

CHAPTER 1
INTRODUCTION TO FAMILY LAW AND PRACTICE
Test Bank Questions

TRUE/FALSE

Indicate whether the statement is true or false.

1. Family law has not changed much because society's definition of a family has not changed.
2. Most of family law is written by the federal government.
3. A stipulation is a disagreement between opposing parties about a particular matter.
4. Interrogatories are sent by parties to other parties.
5. A conflict of interest actually or potentially places a person at a disadvantage even though he or she is owed undivided loyalty.
6. Primary authority is any nonlaw that a court could rely on in reaching its conclusion.

MULTIPLE CHOICE

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

7. Federal law:
 - a. has little role in family law since family law is governed by state law
 - b. determines when parties can be divorced
 - c. has greatly influenced the law of child support
8. The main categories of court opinions are:
 - a. opinions that interpret statutes
 - b. statutes that interpret opinions
 - c. opinions that create and interpret common law
 - d. a and c
9. Which of the following are not primary authority?
 - a. legal encyclopedias
 - b. statutes
 - c. court opinions
 - d. court rules

SHORT ANSWER ESSAY

10. Define family law.
11. Briefly mention five major themes that are expected to play a major role in family law in the twenty-first century.
12. What do we mean when we say that marriage is a status?
13. Define common law.
14. Define bias.
15. What is the danger and the value of Wikipedia.com?

FILL IN THE BLANK

Complete each statement.

16. At one time in the eyes of the law the husband and wife were one and the one was the _____.
17. A survey found that just under 39 percent of Americans felt that marriage is _____.
18. The now-rejected rule that the legal identity of a wife is subsumed into the legal identity of the husband is called _____.
19. The _____ is the court's answer to a legal issue.
20. Changes in state law that result mainly from (a) laws written by the federal legislature (Congress) and (b) interpretations of the U.S. Constitution by the U.S. Supreme Court and other federal courts are called _____.

MATCHING

Match each numbered entry with the most relevant lettered entry below.

- | | |
|--|-----------------------------------|
| a. prejudgment | 21. judicial review |
| b. fundamental right | 22. child support |
| c. any law | 23. improper deletion of evidence |
| d. spoliation | 24. common law |
| e. judge-made law | 25. interrogatories |
| f. sent to parties | 26. bias |
| g. heavily influenced by federal law | 27. conflict of interest |
| h. power to determine constitutionality of a law | 28. strict scrutiny |
| i. secondary authority | 29. primary authority |
| j. divided loyalty | 30. legal treatise |

CHAPTER 1
INTRODUCTION TO FAMILY LAW AND PRACTICE
Test Bank Answer Key

TRUE/FALSE

Indicate whether the statement is true or false.

1. ANS: F
2. ANS: F
3. ANS: F
4. ANS: T
5. ANS: T
6. ANS: F

MULTIPLE CHOICE

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

7. ANS: C
8. ANS: D
9. ANS: A

SHORT ANSWER ESSAY

10. ANS: The body of law that defines relationships, rights, and duties in the formation, ongoing existence, and dissolution of marriage and other family units.
11. ANS: Equality of the sexes, increased federalization of family law, contract dimension of family law, science and law, and deregulation of sexuality.
12. ANS: Marriage is a legal condition by which rights and obligations are imposed, often in spite of the consent or contract desires of the persons.

13. ANS: Any one of the following four answers is sufficient to answer this question:
- Law created by courts in the absence of controlling statutory law or other higher law.
 - Court opinions, all of case law.
 - The legal system of England and of those countries such as the United States whose legal system is based on England's.
 - The case law and statutory law in England and in the American colonies before the American Revolution.
14. ANS: (1) An inclination, tendency, or predisposition to think or act in a certain way. (2) Prejudice for or against something or someone. (3) A danger of prejudgment.
15. ANS: You need to be cautious about the content of legal materials on Wikipedia, not simply because the site allows users to make corrections and additions to its millions of entries, but mainly because the site does not contain the full text of reliable and current primary authority. Yet free private sites such as Wikipedia can be valuable because they will often provide references and links to primary authority. Furthermore, when you need to do background research on a family-law topic, the sites can be useful so long as you do not rely on them as substitutes for the only 100 percent reliable sources of family law -- primary authority.

FILL IN THE BLANK

Complete each statement.

16. ANS: husband
17. ANS: obsolete
18. ANS: unity of person, doctrine of oneness, spousal unity rule, or unity of identity
19. ANS: holding
20. ANS: federalization

MATCHING

Match each numbered entry with the most relevant lettered entry below.

Correct answer:

21. ANS: h
22. ANS: g

23. ANS: d

24. ANS: e

25. ANS: f

26. ANS: a

27. ANS: j

28. ANS: b

29. ANS: c

30. ANS: i