

LAW REVISION

1. A criminal wants to launder money by sending it to a co-conspirator in a foreign country. Rather than sending funds through a financial institution, the party pays Broker A the funds, and Broker A then directs Broker B, who lives in the foreign country, to pay the co-conspirator. Later, Broker A offsets his debt to Broker B by paying someone at the direction of Broker B. Which of the following best describes this payment scheme?
- A. Back – to – back loan X
 - B. Pre-paid access X
 - C. Alternative remittance system Y
 - D. Money services business
2. Which of the following refers to a court's power to hear and decide a given case?
- A. Venue
 - B. Res judicata
 - C. Jurisdiction
 - D. Political domain
3. Page, a Certified Fraud Examiner, is investigating a suspect's sources of income. Page notices that funds available to the suspect include the suspect's interest in a restaurant/bar. Page has surveilled the establishment several times and notices that the business has very few customers, even during peak times. Yet, the income reported from this restaurant/bar is phenomenal. Of the following list, which money laundering scheme might the suspect be involved in?
- A. Bankruptcy scheme X
 - B. Alternative remittance system scheme Y
 - C. Trade based laundering scheme
 - D. Front business scheme
4. Sandra, who has no accounting experience, completed tax documents for her new business. The information was more complex than she realised, and she improperly (although unintentionally) completed the documents. Which of the following statements is MOST ACCURATE?
- A. Sandra will only be subject to criminal penalties if the government suffered an actual loss X
 - B. Sandra will be subject to criminal penalties because she incorrectly completed the documents X
 - C. Sandra will not be subject to criminal penalties because new businesses have one year of immunity from criminal tax liability. X
 - D. Sandra will not be subject to criminal penalties because her improper act was not willful.
5. In common law jurisdictions, evidence of other crimes committed by a defendant in a criminal action is usually admissible to prove that the defendant is generally a bad person, and therefore is likely to have committed the crime with which he is charged.
- A. True
 - B. False
6. In most jurisdictions with inquisitorial judicial processes, which of the following parties selects expert witnesses to provide testimony to the court?
- A. The judge selects a neutral expert to interpret the facts for the court

- B. The members of the jury vote to select an expert to interpret the facts
- ~~C.~~ The expert is chosen from a lottery of qualified listed experts in the field
- D. Each party selects its own expert to present its interpretation of the facts.
7. Which of the following is a commonly available defence to tax fraud penalties?
- A. Death of the taxpayer
- ~~B.~~ Mental illness
- C. Bankruptcy
- D. Amending the fraudulently submitted information
8. Vendor A and Vendor B both operate in a jurisdiction with a 20 percent value-added tax (VAT). Vendor A sells goods to Vendor B and collects the VAT. Rather than turning the VAT over to the government, Vendor A simply pockets the money and disappears. Which of the following best describes this type of fraud scheme?
- ~~A.~~ Missing trader scheme
- B. Falsified deduction scheme
- C. Income tax scheme
- D. Wealth tax scheme
9. A defendant in a criminal case may properly use advanced age as a legal defence against charges of criminal conduct.
- A. True
- ~~B.~~ False
10. An individual is a defendant in a civil fraud lawsuit filed by his employer. In the same proceeding, the jurisdiction allows the defendant to file a claim stating the employer owes him backpay. The defendant's claim in this case is called a counterclaim.
- ~~A.~~ True
- B. False
- ~~x~~ 11. Which of the following is NOT a scheme that involves using real estate to commit money laundering?
- A. Loan – back schemes ✓
- B. Back – to – back loan schemes ✓
- ~~C.~~ Skimming schemes
- D. Appraisal fraud ✓
12. Which of the following statements concerning judges and juries is MOST ACCURATE?
- A. Juries primarily decide issues of law in adversarial jurisdictions ✓
- B. In a bench trial in adversarial jurisdictions, the judge only decides questions of law ~~x~~
- ~~C.~~ In serious cases, some inquisitorial jurisdictions use juries that include both judges and legal professionals. ✓
- D. Inquisitorial judicial processes are those that do not use juries in fact finding role.
13. If an employee commits internal fraud, the only feasible way for the employer to make up for the losses is to get them back from the employee through agreement or litigation.
- A. True
- ~~B.~~ False

14. An injunction is a type of equitable remedy in which a court orders a party to perform, or refrain from performing, a specific act.

