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SKU: 9780357363744-TEST-BANK

True / False

1. The pattern of rules that society establishes to control the conduct of individuals in their relationships is called law.
   a. True
   b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
OTHER: AACSB Analytic
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2. The law often works to cause our society to operate in a very inefficient manner.
   a. True
   b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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3. Law is often defined as the body of principles that courts or administrative agencies will enforce.
   a. True
   b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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4. Jane asserts she has a legal right. Jane is really saying she has an obligation to perform or refrain from performing an act.
   a. True
   b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False

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TOPICS: 1-1 Nature of Law and Legal Rights
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5. Rights always stand alone, without any duties.
   a. True
   b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
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6. Rights guaranteed in the U.S. Constitution are accompanied by duties.
   a. True
   b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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7. Court decisions and statutes can take away rights created by the U.S. Constitution.
   a. True
   b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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8. One of our most important rights is the right of privacy.
   a. True
   b. False
ANSWER: True
POINTS: 1

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QUESTION TYPE: True / False
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9. The right to be secure against unreasonable searches and seizures conducted by the police is guaranteed by the Fifth Amendment of the U.S. Constitution
   a. True
   b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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10. The U.S. Constitution provides that we have a right to be free from unreasonable intrusions by others.
   a. True
   b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
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11. The private life of an ordinary citizen is subject to strict scrutiny.
   a. True
   b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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12. The U.S. Supreme Court has held that the right of privacy does not apply to intrusions into our privacy by means of new technology.

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a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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13. Although laws are enacted at different levels of government to provide the framework for business and personal rights and duties, the framework for this legal system is constitutional law.
a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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14. A constitution is a body of principles that establishes the structure of a government and the relationship of that government to the people who are governed.
a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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15. One advantage of our current legal system is that the growth of technology has not created many new laws.
a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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16. Statutory law includes U.S. Supreme Court opinions.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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17. Within each state in the United States, only the U.S. Constitution is in force.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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18. All cities, counties, and other governmental subdivisions have basic powers to adopt ordinances, such as traffic and zoning laws, within their sphere of operation.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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19. Criminal laws carry damage penalties for a wronged individual.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False

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HAS VARIABLES: False
TOPICS: 1-3 Classifications of Laws
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20. Procedural law specifies the steps that must be followed in enforcing those rights and liabilities.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
OTHER: AACSB Analytic
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21. Administrative regulations generally do not have the force of law.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
OTHER: AACSB Analytic
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22. Individuals can create their own private law when they contract among themselves.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
OTHER: AACSB Analytic
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23. A right is an obligation of law imposed on a person to perform or refrain from performing a certain act.
    a. True
    b. False
ANSWER: False

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POINTS: 1
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24. When a court decides a new question or problem, it can ignore precedent.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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25. The history of a statute's passage used in court decisions is called precedent.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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26. Common law consists of court-enforced unwritten principles originally based on the usages and customs of the community.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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27. Treaties made by the United States are not deemed part of the law.

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a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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28. The Uniform Commercial Code is a good example of uniform state laws.
a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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29. Those uniform state laws that have been adopted by individual states were first written by Congress.
a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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30. Procedural law creates legal rights and duties.
a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
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31. Civil laws define wrongs against society.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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32. Equity provides justice when the law is inadequate.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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33. A party may ask for legal, but not equitable, remedies in a single court.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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34. *Stare decisis* is a term for the courts' use of precedent in making decisions.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law

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35. A police officer who stops a driver for expired tags can search the driver's cell phone without a warrant.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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36. The U.S. Supreme Court has held that a right to obtain an abortion is protected under the right of privacy.
    a. True
    b. False
ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
OTHER: AACSB Analytic
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37. A university regulation that prohibits posting of pictures without prior approval is an example of administrative law.
    a. True
    b. False
ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
OTHER: AACSB Analytic
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Multiple Choice

38. Law is:
    a. a body of religious principles held by all members of society.
    b. a body of principles that society establishes to keep things running smoothly.
    c. always the result of case-law decisions.

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d. derived solely from the United States Constitution.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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39. Law consists of:
a. principles that govern conduct.
b. mere guidelines.
c. arbitrary rules.
d. traditions.

