

Chapter 1—Introduction to Contemporary Hospitality Law

MULTIPLE CHOICE

1. The process by which the federal government adopts laws is called:
- a. Precedents
 - b. Constitutional law
 - c. Legislative process
 - d. Delegated powers

ANS: C PTS: 1

2. The type of law that legislatures make is:
- a. Constitutional
 - b. Statute
 - c. Case law
 - d. Administrative law

ANS: B PTS: 1

3. Based on *stare decisis*, a judge will decide a case by reviewing prior:
- a. Statutes
 - b. Case decisions
 - c. Ordinances
 - d. Legislators

ANS: B PTS: 1

4. Laws adopted by an administrative agency are called:
- a. Statutes
 - b. Ordinances
 - c. Regulations
 - d. Constitutions

ANS: C PTS: 1

5. Which of the following is not a tort?
- a. Negligence
 - b. Trademark infringement
 - c. Breach of contract
 - d. Fraud

ANS: C PTS: 1

6. In a criminal case, who pays for the plaintiff's attorney?
- a. The victim of the crime
 - b. The police
 - c. The government
 - d. The defendant

ANS: C PTS: 1

7. Which of the following is not a penalty for committing a crime?
- a. Jail
 - b. Punitive damages
 - c. Fine
 - d. Community service

ANS: B PTS: 1

8. Which of the following is the party who initiates an appeal?
- a. Appellant
 - b. Appellee
 - c. Plaintiff
 - d. Defendant

ANS: A PTS: 1

9. A motion is:
- a. A juror's request to deliver his or her theory of the case to the judge
 - b. A request to a judge for relief that is made while a lawsuit is ongoing

- c. A request for a relief break to use the restroom while court is in session
- d. The walkway the judge uses from his or her office to the courtroom

ANS: B PTS: 1

10. What is the resolution of a dispute without a trial?
- a. Pleading
 - b. Discovery
 - c. Settlement
 - d. Motion

ANS: C PTS: 1

11. What is *voir dire*?
- a. A bacteria that comes from eating moldy cheese
 - b. The traditional (formal) title for a judge
 - c. The examination of prospective jurors
 - d. A judge's instructions to the jury

ANS: C PTS: 1

TRUE/FALSE

1. Law consists of rules enforceable in court that require people to meet certain standards of conduct.

ANS: T PTS: 1

2. One of the influences on hospitality law was the poor reputation attributed to innkeepers in fourteenth- and fifteenth-century England.

ANS: T PTS: 1

3. Common law can be modified by statute.

ANS: T PTS: 1

4. The people who govern administrative agencies are elected to office.

ANS: F PTS: 1

5. Rebecca was attacked at gunpoint while walking home from work late one night. Her pocketbook was stolen and her arm broken. She wants compensation for the money that was stolen and her medical bills. True or false: To secure compensation, she should pursue a criminal case.

ANS: F PTS: 1

6. A case titled *Boris Napow v. Jerry Cribbo* is a civil case.

ANS: T PTS: 1

7. Punitive damages are awarded to a plaintiff to compensate for a loss caused by the defendant.

ANS: F PTS: 1

8. An injunction is a court order forbidding a party to a lawsuit from engaging in specified acts.

ANS: T PTS: 1

9. A judge can never deviate from precedents.

ANS: F PTS: 1

10. The actions of hospitality managers can influence the possibility of a business or the manager becoming the subject of litigation.

ANS: T PTS: 1

11. Compensation for an injury case is the objective of a criminal case.

ANS: F PTS: 1

12. The federal government includes the executive, legislative, and judicial branches.

ANS: T PTS: 1

COMPLETION

1. The four main sources of our law are the _____,
_____, _____, and
_____.

ANS: constitution, statutes, common law, administrative law

PTS: 1

2. _____ is business affecting more than one state.

ANS: Interstate commerce

PTS: 1

3. A _____ is a lawmaking body whose members are elected to office by the citizenry.

ANS: legislature

PTS: 1

4. The name of the plaintiff in a criminal case is _____.

ANS:
the people of the State
the people of the Commonwealth

PTS: 1

5. _____ are agreements between two or more parties that are enforceable in court.

ANS: Contracts

PTS: 1

6. Charlotte opened a hotel called Days Inn. She had not received permission to use the name from the company that operates hotels nationwide with the same name. Charlotte's use of the name constitutes _____.

ANS: trademark infringement

PTS: 1

7. Two types of damages a plaintiff can seek in a civil case are _____ and _____.

ANS: compensatory, punitive

PTS: 1

8. Barry stayed overnight at a motel and left without paying the bill. Barry has committed the crime of _____.

ANS: theft of services

PTS: 1

9. The four elements to look for when reading a case are _____, _____, _____, and _____.

ANS: facts, issue, decision, reasoning

PTS: 1

10. _____ and _____ are the two major systems of law in the Western world.

ANS:

Common law, civil law

Civil law, common law

PTS: 1

11. The system that allows criminal offenders to remain out of jail while supervised by a probation officer is _____.

ANS: probation

PTS: 1

12. A business that affects more than one state is _____ commerce.

ANS: interstate

PTS: 1