- A. True
- B. False

15. Which of the following statements about criminal charging documents in common law jurisdictions is CORRECT?

- A. All crimes are charged by indictment (unless waived by the defendant) ✓
- B. The primary charging document in common law jurisdictions is the arrest warrant ✗
- C. Indictments are accusations in writing of offences and are brought in the name of the government ✗
- D. Informations are charging documents that are typically prepared by the jury ✗

16. Baron is currently being prosecuted for financial statement fraud for allegedly intentionally over-reporting earnings. Although Baron did over-report income, he did not do so on purpose. Under these facts, which of the following defences, if any, would likely benefit Baron as a defence (assuming that the relevant jurisdiction recognises each offence)?

- A. Duress
- B. Ignorance
- C. Mistake
- D. None of the above

17. Which of the following refers to investments that are designed to yield a tax benefit to the investor?

- A. Tax havens
- B. Secrecy jurisdictions
- C. Money laundering havens
- D. Tax shelters

18. Acme Corporation initiated a bankruptcy proceeding in which all of its assets will be sold and the proceeds will be distributed to creditors. Under the World Bank Principles and Guidelines for Effective Insolvency and Creditor Rights Systems, which of the following parties is/are an appropriate option(s) for managing Acme's estate in the proceedings?

- A. Acme's directors ✓
- B. Acme's creditors ✗
- C. An independent insolvency representative
- D. All of the above ✗

19. Which of the following parties is/are commonly capable of initiating bankruptcy proceedings?

- A. A corporation
- B. A business partnership
- C. An individual
- D. All of the above

20. To determine if a misrepresentation in the offer or sale of any securities is material, a fraud examiner should consider which of the following?

- A. Whether the person who made the representation intended to mislead potential investors
- B. Whether the person who made the representation had authorization to make the statements

- Whether a reasonable investor would wish to know the information to make an informed decision
- D. Whether the person who made the representation believed that it was suitable for potential investors
21. Balancing the legitimate needs of businesses to raise capital against the need to protect investors is the primary purpose of what?
- A. Securities offerings ✓
- Securities regulation
- C. Securities insurance ✓
- D. Securities speculation ✓
22. Under a common law legal system, judges are not bound by precedent and are free to decide cases based on their interpretation of the matters at issue.
- A. True
- False
23. In a particular country, the judicial system involves courts applying laws from codified statutes to each case. The court is not required to consider previous similar court decisions when deciding legal issues. Which of the following best describes this judicial system?
- A. Statutory law system
- Common law system
- Civil law system
- D. Unitary law system
24. Some common law countries allow parties to conduct a(n) _____, which is sworn testimony given by a party or witness upon questioning by counsel for one of the parties before trial and outside of court, usually in a lawyer's office.
- A. Interrogatory
- Oral examination
- C. Request for admission
- D. Indictment
25. When does the duty to preserve relevant evidence regarding civil litigation typically arise for litigation in common law countries?
- When litigation is reasonably anticipated
- B. As soon as the defendant files an answer or response to the plaintiff's pleading or complaint
- C. A short time period after the plaintiff files the lawsuit, typically 30 days
- D. As soon as the plaintiff files the lawsuit
26. A civil action is a legal proceeding brought by a private (non-government) party.
- A. True
- False
27. Which of the following is the MOST ACCURATE statement about closing arguments in criminal trials in most common law jurisdictions?
- A. Closing arguments themselves can only be counted as evidence in favour of or against the defendant
- B. Closing arguments themselves can only be counted as evidence in favour of the prosecution

- ~~C.~~ Closing arguments are not evidence, but are an opportunity for attorneys to explain how the evidence supports their case
- D. In the closing arguments, defence counsel cannot comment on the motives and credibility of the government's witnesses.
28. Which of the following statements about the International Organisation of Securities Commissions (IOSCO) is TRUE?
- A. IOSCO is recognized as the international standard setter for securities markets ✓
- B. One of IOSCO's main objectives is to assist its members in promoting high standards of regulation in order to maintain just, efficient and sound markets ✓
- C. IOSCO is comprised of securities commissioners and administrators responsible for securities laws in their respective countries
- ~~D.~~ All of the above
29. Which of the following types of taxes are considered consumption taxes?
- A. Excise taxes
- B. Sales taxes
- C. Value added taxes
- ~~D.~~ All of the above
30. To establish that a defendant violated a law criminalising false statements to government agencies, the government must prove that the defendant made a false statement regarding a matter within the jurisdiction of a government agency, and the agency relied on the false statement to its detriment.
- A. True
- ~~B.~~ False
31. In civil litigation in civil law jurisdictions, when is the trial record typically created?
- A. After the court has completed the evidence-gathering process
- B. After the judge has announced the court's decision
- ~~C.~~ Throughout the trial as the court gathers evidence
- D. In the pretrial stage
32. Over time, Herman stole \$500,000 in cash from his employer. He deposited the cash in small increments into a bank account to avoid reporting requirements. He then transferred the stolen funds to an overseas account and proceeded with several additional transfers and bogus loans to foreign entities that he controlled. Finally, he moved the funds back home, disguising them as profits from investments. Which of the following stages of money laundering was Herman performing when he engaged in transfers and bogus loans to foreign entities?
- ~~A.~~ Layering
- B. Placement
- C. Structuring
- D. Integration
33. In inquisitorial jurisdictions, which of the following parties may access the full evidentiary record prior to the trial phase of criminal proceedings?
- A. The defence only
- B. The judge and the prosecution only