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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40. The law could best be described as:
a. only statutory in nature.
b. only the creation of our courts.
c. a collection or bundle of rights.
d. a bundle of political choices.

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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41. Our rights flow from all the following sources *except:*
a. the Constitution.
b. federal statutes.
c. city ordinances.
d. ethical values.

ANSWER: d
POINTS: 1

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QUESTION TYPE: Multiple Choice
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42. A right can exist:
    a. by itself.
    b. only if created by a court.
    c. only if there is a corresponding duty.
    d. only under local law.
ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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43. A right is defined as:
    a. an obligation of law imposed to perform an act.
    b. a legal capacity to require another party to perform an action.
    c. any written promise.
    d. a political power to do the right thing.
ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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44. The Securities Exchange Commission creates
    a. case precedent.
    b. statutory law.
    c. Constitutional law.
    d. administrative regulations.
ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law

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45. Rights guaranteed in the United States Constitution:
    a. cannot be taken away by statutes or court decisions.
    b. can be taken away by statutes.
    c. can be taken away by court decisions.
    d. can be taken away by local ordinances.

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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46. The right of privacy consists of:
    a. the right to be secure against unreasonable searches by the government only.
    b. the right to protection against intrusions by others only.
    c. both the right to be secure against unreasonable searches by the government and the right to protection against intrusions by others.
    d. the right to be secure against warrantless searches only.

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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47. Suppose Sheriff Roland desires to search your home. What law requires that the sheriff obtain a search warrant?
    a. the Fourth Amendment of the United States Constitution
    b. the Equal Protection Clause
    c. state statute
    d. local uniform police ordinances

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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48. The right to privacy applies to protect you from unreasonable searches in all of the following scenarios except:
    a. to you personally.
    b. to your home.
    c. to your business.
    d. in the commission of a crime.

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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49. _____ law creates, defines, and regulates rights and liabilities.
    a. Statutory
    b. Constitutional
    c. Substantive
    d. Procedural

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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50. If a court issues an injunction, the court would be ordering a(n) _____.
    a. equitable remedy
    b. legal remedy.
    c. private remedy.
    d. order of equitable damages.

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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51. Suppose Jack signs a contract to purchase a home from Jill, but Jill later refuses to transfer title to the home to Jack. Jack could force Jill to transfer title to the home by asking a court for an order of _____
    a. injunctive law.

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b. specific performance.
c. legal damages.
d. substantive law.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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52. A good example of a uniform state law would be:
a. statutory law.
b. case law.
c. constitutional law.
d. the Uniform Commercial Code.

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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53. The right to privacy means that individuals:
a. cannot gossip about each other
b. cannot be lawfully searched.
c. can yell “Fire” in a crowded theater.
d. are protected against intrusions by others.

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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54. If your home or business is searched unlawfully, any items obtained during that unlawful search could be excluded as evidence in a criminal trial because of the _____.
a. Fourth Amendment’s exclusionary rule
b. Constitutional common law
c. Fifth Amendment’s right to privacy
d. common law

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ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
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55. Statutory law can be created by all of the following *except*:
    a. Congress.
    b. state legislatures.
    c. local governments.
    d. by the courts.
ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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56. Administrative regulations:
    a. are essentially industry advisories.
    b. are case-law precedents.
    c. generally have the force of statute.
    d. are Constitutional principles.
ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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57. A _____ is a legal principle expressed for the first time in court decision.
    a. statutory law
    b. *stare decisis*
    c. case law
    d. precedent
ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice

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HAS VARIABLES: False
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58. Statutes which are drafted from Uniform State Laws are often used to regulate:
    a. business.
    b. foreign countries.
    c. criminal behavior.
    d. personal family matters.
ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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59. The Uniform Partnership Act is a good example of a(n):
    a. Congressional statute.
    b. substantive law.
    c. uniform state law.
    d. procedural law.
ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
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60. Substantive law:
    a. specifies the steps to follow to enforce legal rights.
    b. concerns equitable relief only.
    c. creates, defines, and regulates rights and liabilities.
    d. draws solely on English legal principles.
ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
OTHER: AACSB Analytic

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61. Criminal laws:
    a. define wrongs against society.
    b. define the rights of one person against another.
    c. carry damage remedies against the wronged individual.
    d. are punished by individuals who have been wronged.
ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
OTHER: AACSB Analytic
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62. _____ is a body of law that provides justice when the law does not offer an adequate remedy.
    a. Ethics
    b. Regulations
    c. Equity
    d. Statutes.
ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
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63. The right to an abortion was held to exist:
    a. under federal statutory law.
    b. under state laws.
    c. under regulations passed by the Department of Health and Human Services
    d. under the U.S. Constitution.
ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
OTHER: AACSB Analytic
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64. The landlord's duty that corresponds with the right of a tenant to have an apartment in working order and good

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condition is:

a. payment of rent.
b. the duty of eviction.
c. providing hot and cold running water.
d. regulating noise.

