Rule 26 sets guidelines for the scope of discovery, allowing parties to seek information that is relevant to the claims and defenses in the case, even if it is not necessarily admissible in court. This broad scope facilitates the gathering of pertinent evidence and can include interrogatories, requests for production of documents, and depositions. Understanding the role of Rule 26 is essential for navigating the pre-trial phase of litigation effectively, as it assists in ensuring that both parties have a fair opportunity to present their case based on the information disclosed.

6. Which legal requirement must real estate contracts in Utah comply with?

- A. Existence of a witness**
- B. Written form**
- C. Notarization**
- D. Oral agreement**

In Utah, real estate contracts must comply with the legal requirement of being in written form. This necessity is rooted in the Statute of Frauds, which specifies that certain types of contracts, including those for the sale of real property, must be in writing to be enforceable. The written requirement serves several important functions: it helps to ensure clarity in terms of the agreements made, protects parties from misunderstandings, and provides a tangible record of the transaction. The specificity of the written requirement is critical as it safeguards the interests of all parties involved in real estate transactions. While other forms of agreements—such as oral agreements—may be recognized in some contexts, they lack the enforceability associated with written contracts in real estate matters. Therefore, the written form serves as a foundational standard for legal enforceability and is a crucial aspect in maintaining the integrity of property transactions in Utah.

7. What constitutes "insider trading" under Utah law?

- A. Buying or selling overcrowded stock.**
- B. Trading based on publicly available information.**
- C. Buying or selling securities based on material non-public information.**
- D. None of the above.**

The definition of "insider trading" under Utah law encompasses the buying or selling of securities based on material non-public information. This means that if an individual has access to confidential, significant information about a company that has not yet been released to the public and uses that information to make trading decisions, that behavior constitutes insider trading. This is a violation of securities laws because it undermines the integrity of the market, providing an unfair advantage to the insider over other investors who do not have access to the same information. Material information is defined as information that could influence an investor's decision to buy or sell securities. It is considered non-public until officially disclosed, making trading on such information illegal. Consequently, option C accurately reflects this definition, emphasizing the core principle behind insider trading regulations, which is to protect market integrity and ensure a level playing field for all investors.

8. What does "primarily responsible" mean in regards to Utah's child support guidelines?

- A. The parent with the majority of custody is responsible for the child's basic needs**
- B. The non-custodial parent is entirely financially responsible**
- C. The state is responsible for welfare checks**
- D. Both parents share equal financial responsibility**

In the context of Utah's child support guidelines, the phrase "primarily responsible" refers to the obligation of the parent who has the majority of custody of the child. This parent typically has the day-to-day care and management of the child's needs, which includes providing for basic necessities such as food, clothing, and shelter. Thus, that parent carries the primary financial responsibility for the child's upbringing and welfare. This understanding aligns with the way courts often view custody arrangements, indicating that the custodial parent is more directly involved in the child's life and thus bears the greater share of financial obligations associated with raising the child. In child support calculations, this primary responsibility influences the amount of support expected from the non-custodial parent to ensure that there is an equitable sharing of costs related to the child's upbringing. The other alternatives do not accurately capture the essence of "primarily responsible" as understood in this legal context. The non-custodial parent is indeed responsible for contributing child support, but not to the exclusion of the custodial parent's obligations. The state's role is generally supportive and does not equate to taking on the primary financial responsibility for the child. Likewise, "equal financial responsibility" does not reflect the structure of child support obligations, as

- 9. Which of the following scenarios requires a real estate license for property management?**
- A. A secretary showing an empty apartment**
 - B. Collecting rents for her widowed mother**
 - C. Renting empty units and collecting rents for reduced rent**
 - D. Collecting rents for a friend without compensation**

In the context of property management and the requirement for a real estate license, the scenario involving collecting rents for a widowed mother necessitates a license because it implies a more formal and ongoing business activity. In Utah, any individual who engages in property management activities, which include collecting rents or managing properties for another party, typically needs to hold a real estate license. This requirement is in place to ensure that individuals managing properties have adequate training and knowledge of relevant laws and regulations. The act of collecting rents is particularly significant. While performing a service for family, such as a widowed mother, may seem informal, it is still classified under property management activities, which legally requires a license. Managing someone else's property and collecting rents on their behalf is considered a professional service that carries responsibilities and liabilities, hence necessitating licensure. Other scenarios presented do not require a license due to their informal nature or lack of compensation. A secretary showing an empty apartment is usually considered part of her job responsibilities without requiring a license unless it's a habitual activity in a management capacity. Renting units for reduced rent or collecting rents for a friend without compensation similarly lack the formal arrangement that would necessitate a real estate license. These activities do not imply a professional or business engagement in property management.

- 10. What is the primary law governing employment in Utah?**
- A. The Fair Labor Standards Act**
 - B. The Utah Employment Practices Act**
 - C. The Occupational Safety and Health Act**
 - D. The Family and Medical Leave Act**

The Utah Employment Practices Act is the primary law governing employment in Utah because it specifically provides a framework for labor relations and employee rights within the state. This act addresses various employment-related issues, including discrimination, wrongful termination, and workplace rights, thus making it essential for regulating employer-employee relationships in Utah. While the Fair Labor Standards Act establishes federal standards related to minimum wage, overtime, and child labor, it applies nationwide and is not specific to Utah. The Occupational Safety and Health Act focuses primarily on workplace safety and health regulations across the United States but does not encompass the broader aspects of employment practices within the state. The Family and Medical Leave Act, although significant in providing employees with leave for specific family and medical reasons, does not serve as the overarching law governing all employment matters in Utah. In summary, the Utah Employment Practices Act stands out as the primary state law that directly addresses a comprehensive range of employment issues relevant to Utah's workforce, making it the correct choice in this context.

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://utahlawschool.examzify.com>

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