C. Both the prosecution and the defense

D. The prosecution only

34. Michael Caston, a fraud suspect, confesses to a fraud. During Caston's trial for the fraud, the government introduces the confession as evidence of Caston's intent to commit the fraudulent act for which he is charged. What type of evidence is Caston's confession?

A. Testimonial

B. Direct

C. Circumstantial

D. Character

35. Which of the following statements concerning the examinations of expert witnesses in most inquisitorial jurisdictions is accurate?

A. Neither the judge nor the parties may question the credibility of a court-appointed expert witness

B. Both the judge and the parties may question the credibility of a court-appointed expert witness

C. Only the parties may question the credibility of a court-appointed expert witness

D. Only the judge may question the credibility of a court-appointed expert witness.

36. Which of the following is the alternative dispute process whereby an impartial third person assists the parties to a dispute in reaching a mutually agreeable settlement?

A. Court-annexed conciliation

B. Mediation

C. Arbitration

D. Propitiation

37. To determine if a misrepresentation in the offer or sale of any securities is _____, the fraud examiner should answer the following question: "Would a reasonable investor wish to know this information to make an informed decision?"

A. Material

B. Relevant

C. Privileged

D. Promotional

38. A defendant in a criminal case may properly use advanced age as a legal defence against charges of criminal conduct.

A. True

B. False

39. Which of the following statements concerning civil trials in common law jurisdictions is most accurate?

A. The jury typically decides the order in which evidence is presented

B. The defendant is typically the first party to present evidence at trial

C. The judge typically presents the evidence at trial

D. The plaintiff is typically the first party to present evidence at trial

40. A defendant in a criminal case may properly use advanced age as a legal defence against charges of criminal conduct.

C. True

D. False

41. Which of the following must a plaintiff show to recover for a claim of false imprisonment?
- A. The defendant was not protected under the qualified business privilege ✓
 - B. The defendant knew his conduct was illegal ✓
 - C. The defendant was a law enforcement officer ✓
 - D. The defendant restrained the plaintiff without consent or legal justification
42. Two parties entered into a real estate contract for various properties, but the vague nature of the contract led to confusion about who owned a particular property. The parties took the issue to court, and the court interpreted and stated the rights of each party under the contract. What type of remedy did the court provide?
- A. Monetary relief
 - B. Exemplary damages
 - C. Declaratory relief
 - D. Punitive damages
43. Which of the following claims in a civil lawsuit would be considered a counterclaim?
- A. A plaintiff's challenge of the ruling in another case ✓
 - B. A defendant's claim against another defendant in the same proceeding ✓
 - C. A plaintiff's response to defendant's affirmative defence ✓
 - D. A defendant's claim against the original plaintiff of the action
44. In most common law jurisdictions, the plaintiff in a civil trial must prove his case beyond a reasonable doubt.
- A. True
 - B. False
45. Which of the following parties is/are commonly capable of initiating bankruptcy proceedings?
- A. A business partnership ✓
 - B. An individual ✓
 - C. A corporation ✓
 - D. All of the above
46. Which of the following financial institutions is NOT considered a money services business?
- A. A currency exchange
 - B. A cheque cashing company
 - C. A prepaid access card provider
 - D. A depository investment bank
47. Judges in civil law jurisdictions are not bound by previous court decisions, but in practice, many do use previous decisions to guide their interpretations of codes and statutes.
- A. True
 - B. False
48. In a particular country's judicial process, the judge oversees the investigation of a case, is primarily responsible for questioning witnesses, and generally plays a larger role in the evidence-gathering process than the parties' legal counsel. Which of the following best describes this type of judicial process?
- A. Substantive law process
 - B. Inquisitorial process
 - C. Adversarial process

D. Common law process

*49. If a broker who is subject to rules prohibiting securities broker-dealers from making unsuitable recommendations on investments or investment strategies recommends that his client make an investment that is inconsistent with his client's objectives, this recommendation would be considered a violation of the rules prohibiting unsuitable recommendations.