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-1 Nature of Law and Legal Rights
OTHER: AACSB Analytic
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65. Which of the following laws would be part of federal (congressional) statutory law?

a. zoning laws
b. consumer credit protections
c. probate of wills
d. creation of corporations

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
OTHER: AACSB Analytic
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66. Case law is used by courts:

a. to develop new statutory law.
b. in applying precedent.
c. to amend state and the federal constitutions.
d. only when there is a statute to interpret.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-2 Sources of Law
OTHER: AACSB Analytic
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67. Which of the following is an example of procedural law?

a. the time limits for filing a civil lawsuit
b. a law that provides a right to claim treble damages
c. a law that created Medicare rights

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d. a law that defines monopoly

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 1-3 Classifications of Law
OTHER: AACSB Analytic
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Essay

68. Jacob just won the state lottery. Discuss his right to privacy.

ANSWER: Within the context of the Fourth Amendment, Jacob continues to be protected to the same extent he was prior to winning. Regarding his right to be protected from intrusions by others, however, he most likely will have to give up some privacy rights because of his good fortune; that is, although he remains a private citizen, he will not have quite the same degree of privacy protection in this arena as he had before winning the lottery.
POINTS: 1
QUESTION TYPE: Essay
HAS VARIABLES: False
STUDENT ENTRY MODE: Basic
TOPICS: 1-1 Nature of Law and Legal Rights
OTHER: AACSB Reflective Thinking | AACSB Analytic
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69. A new state law mandates that all employers must prohibit smoking on employer premises. The law further provides that any employer who allows an employee or a client/customer to smoke on its premises is subject to a court order requiring the employer to enforce the law. Describe this statute in terms of all possible classification methods.

ANSWER: The law is substantive because it defines rights and liabilities of business owners. The law is also equitable, based on the remedy of specific performance, since it subjects the employer to a court order requiring the employer to actually do something; i.e., forbid smoking on its premises.
POINTS: 1
QUESTION TYPE: Essay
HAS VARIABLES: False
STUDENT ENTRY MODE: Basic
TOPICS: 1-3 Classifications of Law
OTHER: AACSB Reflective Thinking | AACSB Analytic
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70. The U.S. Constitution provides that each state must send electors to cast their votes for president, called the electoral college. The electors are chosen based on the winner of the state's popular vote for presidential candidates, or on an allocation formula provided for in some states. In the 2016 presidential election, some electors chose not to follow their state's popular vote and case a different vote. The case went to the U.S. Supreme court for a decision. List all the sources of law that would be used by the court in deciding whether "faithless" electors could cast a vote different from what was

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required under their state laws.

ANSWER:	The U.S. Constitution would be interpreted because it establishes the process for presidential elections. There would also be the rights of voters under the U.S. Constitution. There would be state laws because the states establish how they will determine how their electors will vote. In some states, there would be constitutional provisions that would also apply. There are also administrative regulations at both federal and state levels that would have procedural details on the electoral college. Finally, there would be precedent. The court would look at the previous court decisions on issues related to presidential elections. There are both substantive rights and laws as well as procedural laws involved in the decision. In *Chiafolo v. Washington,* 140 S. Ct. 2318 (2020), the court held in a 9-0 decision that there could not be "faithless" electors. They are required to vote according to the processes established for their selection in their states. The court held that allowing electors to not follow those rules would undermine the results of the election and the voting rights of citizens.
POINTS:	1
QUESTION TYPE:	Essay
HAS VARIABLES:	False
STUDENT ENTRY MODE:	Basic
TOPICS:	1-2 Sources of Law
OTHER:	AACSB Analytic
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