
LAW/421 Final Examination Study Guide

This study guide will prepare you for the Final Examination you will complete in Week Five. It contains practice questions, which are related to each week's objectives. In addition, refer to each week's readings and your student guide as study references for the Final Examination.

Week One: Introduction to Law

Objective: Define the functions of law in society.

1. Precedent evolves from
 - a. state and federal constitutions
 - b. state and federal statutes
 - c. **the common law**
 - d. a combination of both state and federal statutes and common law

Objective: Define the functions of law in society.

2. Once stare decisis and case precedent is established,
 - a. **it may be disregarded and overturned by a court if they deem such action appropriate**
 - b. it may not be disregarded by a court but may be overturned by state statute
 - c. it may not be disregarded by a court or be overturned by state statute but may only be changed by amendment to the state's constitution
 - d. it may not be disregarded or overturned once established and must be followed without exception

Objective: Define the role of law in business.

3. In the cases of *Heart of Atlanta Motel v. U.S.* and *Katzbach v. McClung*, the Supreme Court found illegal discrimination under the Civil Rights Act of 1964 by applying
 - a. **the Commerce Clause**
 - b. the Supremacy Clause
 - c. the Necessary and Proper Clause
 - d. the Equal Protection Clause

Objective: Define the role of law in business.

4. In *Cavel International, Inc. v. Madigan*, when Illinois passed the statute barring the slaughter of horses primarily for human consumption, Cavel presented each of the following arguments EXCEPT
 - a. that they would suffer \$20M in losses
 - b. that dozens of jobs would be lost in the local economy
 - c. **that they were a foreign corporation not subject to U.S. commerce laws**
 - d. that the act effectively banned the export of horsemeat to Europe affecting foreign commerce

Objective: Compare and contrast means for resolving domestic and foreign legal disputes.

5. When the American Arbitration Association receives an application for appointment of an arbitrator, it
 - a. meets with a local trial judge to determine whether litigation or arbitration will be most efficient and advantageous based on the parties and the nature of the dispute
 - b. meets with attorneys from both sides to determine whether litigation or arbitration will be most efficient and advantageous based on the parties and the nature of the dispute
 - c. receives a list of suggested arbitrators from both parties and then selects the arbitrator who then informs the parties of the procedures and rules of arbitration
 - d. **appoints a tribunal administrator who then informs the parties of the procedures and rules of arbitration**

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