A. True

B. False

50. Which of the following is NOT one of the three stages of a criminal proceeding in an inquisitorial jurisdiction?

A. The investigative phase

B. The examining phase

C. The trial phase

D. The sentencing phase

51. Which of the following is TRUE with regard to partnerships?

A. Unlike general partnership interest, interests in limited partnerships can be considered securities subject to registration.

B. In a general partnership, the liability of each partner is limited to the amount of his investment in the company.

C. A limited partner is liable for all debts of the partnership.

D. In a limited partnership, limited partners manage the enterprise's activities.

52. To determine if a misrepresentation in the offer or sale of any securities is _____, the fraud examiner should answer the following question: "Would a reasonable investor wish to know this information to make an informed decision?"

A. Relevant

B. Privileged

C. Promotional

D. Material

53. Walsh, a Certified Fraud Examiner, interviews Brock, a fraud suspect. Walsh, Brock, and Brock's supervisor are present in the interview during which Walsh accuses Brock of cheating on his wife with a coworker. Later, Brock, angry that Walsh revealed the unflattering (albeit true) information about the affair to his supervisor, files a claim of defamation against Walsh. Brock's claim is likely to succeed.

A. True

B. False

54. Bert is the lead suspect in an ongoing civil investigation that will likely result in litigation. He shreds original documents that are key to the investigation. Which of the following statements is CORRECT?

A. Bert likely violated his duty to preserve relevant information because he destroyed evidence valuable to anticipated litigation.

B. Bert did not violate his duty to preserve relevant information because no litigation was pending when he shredded the documents.

C. Bert violated his duty to preserve relevant information only if the opposing party loses its case because he shredded the documents.

D. None of the above.

55. Which of the following would NOT be classified as a falsified tax deduction scheme?
- A. An individual taxpayer fraudulently deducts interest payments from his taxable income on loans that do not qualify for such deductions .
 - B. A corporate taxpayer intentionally underreports its carbon pollution emissions to qualify for a government tax credit
 - C. A corporate taxpayer records fictitious employees and salaries in its books to increase the costs of goods sold and lower its tax liability
 - D. An individual taxpayer misclassifies non-deductible expenses as deductible in tax records submitted to the government.
56. A debtor in a bankruptcy proceeding took steps to hide his books and records from a creditor. What kind of scheme did the debtor commit?
- A. An asset misappropriation scheme
 - B. A concealed assets scheme
 - C. A bustout scheme
 - D. A petition mill scheme
57. Which of the following is one of the areas of primary concern in which the OECD's Recommendation on Combating Bribery in International Business urges member states to take steps to combat the bribery of foreign public officials?
- A. Tax systems and regulations
 - B. Laws and regulations covering e-commerce
 - C. Sensitive data protection laws
 - D. Public safety systems and regulations
58. Employees' privacy rights that can affect the employer/employee relationship may stem from statutory law, but not contract law.
- A. True
 - B. False
59. In civil law jurisdictions, which of the following might be used as a criminal charging document or the closest thing available to a charging document?
- A. Arrest warrant -
 - B. Criminal petition
 - C. Indictment
 - D. All of the above
60. Which of the following best describes the purpose of expert testimony in judicial proceedings?
- A. Provide evidence based on personal knowledge and perceptions of the events at issue .
 - B. Assist in providing and establishing one essential circumstances among many others
 - C. Assist the Trier of fact to understand the evidence or to determine the fact in issue
 - D. None of the above
61. Illegal pyramid schemes and Ponzi schemes can (under certain conditions) be considered securities.
- A. True
 - B. False
62. In the context of an employee interview, all of the following actions could result in liability for false imprisonment EXCEPT:
- A. Telling the interviewee he may not leave the room
 - B. Locking the door to an interview room
 - C. Telling the interviewee that he is required to answer questions
 - D. Standing in front of an exit to an interview room

