

PRACTICE TEST KEY
COURT PERSONNEL LEVEL I CERTIFICATION
CRIMINAL

1. If you are sending a notice of hearing, you must mail it by certified mail, return receipt requested.

- a) True
- b) **False [Government Code 80.004 & 80.004]**

2. A capias pro fine may be issued in a pending case if the defendant fails to appear for a jury trial.

- a) True
- b) **False [CCP 45.045]**

3. A first offense for purchase of alcohol by a minor requires the minor to complete not less than 20, but not more than 40 hours of community service.

- a) True
- b) **False [8-12, first offense, 20-40 second offense; ABC 106.071(d)(I)]**

4. If a victim of stalking chooses to use a pseudonym and a court clerk knowingly discloses the real name to an unqualified party, the clerk may be charged with a Class C misdemeanor.

- a) **True [CCP 57A]**
- b) False

5. Which is not a true statement regarding a clerk's role in providing an Emergency Protective Order (EPO). A copy shall be sent to the victim:

- a) As soon as possible, but not later than the next business day after the order date.
- b) After a delay only if lacking necessary information necessary to ensure service and enforcement.
- c) **Within 48 hours after the order date. [CCP 17.22(h),(h-1)]**
- d) At the victim's last known address.

6. During a traffic stop, a peace officer may take a credit card payment on a capias pro fine if the court that issued that capias pro fine has adopted a procedure to allow it.

- a) **True [CCP 103.0025]**
- b) False

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7. All Parent Contributing to Nonattendance cases filed before September 1, 2015, must be expunged.

- a) True
- b) **False [Education Code 25.093; CCP 45.0531, 102.014(d) Fail to Attend cases only, nothing in parent contributing case statutes saying they should be expunged]**

8. The fine amount for a third Parent Contributing to Nonattendance offense is:

- a) **Up to \$300. [Education Code 25.093(c)]**
- b) Up to \$200.
- c) Up to \$100.
- d) Up to \$500.
- e) Only a & c.

9. A court may dismiss a Parent Contributing to Nonattendance charge if it finds that to do so would be in the interest of justice because there is either a low likelihood of repeating the offense or a sufficient justification for the underlying failure to attend school.

- a) **True [CCP 45.0531]**
- b) False

10. It is a Class C misdemeanor to be aroused by observing another person without their consent while they are in a structure they believe is private, but a felony if the victim is less than 14 years old.

- a) **True [PC 21.16]**
- b) False

Match the following words to their definitions:

11. Acquittal **[ans = c]**

12. Capias **[ans = a]**

13. Double Jeopardy **[ans = d]**

14. Examining Trial **[ans = e]**

15. Probable Cause **[ans = b]**

- a) A writ that requires a peace officer to take a person into custody.
- b) A reasonable ground to suspect that a person has committed a particular crime.
- c) The legal certification that an accused person is not guilty of the charged offense.
- d) A second prosecution for an offense after acquittal or conviction or multiple prosecutions for the same offense.
- e) Conducted by a magistrate for the purpose of inquiring into a criminal accusation against a defendant to determine whether there is sufficient evidence of guilt to justify further proceedings against the accused.