

Chapter 01: Introduction to Law

True / False

1. The legal system of the United States is based primarily on the French legal system.

- a. True
- b. False

ANSWER: False

2. The most common type of relief that courts of equity provide is monetary damages.

- a. True
- b. False

ANSWER: False

3. The system of equity evolved to provide judicial relief in cases where no adequate remedy at law existed.

- a. True
- b. False

ANSWER: True

4. Many federal laws regulating business do so based on the Commerce Clause of the U.S. Constitution.

- a. True
- b. False

ANSWER: True

5. Statutes are easier to amend than constitutions.

- a. True
- b. False

ANSWER: True

6. In the legal system of the United States, it is possible for identically worded laws to have different consequences in different states.

- a. True
- b. False

ANSWER: True

7. If a decision of an administrative agency conflicts with a statute enacted by a higher legislative body, the agency decision will prevail.

- a. True
- b. False

ANSWER: False

8. Felonies refer to crimes that are usually punishable by just a fine.

a. True

b. False

ANSWER: False

9. In a democratic society, laws generally reflect the ethical view of the majority.

a. True

b. False

ANSWER: True

Multiple Choice

10. Which of the following statements best describes a difference between rules and laws?

a. Laws are rules that are enacted by the government.

b. Rules prescribe a code of civil conduct while laws do not.

c. Rules carry a penalty for violation while laws do not.

d. Laws may not be modified while rules can be modified at any time.

ANSWER: a

11. Which of the following statements is true of common law?

a. Judgments in common law generally take the form of a restraining order or an injunction.

b. It is based on the legal system that originated in the courts of medieval Spain.

c. Cases in common law are decided on the basis of precedents.

d. It is primarily based on statutes enacted by the legislature.

ANSWER: c

12. A temporary order that is issued by a court with equity powers forbidding activities that would be detrimental to others is known as:

a. a restraining order.

b. a writ.

c. an injunction.

d. a subrogation.

ANSWER: a

13. The ____ consists of ten amendments to the U.S. constitution specifically designed to protect the civil rights and liberties of citizens and the states.

a. Bill of Rights

b. Charter of Rights

c. Magna Carta

d. Mayflower Compact

ANSWER: a

14. Which of the following is true of the Uniform Commercial Code (UCC)?

- a. The UCC is an ordinance, but not a statute.
- b. Portions of the UCC adopted by states cannot be modified by those states.
- c. The UCC has not been enacted in all fifty states.
- d. Individual states may make changes to the portions of the UCC that they have adopted.

ANSWER: d

15. A _____ is a court decision that determines the decision in a subsequent, similar case.

- a. stare decisis
- b. precedent
- c. statute
- d. code

ANSWER: b

16. Which of the following statements is most likely to be true of administrative agencies?

- a. Administrative agencies have the power to implement laws.
- b. Administrative agencies are set up by the judicial branch of the government.
- c. The heads of federal administrative agencies are appointed by the Supreme Court.
- d. Administrative agencies do not have the authority to decide cases.

ANSWER: a

17. Which of the following best describes the difference between civil law and criminal law?

- a. Penalties under civil law are more severe than penalties under criminal law.
- b. Civil law deals with the enforcement or protection of private rights, whereas criminal law deals with offenses against society.
- c. The standard of proof required to convict a defendant is greater in a civil case than in a criminal case.
- d. In civil law, a defendant is entitled to an attorney, regardless of his or her ability to pay for one, whereas criminal defendants do not have a right to legal representation.

ANSWER: b

18. Kenneth was sentenced to six years in prison for forgery. In this case Kenneth has committed a(n) _____.

- a. violation
- b. misdemeanor
- c. infraction
- d. felony

ANSWER: d

Essay

19. What are laws? How are they different from ethics? In your opinion, why do we need laws and ethics to exist in society? Explain using suitable examples.

ANSWER: Laws are governmental rules prescribing conduct and carrying a penalty for

violation. Meanwhile, ethics are principles that determine the morality of conduct, its motives, and its duties. Our laws set a minimum standard for behavior. Ethics set a higher standard of behavior. We live in a complex society. Every time we have business dealings with others—working, making a purchase, starting a business, traveling, renting an apartment, or trying to insure against loss—we have the potential for a dispute. The law seeks to establish rules so that we will be able to peacefully resolve those disputes that arise. The law also sets the rules of conduct for many transactions so that we will know how to avoid disputes. The law thus tries to establish a stable framework to keep society operating as smoothly as possible. Students can give various examples to illustrate a situation where having a law helps in better functioning of the society.