63. Which of the following refers to investments that are designed to yield a tax benefit to the investor?
- A. Money laundering havens
 - ~~B. Tax havens~~
 - ~~C. Tax shelters~~
 - D. Secrecy jurisdictions
64. Suppose that a party obtains a judgment against a foreign defendant in a domestic court. Which of the following accurately describes the effect of that judgment?
- A. The judgment might be used to seize the defendant's assets in a foreign jurisdiction that has a treaty with the domestic jurisdiction for the enforcement of judgements
 - B. The judgment may be used to seize the defendant's assets located in the domestic country
 - C. The judgment might be used to seize the defendant's assets in a foreign jurisdiction whose internal laws recognize the judgment
 - ~~D. All of the above~~
65. The OECD's Recommendation on Combating Bribery in International Business urges member states to combat the bribery of foreign public officials by taking steps to improve certain areas within their respective infrastructures. Which of the following is NOT one of those primary areas?
- A. Tax systems and regulations
 - B. Banking and accounting requirements and practices
 - ~~C. Criminal, civil, commercial and administrative laws~~
 - ~~D. Laws and regulations covering the handling of sensitive protected data~~
66. To recover under the tort of false imprisonment, a plaintiff must show that the defendant knew he had no legal right to restrain the plaintiff's physical liberty.
- A. True
 - ~~B. False~~
67. The fact that an item of evidence is relevant does not automatically mean that it will be admitted in adversarial trials. Evidence may be relevant but still excluded for other reasons.. Which of the following is one of those reasons?
- A. Misleading
 - B. Waste of time
 - C. Unduly prejudicial
 - ~~D. All of the above~~
68. A photograph can be either demonstrative evidence or real evidence
- ~~A. True~~
 - B. False
69. Which of the following is the MOST ACCURATE definition of insider trading?
- A. Issuing equity illegally through capital markets
 - ~~B. Trading in securities based on material, non-public information~~
 - C. Using publicly available information to manage investment portfolios
 - D. Systematically trading accounts against each other
70. Which of the following best describes the primary source(s) of law in civil law jurisdictions?
- A. Judge made-law
 - B. A combination of judge-made law and codified principles or statutes
 - C. Codified principles or statutes
 - D. None of the above

71. The three basic forms of evidence are demonstrative, real, and direct.
A. True
 B. False
72. Smurfing is a money laundering scheme where a criminal purchases multiple life insurance contracts and exercises the redemption clauses in each of them.
A. True
 B. False
73. In countries that require arrest warrants, which of the following is NOT a typical exception to the warrant requirement?
A. An emergency situation occurs
B. Contraband is discovered in the suspect's possession
 C. The offence occurs in the presence of a police officer
 D. The person is arrested at home
74. For a false statement to violate a law criminalising false statements to government agencies, it need not be made directly to the government; it can be made to a third party as long as it involves a matter within the jurisdiction of a governmental department or agency.
 A. True
B. False
75. All of the following are basic options by which organisations can legitimise cross-border transfers of personal information FXCFPI:
A. Obtain the consent of the data subject
B. Rely on adequacy decisions (if transmitting from the European Union)
 C. Establish a contract between the entities exchanging the information
 D. Obtain approval from a Certified Information Privacy Professional (CIPP)
76. Blue, a Certified Fraud Examiner, conducted an investigation of Brown, a fraud suspect. Brown became so upset at being investigated that he sued Blue for the common law tort of intentional infliction of emotional distress. For Brown to prevail, he has to show that:
A. Brown actually suffered severe distress as a result of Blue's conduct
 B. Blue acted intentionally or recklessly
 C. Blue engaged in extreme and outrageous conduct
 D. All of the above
77. Able, a fraud examiner, interviewed Beta, a fraud suspect. No other people were present at the interview. During the interview, Able accused Beta of committing fraud. This accusation later turned out to be erroneous, and Beta sued Able for damages. Under these facts, which of the following statements is CORRECT?
A. If Beta sued Able for determination, Beta would recover damages because Able made an untrue statement of fact on an unprivileged occasion.
B. If Beta sued Able for libel, Beta would not recover damages because Able believed the accusation to be true.
 C. If Beta sued Able for slander, Beta would not recover damages because Able did not publish the accusation to a third party.
D. If Beta sued Able for defamation, Beta would recover damages because Able made statements about Beta's private life on an unprivileged occasion

