

3.3.E: Assessment Questions

1. Define Torts.

Answer

Torts are wrongs committed against others who suffer some form of damage as a result.

2. An example of an intentional tort is:
 - a. Defamation.
 - b. Assault.
 - c. Malicious prosecution.
 - d. All of the above.
3. When an individual creates and promotes malicious falsehoods about another that individual may be liable for:
 - a. Libel.
 - b. Slander.
 - c. Defamation.
 - d. All of the above.

Answer

d

4. Describe Negligence.
5. All of the following are elements of negligence except:
 - a. A reasonable person.
 - b. A duty by the defendant to either act or refrain from acting.
 - c. A breach of a duty owed by defendant.
 - d. Measurable harm.

Answer

a

6. Which of the following is a special relationship giving rise to a duty to act to aid or protect one in peril?
 - a. Hotel and guest.
 - b. Cousin to cousin.
 - c. School principal and student.
 - d. Hotel and guest, and school principal and student.
7. If an activity causes a foreseeable and highly significant risk of physical harm even when reasonable care is exercised by all actors, and the activity is not one of common usage, it is:
 - a. Proximate cause.
 - b. Abnormally dangerous.
 - c. Negligence.
 - d. None of these are correct.

Answer

b

8. What is an attractive nuisance?
9. The elements of res ipsa loquitur that a plaintiff must establish in a product liability lawsuit include all of the following except:
 - a. The defendant breached his or her duty of care.
 - b. The defendant had control over the product in question while it was being manufactured.
 - c. Under normal circumstances, the product would not cause damage or harm, but damage or harm has occurred in the case in question.

d. The behavior of the plaintiff did not significantly contribute to the harm caused.

Answer

a

10. Describe the differences between contributory and comparative negligence.

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