

Member ID: _____

Time: _____

Rank: _____



BUSINESS LAW & ETHICS

(265)

REGIONAL 2023

Multiple Choice:

50 @ 2 points each

_____ (100 points)

Test Time: 60 minutes

GENERAL GUIDELINES:

Failure to adhere to any of the following rules will result in disqualification:

1. Member must hand in this test booklet and all printouts if any. Failure to do so will result in disqualification.
2. No equipment, supplies, or materials other than those specified for this event are allowed in the testing area. No previous BPA tests and/or sample tests (handwritten, photocopied, or keyed) are allowed in the testing area.
3. Electronic devices will be monitored according to ACT standards.

Directions: Identify the letter of the choice that *best* completes the statement or answers the question.

1. Laws that protect the rights and property of individuals from harm by other individuals and that provide remedies for any harm caused are called _____.
 - A. civil laws
 - B. criminal laws
 - C. constitutional laws
 - D. administrative laws
2. The supreme law of the land is _____.
 - A. statutory law
 - B. constitutional law
 - C. stare decisis
 - D. administrative law
3. Common law is the body of law developed from custom or judicial decisions and started in which country?
 - A. France
 - B. England
 - C. United States
 - D. Italy
4. Which of the following is not an example of a federal agency?
 - A. Environmental Protection Agency
 - B. Food and Drug Administration
 - C. Securities and Exchange Commission
 - D. Social Security Act
5. The rules of law announced in court decisions is also known as _____.
 - A. common law
 - B. constitutional law
 - C. statutory law
 - D. case law
6. The body of law enacted by legislative bodies is _____.
 - A. constitutional law
 - B. administrative law
 - C. case law
 - D. statutory law

7. A regulation enacted by a city or county legislative body that becomes part of the state's statutory law is also known as a(an) _____.
 - A. ordinance
 - B. uniform law
 - C. statutory law
 - D. citation
8. The original bill of rights contained how many amendments to the constitution?
 - A. Five
 - B. Ten
 - C. Twelve
 - D. Fifteen
9. Of the three branches of the national government, which one can enact laws?
 - A. Legislative
 - B. Executive
 - C. Judicial
 - D. Senate
10. What constitutional clause gives the federal government the power to regulate commercial activities among the various states?
 - A. Commerce clause
 - B. Supremacy clause
 - C. Preemption clause
 - D. Regulatory clause
11. The power of a court to hear a case is known as _____.
 - A. certiorari
 - B. appellate
 - C. jurisdiction
 - D. constitutional
12. The major trial courts of the federal court system are known as _____.
 - A. circuit courts
 - B. district courts
 - C. claims courts
 - D. courts of appeal
13. Which of the following describes limited jurisdiction?
 - A. The court has the authority to hear the case for the first time.
 - B. The court has the authority to hear federal law.
 - C. The court has the authority to hear state law.
 - D. The court has the authority to hear specific subject matter.

14. Courts of original jurisdiction in which legal actions are initiated are called _____.
A. appellate courts
B. trial courts
C. supreme courts
D. bankruptcy courts
15. Which of the following is not an example of alternative dispute resolution?
A. Negotiation
B. Mediation
C. Intervention
D. Arbitration
16. What is judicial review?
A. The process by which a court decides on the constitutionality of legislative enactments and actions of the executive branch.
B. The process by which a court reviews records for errors of law.
C. The process by which a court reviews a lawsuit to explain a case.
D. The process by which a court decides to grant judgment in favor of the defendant.
17. A motion declaring a trial was so fundamentally flawed that another trial is necessary to prevent a miscarriage of justice is called _____.
A. motion for a directed verdict
B. motion for judgment *n.o.v.*
C. motion for a new trial
D. motion for a summary judgment
18. Which of the following is not an example of an intentional tort against a person?
A. Assault and battery
B. False imprisonment
C. Trespass to personal property
D. Invasion of privacy
19. Which of the following is not a defense to negligence?
A. Assumption of risk
B. Superseding cause
C. Foreseeability
D. Contributory negligence

20. Under the doctrine of _____ parties may be held liable for damage or injuries caused their products or activities.
- A. strict liability
 - B. unintentional tort
 - C. proximate cause
 - D. comparative negligence
21. Which of the following is defense to product liability?
- A. Market-share liability
 - B. Obvious risks
 - C. Statute of repose
 - D. Preemption
22. The Foreign Corrupt Practices Act prohibits _____.
- A. offering lower wages in nations outside the United States
 - B. bribery of foreign officials
 - C. profit maximization as a goal
 - D. credit terms be clearly disclosed
23. Which of the following are the requirements for a valid contract?
- A. Agreement, consideration, contractual capacity, and plain language.
 - B. Agreement, consideration, contractual capacity, and legality.
 - C. Offer and acceptance, consideration, contractual capacity, and plain language.
 - D. Agreement, contemplation, contractual capacity, and legality.
24. A type of contract that results when an offer can be accepted only by the offeree's performance is _____.
- A. bilateral
 - B. formal
 - C. unilateral
 - D. informal
25. A contract that is formed in part or in whole by the conduct of the parties is _____.
- A. informal
 - B. formal
 - C. implied
 - D. express
26. A contract that does not meet the four requirements for contract formation is considered _____.
- A. invalid
 - B. void
 - C. voidable
 - D. unenforceable

