**Business Law Entrance/Exit Exam**

**True/False**

*Indicate whether the statement is true or false.*

\_\_\_\_ 1. Arbitration is a conflict resolution method that most resembles going to court.

\_\_\_\_ 2. Negotiation is only done by individuals with a high level of training.

\_\_\_\_ 3. Mediation is a dispute resolution process in which a neutral third party decides on the best solution to the conflict.

\_\_\_\_ 4. There are three levels of court systems in the United States.

\_\_\_\_ 5. A juvenile can only be tried in a juvenile court and can never be tried in a regular court under any circumstances.

\_\_\_\_ 6. Expert witnesses are a form of evidence in a trial.

\_\_\_\_ 7. You must be a registered voter in order to be called for jury duty.

\_\_\_\_ 8. You do not have to report for jury duty if you don’t want to.

\_\_\_\_ 9. A minor can disaffirm a contract.

\_\_\_\_ 10. In order for a contract to exist there must be an offer and an acceptance.

\_\_\_\_ 11. Death of one of the parties to a contract does not end the contract.

\_\_\_\_ 12. An advertisement is an offer to make a contract.

\_\_\_\_ 13. If you sign a contract without reading all the terms, you will not be bound by the terms that you did not read.

\_\_\_\_ 14. Oral contracts are not enforceable.

\_\_\_\_ 15. Contracts for goods valued at $500 or more must be in writing.

\_\_\_\_ 16. Almost all crimes require an illegal act and a bad motive.

\_\_\_\_ 17. An example of a crime of omission is not stopping at a stop sign.

\_\_\_\_ 18. An act can be either a crime or a civil wrong, but never both.

\_\_\_\_ 19. An accomplice is a person who helps a criminal flee arrest and prosecution.

\_\_\_\_ 20. A person commits the crime of solicitation if he or she asks, commands, urges, or advises another to commit a crime.

\_\_\_\_ 21. Voluntary manslaughter is a more serious crime than murder in the first degree.

\_\_\_\_ 22. Assault is any attempt or threat to carry out a physical attack upon another person with the intent to cause bodily harm, while battery is any unlawful physical contact inflicted upon another person without consent with the intent to cause bodily harm.

\_\_\_\_ 23. There are no legal defenses to negligence torts.

\_\_\_\_ 24. Strict liability in tort means liability without fault.

\_\_\_\_ 25. Torts can be committed against people or property.

\_\_\_\_ 26. Torts can be intentional or unintentional.

\_\_\_\_ 27. In a negligence case, intent is replaced by carelessness.

\_\_\_\_ 28. Strict Liability is the most common form of tort.

\_\_\_\_ 29. In a strict liablity tort, liability exists even if the defendent is not negligent. (ie getting hurt during target practice at a shooting range.)

\_\_\_\_ 30. Assumption of risk means that the defendant was aware of the danger of the activity but did it anyway. (ie walking on the wet floor at McDonalds).

\_\_\_\_ 31. Geoffrey applies for food stamps. He changes the dollar amounts on his utility bills and rent receipts to make it look as if he is paying more. This is the crime of extortion.

\_\_\_\_ 32. An alibi defense is that the defendant committed the act, but the act was excusable or justified.

\_\_\_\_ 33. Kirsten got drunk so that she would have the courage to kill the young woman who stole her boyfriend. She will be found not guilty of murder because of the intoxication defense.

\_\_\_\_ 34. All sellers offer about the same warranties on their products and services.

\_\_\_\_ 35. The reason that many states require a blood test before marriage is to determine how closely related the two people are.

\_\_\_\_ 36. In today’s society, husbands and wives are required to support one another in accordance with their needs and abilities.

**Multiple Choice**

*Identify the choice that best completes the statement or answers the question.*

\_\_\_\_ 37. The least formal conflict resolution strategy is

|  |  |  |  |
| --- | --- | --- | --- |
| a. | mediation. | c. | negotiation. |
| b. | court action. | d. | arbitration. |

\_\_\_\_ 38. Both civil courts and criminal courts

|  |  |  |  |
| --- | --- | --- | --- |
| a. | listen to testimony. | c. | decide the facts. |
| b. | consider evidence. | d. | all of the above |

\_\_\_\_ 39. Small claims courts

|  |  |  |  |
| --- | --- | --- | --- |
| a. | do not need an attorney | c. | can be for amounts up to $10,000 |
| b. | are for civil types of cases | d. | all of the choices |

\_\_\_\_ 40. A trial that results in the defendant going to jail is a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ trial.

