

PARALEGAL EXAM SPECIFICATIONS FOR FAMILY LAW

PURPOSE OF THE EXAM. The purpose of the certification exam is to require an applicant to demonstrate substantial knowledge of significant legal concepts and corresponding paralegal skills in family law.

EXAM FORMAT. The exam is 4 hours in length and is divided into two sessions. Part I consists of 3 essay questions with a total value of 150 points (50 points per essay). This portion of the exam requires the identification of critical or substantive issues and knowledge of procedures. Applicants will have 2-1/2 hours to complete Part I. Part II consists of 90 multiple-choice questions with a total point value of 90 points (1 point per question). Applicants will have 1-1/2 hours to complete Part II.

OVERALL KNOWLEDGE. An applicant in family law is expected to understand the process for the practice of family law, including but not limited to dissolution of marriage in Texas from initial filing through completion of the case, including division of marital property and child-related matters (rights and duties, possession, support, and other matter); modifications; and enforcements. An applicant is expected to know some substantive law and statutory requirements for family law and be able to practically apply legal concepts in the area, and should be able to conduct factual analyses, identify issues, solve problems, evaluate cases and effectively communicate about family law matters. A more detailed list of the areas of required knowledge is set out below.

ESSAY QUESTIONS. Essay questions consist of a fact pattern followed by a series of questions (usually 3-6) for an applicant to answer. Essays are designed to test the applicants ability to recognize and analyze issues in the fact pattern and explain how those issues should be resolved. The fact patterns will involve situations you would likely encounter in your work as a paralegal. Applicants should make sure to provide the specific information each question asks for and to communicate as clearly as possible. An organized, clearly written answer using complete sentences will almost always receive a higher score than a choppy, disorganized one. In order to pass the exam, applicants must be able to clearly express correct answers in a manner that would be persuasive to the decision-maker in a case.

MULTIPLE CHOICE QUESTIONS. These questions are designed to test a breadth of issues in the specialty area and require an applicant to select the correct answer option.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES. The knowledge, skills and abilities required of a family law applicant are set out below.

NOTE: NOT ALL TOPICS LISTED BELOW WILL BE COVERED ON ANY GIVEN EXAM. APPLICANTS WILL BE TESTED ON RULES AND LAWS IN EFFECT AT THE TIME OF THE EXAM UNLESS OTHERWISE SPECIFIED.

1. Marriage
 - a. Marital Agreements
 - b. Forms of Marriage
2. Divorce
 - a. Grounds for Divorce
 - b. Temporary Orders
 - c. Property Division
 - d. Characterization of Property
 - e. Agreements Incident to Divorce
 - f. Alimony
3. Modification
4. Parenting Coordinator

5. Interventions
6. Conservatorship and Possession
7. Child Support
8. Enforcement/Clarification/Contempt
9. Habeas Corpus/Attachment
10. Parentage, Termination, and Adoption
11. Jurisdiction and Venue
12. Discovery
13. Alternative Dispute Resolution
14. Protective Orders
15. Collaborative Law
16. Codes, Rules and Cases
 - a. Texas Family Code
 - (1) Title 1
 - (2) Title 2
 - (3) Title 4
 - (4) Title 5, Subtitle A
 - (5) Subtitle B
 - (6) Subtitle C (Chapter 201)
 - (7) Subtitle D (Chapter 232)
 - (8) Subtitle E (Chapter 261 & 262)
 - b. Texas Rules of Civil Procedure
 - (1) Part I: General Rules
 - (2) Part II: Section 1, Rules 21, 21a, 21b
 - (3) Section 4, Rules 45 - 98
 - (4) Section 7, Rule 165a
 - (5) Section 8, Rules 166-175
 - (6) Section 9, Rules 190-215
 - (7) Section 10, Rule 216
 - (8) Section 11 (B), (C), (G), (H) Rule 306a, and (J)
 - c. Rules of Appellate Procedure
 - (1) Rules 4, 5, and 13
 - d. Texas Rules of Evidence
 - (1) Articles V, IX, and X
 - e. Texas Disciplinary Rules of Professional Conduct
 - f. Texas Lawyer's Creed and Texas Paralegal's Creed
 - g. State Bar of Texas Paralegals Division Canon of Ethics
 - h. Phoenix Founders, Inc. et. al. v. Hon. John McClellan Marshall, 887 S.W.2d 831 (Tex. 1994)

STUDY MATERIALS. There is not an exam preparatory course provided by the TBLS. Past exams are not available for review.

SCORING/RESULTS. TBLS has not predetermined the passing score. An applicant's score from Part I and Part II will be added together to determine the applicant's overall performance. Examination credits will be given for accuracy, clarity, brevity, reasoning, recognition of problems presented, knowledge of the principles of law involved and a correct application of those principles. Grades are established by using a variation of the bell curve, which measures an applicant's performance in relation to other applicants' performance.