78. When an appellate court reviews a trial court's decision de novo, it means that the court adopts all of the legal and factual determinations of the trial court.
- A. True
 - B. False
79. Bailey, a Certified Fraud Examiner, is being cross-examined in court in an adversarial system on his expert opinion relating to a fraud matter. Darwin, a defence attorney, asks Bailey a question that is phrased in an overly and unnecessarily complex manner. Which of the following is the best way for Bailey to respond?
- A. Ask the judge for a recess
 - B. Object to the question's phrasing
 - C. Request that the question be rephrased
 - D. Avoid answering the question by talking about something else
80. If employees have a duty to cooperate during an internal investigation as part of the employer/employee relationship, the duty exists as long as what is requested from them is reasonable.
- A. True
 - B. False
81. Under the Financial Action Task Force's Recommendations, which of the following should be subject to suspicious transaction reporting requirements?
- A. Securities brokers
 - B. Casinos
 - C. Banks
 - D. All of the above
82. Because the Certified Fraud Examiner (CFE) credential denotes proven expertise in fraud prevention, detection, and deterrence, CFEs are automatically qualified to give testimony as to their opinion about fraud-related issues involved in a case.
- A. True
 - B. False
83. To recover under the tort of false imprisonment, a plaintiff must show that the defendant knew he had no legal right to restrain the plaintiff's physical liberty.
- A. True
 - B. False
84. Which of the following is considered obstruction of justice?
- A. Influencing a witness with bribes
 - B. Contacting a government investigator
 - C. Subpoenaing a government witness
 - D. Showing disrespect to a judge
85. Financial institutions, as defined by the Financial Action Task Force in its Recommendations, include not only commercial banks, but also life insurance providers and money services businesses.
- A. True
 - B. False
86. The operation of alternative remittance systems involves inherently illegal activities.
- A. True
 - B. False
87. Which of the following best describes what is typically included in the trial record of a civil lawsuit in civil law jurisdictions?
- A. Every document submitted as evidence

- B. A verbatim transcript of all oral testimony
 C. The judge's summaries of the evidence
 D. All of the above
88. Which of the following property interests is best classified as a secured interest?
- A. An heir's interest in the deceased estate
B. An energy company's mineral rights to a parcel of real property
 C. A home lender's right to possess and liquidate a debtor's home if the debtor defaults
D. All of the above
89. In civil law jurisdictions, which of the following best describes a major role of the parties' attorneys or advocates during civil litigation?
- A. To examine and cross-examine witnesses
B. To request and obtain documentary evidence from each other prior to the trial
 C. To ensure that the judge accurately creates the trial record
D. All of the above
90. Litigation privileges and other similar evidentiary protections, such as the work product doctrine, apply only to documents and things prepared in anticipation of litigation or for trial.
- A. True
 B. False
91. Which of the following best describes probable cause in government search and seizure cases?
- A. Those facts that would induce a person of reasonable caution to believe that a crime has been committed and that the accused committed the crime
B. The set of facts showing proof beyond all doubt that a crime has been committed and that the accused committed the crime
 C. The set of facts showing that it's more likely than not that a crime has been committed and that the accused committed the crime
D. None of the above
92. Which of the following statements concerning tax shelters is most accurate?
- A. Tax shelters are always legal
B. Tax shelters are generally illegal in most countries
C. Tax shelters are inherently illegal
 D. Tax shelters may be legal or illegal
93. The protection of investors is one of the objectives on which the International Organisation of Securities Commissions (IOSCO) Objectives and Principles of Securities Regulation are based.
- A. True
 B. False
94. In some common law jurisdictions, if the prosecution or defence counsel simply doesn't like a prospective juror in a criminal trial, which of the following can sometimes be used to remove the potential juror from the jury panel without comment or justification?
- A. Challenge for cause
B. Venire
 C. Peremptory challenge
D. Voir dire
95. Generally, to establish an illegal gratuity violation, the government must prove that the gratuity was given for the purpose of influencing an official act.
- A. True
 B. False

96. Richard, a computer programmer, works in an office environment with cubicles. While on his way back from the restroom, Richard notices that Alice, one of his coworkers, left her purse unattended on her desk. Richard steals \$50 from Alice's purse. Assuming that Richard works in a jurisdiction in which larceny is an offence, he committed larceny.

- A. True
- B. False

97. Which of the following parties might serve to make factual findings in criminal proceedings in various civil law systems?

- A. A panel of both professional and lay judges
- B. A jury
- C. ~~A judge~~
- D. All of the above

98. Which of the following is a common law invasion of privacy tort that occurs when an individual intentionally encroaches into an area where another individual has a reasonable expectation of privacy and the encroachment would be highly offensive or objectionable to a reasonable person?