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| --- | --- | --- | --- |
| a. | civil | c. | appellate |
| b. | criminal | d. | none of the above |

\_\_\_\_ 41. Proof beyond a reasonable doubt is how a verdict is determined in

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| --- | --- | --- | --- |
| a. | a civil trial | c. | a negotiation |
| b. | a criminal trial | d. | an arbitration |

\_\_\_\_ 42. When a jury decides there is at least 51% evidence to determine their verdict, this is called

|  |  |  |  |
| --- | --- | --- | --- |
| a. | burden of proof | c. | preponderance of evidence |
| b. | proof beyond a reasonable doubt | d. | a hung jury |

\_\_\_\_ 43. When a person becomes old enough to be bound by contracts, they have reached the age of

|  |  |  |  |
| --- | --- | --- | --- |
| a. | minority | c. | majority |
| b. | reason | d. | accountability |

\_\_\_\_ 44. Which of the following people would not be allowed to enter contracts because they lack competency?

|  |  |  |  |
| --- | --- | --- | --- |
| a. | minors | c. | intoxicated people |
| b. | insane people | d. | all of the above |

\_\_\_\_ 45. Consideration is

|  |  |  |  |
| --- | --- | --- | --- |
| a. | the acceptance of the offer | c. | something of value in exchange for completing the contract |
| b. | another name for the offer | d. | the process for deciding whether to accept the contract |

\_\_\_\_ 46. The items of value that are exchanged in a contract are called

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| --- | --- | --- | --- |
| a. | offer. | c. | consideration. |
| b. | acceptance. | d. | mutual agreement. |

\_\_\_\_ 47. Sexual assault falls under the category of

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| --- | --- | --- | --- |
| a. | stalking. | c. | assault and battery |
| b. | homicide | d. | manslaughter. |

\_\_\_\_ 48. A crime that results in more than one year of jail time is usually a(n)

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| --- | --- | --- | --- |
| a. | infraction | c. | felony |
| b. | misdemeanor | d. | not chargeable |

\_\_\_\_ 49. Unpaid parking tickets are considered

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| --- | --- | --- | --- |
| a. | a felony | c. | a misdemeanor |
| b. | an infraction | d. | a crime of omission |

\_\_\_\_ 50. Conversion, which is an intentional tort, is also the crime of

|  |  |  |  |
| --- | --- | --- | --- |
| a. | robbery. | c. | larceny. |
| b. | arson. | d. | none of the above |

\_\_\_\_ 51. Negligence refers to

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| --- | --- |
| a. | failure to pay attention. |
| b. | intent. |
| c. | forgetfulness. |
| d. | conduct that a reasonable person would not do in a normal situation. |

\_\_\_\_ 52. Strict liability applies to which of the following activities?

|  |  |  |  |
| --- | --- | --- | --- |
| a. | driving a car | c. | shoplifting |
| b. | practicing medicine | d. | dynamiting a bridge |

\_\_\_\_ 53. Which of the following is a tort against property?

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| --- | --- | --- | --- |
| a. | trespass | c. | defamation |
| b. | false pretenses | d. | invasion of privacy |

\_\_\_\_ 54. Conversion is the civil side of

|  |  |  |  |
| --- | --- | --- | --- |
| a. | false pretenses | c. | arson |
| b. | larceny or theft | d. | muder |

\_\_\_\_ 55. When evaluating a warranty, what should a consumer do?

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| --- | --- |
| a. | Consider how long the warranty lasts. |
| b. | Consider what parts or problems are covered or excluded. |
| c. | Consider what the consumer must do to get service under the warranty. |
| d. | all of the above |

\_\_\_\_ 56. A type of implied warranty that may exist even if no express warranty is given by a seller is a

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| --- | --- | --- | --- |
| a. | fitness for a particular purpose. | c. | limited warranty. |
| b. | full warranty. | d. | none of the above |

\_\_\_\_ 57. The most reliable way to determine paternity is

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| --- | --- | --- | --- |
| a. | DNA tests. | c. | mother’s or father’s word. |
| b. | blood samples. | d. | physical appearance of the child. |

\_\_\_\_ 58. How does a child become emancipated?

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| --- | --- |
| a. | reaches the age of adulthood, usually 18 |
| b. | gets married |
| c. | joins the armed forces |
| d. | all of the above |