27. What kind of extrinsic evidence can be introduced when the evidence is not contained the contract itself?
- A. Hearsay
 - B. Intent of the parties
 - C. Unambiguous language
 - D. Plain meaning
28. Which of the following helps to clarify the meaning of an ambiguously worded contract?
- A. Prior dealing
 - B. Separate negotiations
 - C. Implied terms
 - D. Executory dealing
29. What is consideration, in contract terms?
- A. Something of value is received or promised to convince the other party into making the deal.
 - B. A party's competency to enter into a contract.
 - C. The avoidance of enrichment at another's expense.
 - D. Parties to the contract have the option of avoiding the contract.
30. A rescission of a contract can occur when the contract is _____.
- A. executory
 - B. voided
 - C. illusory
 - D. released
31. What does adequacy of the consideration mean?
- A. There is a preexisting duty.
 - B. When past consideration has been given, no new consideration is needed.
 - C. The consideration does not need to be legally sufficient.
 - D. There is a bargained-for exchange.
32. A doctrine the is used to enforce a promise when the promise has justifiably relied on it is called _____.
- A. covenant not to sue
 - B. illusory Promises
 - C. forbearance
 - D. promissory estoppel

33. A contract entered into by an intoxicated person is _____ if the person was sufficiently intoxicated to lack mental capacity.
- A. enforceable
 - B. voidable
 - C. void
 - D. executory
34. Which of the following is a contract contrary to public policy?
- A. Exculpatory
 - B. Executed
 - C. Restraint of trade
 - D. Void
35. If the manager of a professional singer must be licensed by the state, what is the purpose of this type of statute?
- A. Taxation
 - B. Revenue raising
 - C. Public protection
 - D. Employment
36. Mistakes of fact come in which two forms?
- A. Voluntary and involuntary
 - B. Defensible and indefensible
 - C. Undue influence and duress
 - D. Unilateral and bilateral
37. All of the following are elements of fraud except _____.
- A. misrepresentation of fact
 - B. intent to deceive
 - C. justifiable reliance
 - D. gross negligence
38. If a home owner sells their home without stating known potential problems, this is known as _____.
- A. misrepresentation by words
 - B. misrepresentation by conduct
 - C. misrepresentation of law
 - D. misrepresentation by silence

39. Forceful pressure on a person which overcomes the person's free will is known as _____.
A. undue influence
B. persuasion
C. duress
D. involuntary consent
40. What is the primary purpose of the Statute of Frauds?
A. Ensure all contracts are in writing.
B. Certain contracts must be in writing to be enforced.
C. Prevent harm to innocent parties by requiring written evidence.
D. Ensure all essential terms of a contract are not excluded.
41. Parole evidence rule is what type of law?
A. Common
B. Statutory
C. Constitutional
D. Administrative
42. If one person agrees to be liable for the debt of another party to obtain a personal benefit must be _____.
A. enforceable whether or not in writing
B. enforceable only if in writing
C. unenforceable even if written
D. unenforceable
43. What type of contract can be assigned?
A. A contract that will vary materially from what is expected.
B. A contract that is personal in nature.
C. A contract that is not personal in nature.
D. A contract that changes a risk or duty.
44. What type of contract can be delegated?
A. A contract that will vary materially from what is expected.
B. A contract that is personal in nature.
C. A contract that is not personal in nature.
D. A contract that changes a risk or duty.

45. A(an) _____ beneficiary can sue a promisor directly for breach of a contract made for the beneficiary's benefit.
- A. incidental
 - B. performance
 - C. assignment
 - D. intended
46. A contract that is discharged by both parties cancel a contract and make another contractual agreement is known as _____.
- A. mutual rescission
 - B. discharge by agreement
 - C. discharge by performance
 - D. failure to act
47. A money award that is equivalent to the actual value of injuries or damages sustained by the aggrieved party is known as what?
- A. Compensatory damages
 - B. Consequential damages
 - C. Punitive damages
 - D. Liquidate damages
48. Substituting a new contract for an old one, with a new party taking the place of one of the original parties is known as what?
- A. Mutual rescission
 - B. Novation
 - C. Accord and satisfaction
 - D. Breach of contract
49. The intent of the Fair Credit Reporting Act is _____.
- A. equal opportunity to credit regardless of race, religion, national origin, color, gender, marital status, or age
 - B. establish a national fraud alert system
 - C. prevent inaccurate credit reporting
 - D. prevent perceived abuses by credit collection agencies
50. Which of the following is an example of deceptive advertising?
- A. Ensuring language is clear and conspicuous.
 - B. A celebrity is endorsing the product.
 - C. Statements or claims made by the manufacturer of the product's quality.
 - D. A lower priced product is not available so a more expensive item is sold.