- A. Public disclosure of private facts
- B. Intrusion into an individual's private matters
- C. Infliction of emotional distress
- D. Slander

99. Which of the following is the MOST ACCURATE statement about laws criminalising false statements to government agencies?

- A. An individual can be found guilty for making a false statement even if the individual did not know the statement was false at the time the statement was made.
- B. An individual can be found guilty for making a false statement only if the statement was made under oath.
- C. An individual can be found guilty for making a false statement even if the government did not suffer a loss in reliance on it.
- D. An individual can be found guilty for making a false statement only if the statement is made directly to a government department or agency.

100. Jean intended to defraud the government by failing to withhold taxes on her employee's income, but it turns out there was no tax deficiency because her employee was exempt from such taxes. In most jurisdictions, would Jean be criminally liable for tax evasion for this conduct?

- A. No, because failing to collect taxes on employee income is not a criminal offence.
- B. Yes, because she did not collect taxes on the employee's income.
- C. Yes, because she intended to defraud the government.
- D. No, because there was no tax deficiency

101. Which of the following is NOT a favourite front business for laundering money?

- A. Electronics store
- B. Restaurants
- C. Vending machines
- D. Wholesale distribution

102. Which of the following is the MOST ACCURATE statement about the judicial treatment of privileges from foreign jurisdictions in cross-border litigation?

- A. The Hague Evidence Convention established a set of standardized rules of privilege for cross-border litigation.
- ~~B. There is a lack of standardization and predictability with respect to privileges in cross-border litigation~~
- C. The transnational principles and rules established a set of standardized rules of privilege for cross-border litigation
- D. Litigants involved in cross-border litigation should expect to have the privilege laws from their own jurisdiction applied when engaged in litigation abroad.
103. Which of the following financial institutions is NOT considered a money services business?
- A. A cheque cashing company
- ~~B. A currency exchange~~
- ~~C. A depository investment bank~~
- D. A prepaid access card provider
104. If a party obtains a ~~domestic judgment~~ against a ~~foreign defendant~~ in a fraud case, the party will be able to enforce that judgment in any jurisdiction where the defendant resides.
- ~~A. True~~
- ~~B. False~~
105. Which of the following is NOT a legal element that must be shown to prove a claim for official bribery?
- A. The defendant acted with corrupt intent
- ~~B. The recipient was (or was selected to be) a public official~~
- ~~C. The government suffered damages as a result~~
- D. The defendant gave or received a thing of value
106. XYZ Manufacturing has a document destruction procedure in which emails are automatically deleted after a specified period. A trading partner filed a civil lawsuit against XYZ in a civil law jurisdiction, claiming that XYZ sent fraudulent invoices via email. Under most civil law systems, the court would establish when XYZ should preserve and produce documents.
- ~~A. True~~
- B. False
107. Which of the following is an example of a smurfing scheme?
- A. A criminal disguises illicit assets by making them appear to have originated from various small loans
- ~~B. A criminal deposits large cash deposits well over the jurisdiction's cash transaction threshold on a regular basis to avoid suspicion~~
- ~~C. A criminal habitually deposits cash or purchases bearer instruments in amounts just under the jurisdiction's currency reporting requirements.~~
108. An action for fraud may be based on the concealment of material facts, but only if:
- A. The victim had a duty in the circumstances to disclose
- ~~B. The defendant had a duty in the circumstances to disclose~~
- C. The defendant had a duty to investigate the material facts
- D. The victim relied on the misrepresentation
109. At a trial in an adversarial system, an attorney asks an expert witness, "Could you please tell us about the background of this case?" This question is most likely being presented as part of direct examination of the expert witness.
- ~~A. True~~
- B. False

