

Chapter 2

TRUE/FALSE

1. You determine whether something was foreseeable from hindsight—by examining all of the facts after they have occurred.

ANS: F PTS: 1 DIF: 2

2. The reasonable person test is an objective standard.

ANS: T PTS: 1 DIF: 2

3. An objective standard exists when something is measured by what a particular person actually knew, felt, or did.

ANS: F PTS: 1 DIF: 2

MULTIPLE CHOICE

4. The spectrum of foreseeability
- a. covers a range from highly unusual to a certainty
 - b. is determined by the jury
 - c. is determined by the judge
 - d. depends on an assessment made after the fact

ANS: A PTS: 1 DIF: 1

5. Which factors are not used in an assessment of the foreseeability of an event?

- a. preparation analysis
- b. specific sensory data
- c. legal research
- d. area and activity analysis

ANS: C PTS: 1 DIF: 1

COMPLETION

6. When you ask whether someone should have known something, you are applying a/an _____ standard.

ANS: objective

PTS: 1

7. When you ask whether someone actually knew something, you are applying a/an _____ standard.

ANS: subjective

PTS: 1

MATCHING

- a. foreseeable
 - b. spectrum of foreseeability
 - c. intent
 - d. knowledge with substantial certainty
 - e. subjective standard
 - f. objective standard
 - g. reasonable person
- 8. one of the alternative ways to establish intent
 - 9. measured by comparison
 - 10. ordinary, prudent
 - 11. the extent to which something can be anticipated
 - 12. measured solely by an individual
 - 13. know beforehand
 - 14. the desire to bring something about

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|------------|--------|
| 8. ANS: F | PTS: 1 |
| 9. ANS: D | PTS: 1 |
| 10. ANS: G | PTS: 1 |
| 11. ANS: A | PTS: 1 |
| 12. ANS: E | PTS: 1 |
| 13. ANS: B | PTS: 1 |
| 14. ANS: C | PTS: 1 |

SHORT ANSWER

15. What do we mean when we say something is foreseeable?

ANS:

having the quality of being seen or known beforehand; anticipated.

PTS: 1

16. What are the two tests for intent?

ANS:

whether one desired to cause the consequences of one's act (or failure to act) or had knowledge with substantial certainty that the consequences will follow from what one does (or fails to do)

PTS: 1

17. Name eight categories of inquiry that can be used to assess the foreseeability of something.

ANS:

area analysis, activity analysis, people analysis, preparation analysis, assumptions about human nature, historical data, specific sensory data, and common sense

PTS: 1