110. To establish that a defendant violated a law criminalising false statements to government agencies, the government must prove that the defendant made a false statement regarding a matter within the jurisdiction of a government agency, and the agency relied on the false statement to its detriment.
- A. True
 B. False
111. Which of the following describes a conflict of interest for a testifying expert witness?
- A. The testifying expert knew or met any parties or their attorneys before being retained as an expert
 B. The testifying expert's ability to objectively evaluate and present a client's issue is impaired by any relationship with any parties
C. The testifying expert has received any form of compensation for serving as an expert witness
D. All of the above
112. Which of the following statements concerning the criminal discovery process in adversarial jurisdictions is most accurate?
- A. Neither party may request evidence from the opposing party until after the trial begins
 B. Most discovery between the parties occurs during the pretrial stage
C. Although the prosecution may request information, the defendant is not allowed to request information unless the judge approves
D. If a party to the litigation fails to comply with a discovery request, the prosecution settles the dispute and may order the party to comply.
113. Gerald is involved in pretrial civil litigation in a common law jurisdiction and believes the other party knows several facts that are relevant to the case. Which of the following statements is MOST ACCURATE?
- A. Gerald may not request information from the other party in civil litigation •
 B. Gerald may request the information from the party through a written pretrial examination •
C. Gerald will have to wait until trial to request that the other party provide this information ✓
D. Gerald must wait for the judge to obtain the information during the judge's investigation ✓
114. Money laundering is the disguising of the existence, nature, source, control, beneficial ownership, location, and disposition of property derived from criminal activity.
- A. True
B. False
115. During a bankruptcy proceeding in a jurisdiction that distinguishes between secured and unsecured creditors, the debtor's only assets (equipment worth \$150,000) are being liquidated to pay the only two creditors. Creditor A has a \$100,000 unsecured claim against the debtor, and creditor B has a \$100,000 secured interest in the equipment. How will the \$150,000 from the sale of the equipment most likely be distributed?
- A. Creditors A and B will receive an equal share (\$75,000 each)
B. Creditor A will receive nothing and creditor B will receive \$100,000
 C. Creditor A will receive \$50,000 and creditor B will receive \$100,000
D. Creditor A will receive \$100,000 and creditor B will receive nothing
116. Which of the following statements regarding secured interests is TRUE?

- A. A claim is considered a secured interest if it is more than one year old
- B. In jurisdictions that distinguish secured and unsecured creditors in bankruptcy, unsecured creditors are typically paid first
- ~~C. If the amount of the secured claim exceeds the value of the property, then the entire claim is considered unsecured in most jurisdictions~~
- ~~D. A secured creditor is a creditor who holds a secured interest in some of a debtor's property.~~
117. ABC Corporation is involved in a reorganisation bankruptcy proceeding, after which it will continue operations. Under the World Bank Principles and Guidelines for Effective Insolvency and Creditor Rights Systems, which of the following parties is/are an appropriate option(s) for managing ABC during the proceedings?
- A. Exclusive control by an independent insolvency representative
- B. Supervision of ABC's management in undertaken by an independent insolvency representative
- ~~C. ABC's management maintains control~~
- ~~D. All of the above~~
118. A statute that prohibits fraud involving the use of a jurisdiction's mail or telecommunication systems is most properly characterised as what type of law?
- A. Common law
- B. Procedural
- ~~C. Substantive~~
- D. None of the above
119. Which of the following claims in a civil lawsuit would be considered a counterclaim?
- ~~A. A defendant's claim against the original plaintiff of the action~~
- ~~B. A plaintiff's response to a defendant's affirmative defence~~
- ~~C. A defendant's claim against another defendant in the same proceeding~~
- ~~D. A plaintiff's challenge of the ruling in another case~~
120. Which of the following is an example of the use of a digital currency?
- A. Credit card transactions
- ~~B. Bitcoin transactions~~
- C. Wire transfers
- D. All of the above
121. Which of the following is the tort that occurs when one party makes public statements about another party's private life that are not of public concern?
- A. Intrusion into an individual's private matters
- ~~B. Public disclosure of private facts~~
- C. Injury to an individual's reputation
- D. None of the above
122. In adversarial judicial jurisdictions, which of the following is NOT a question that must typically be asked in determining whether an expert may testify before the jury?
- A. Is the person qualified as an expert?
- B. Is the testimony reliable?
- ~~C. Is the testimony relevant to the facts of the case?~~
- ~~D. Is the person well-educated in the subject?~~
123. Integrative bargaining is the process whereby an impartial third person assists the parties to a dispute in reaching a resolution.
- A. True
- ~~B. False~~

124. Which of the following best describes the standard of proof for civil trials in civil law jurisdictions?

- A. Clear and convincing
- B. ~~More likely than not~~
- C. The inner conviction of the judge
- D. Preponderance of evidence

125. Which of the following most accurately reflects the recommendations regarding secured interests in the World Bank Principles and Guidelines for Effective Insolvency and Creditor Rights Systems?

- A. Countries should allow for secured interests in tangible property, but not intangible property
- B. ~~Countries should allow for secured interests in all types of assets.~~
- C. Countries should allow for security interests in property currently possessed by the debtor, but not property that might be possessed in the future
- D. Countries should allow for secured interests in movable property, but not immovable property.