

LESSON 5—1 QUIZ

Legal Concepts

Directions: Place a *T* for True or an *F* for False in the Answers column to show whether each of the following statements is true or false.

	Answers
1. An individual who commits a reckless act without causing injury will probably not be convicted of a tort.	1. _____
2. Respondeat superior is the first person to respond to a lawsuit.	2. _____
3. Torts based on carelessness are classified as negligence.	3. _____
4. Torts that are not based on intent or carelessness are classified as strict liabilities.	4. _____
5. Under tort law, the duty not to injure another includes bodily harm, but not the harming of someone's reputation.	5. _____
6. An employer can be held liable for the actions of an employee.	6. _____
7. Children and insane persons can be held liable for injuring others.	7. _____
8. A person who commits a tort may be sued for money damage.	8. _____
9. All torts require that the breach of duty be intentional.	9. _____
10. The four elements of a tort are duty, breach, injury, and criminal intent.	10. _____

Legal Applications

11. Josh is a 16-year-old lifeguard at Sunset County Golf Course. He gives swimming lessons to children while their parents are golfing. Josh is to make sure that no one dives into the pool from the side. Josh failed to warn a new girl named Juanita about this danger. Juanita sustained a serious neck injury when she hit her head on the concrete bottom of the pool. Who is liable for Juanita's injury? Explain your answer.

12. Suppose Josh from Exercise 11 did not warn Juanita about diving from the side of the pool and she was not injured. Would Josh likely be guilty of a tort if Juanita's parents found out that she had not received this warning? Why or why not?

LESSON 5—1 RETEACH

Directions: Circle the answers to each question in the puzzle below. Answers may appear in horizontal, vertical, or diagonal form. They may also be written backwards or from the bottom of the puzzle to the top.

1. What is a legal obligation to do or not do something? _____
2. A violation of duty is called a(n) _____.
3. Courts require the breach in intentional torts to be _____.
4. What is a private or civil wrong? _____
5. What is a harm that is recognized by the law? _____
6. What kind of liability occurs when one person is liable for the torts of another? _____
7. What kind of tort involves neither intent nor carelessness? _____
8. The proof that a breach of duty caused an injury is called _____.
9. What term means that the amount of causation is great enough for it to be recognized by law? _____
10. What kind of tort is based on carelessness? _____

Y	T	U	D	K	J	I	E	R	W	E	T	Y	U	D
T	P	D	M	M	I	E	R	O	Y	R	S	A	C	S
I	R	R	C	J	E	W	P	B	N	C	M	J	S	O
L	T	R	O	T	G	L	I	N	E	G	H	R	U	M
I	V	I	E	X	I	P	E	B	O	E	R	W	O	Q
B	R	I	O	N	I	H	Y	U	P	M	B	S	I	Z
A	E	M	C	P	W	M	B	M	S	A	T	M	R	L
I	B	R	E	A	C	H	A	D	E	M	T	O	A	A
L	O	N	B	E	R	Y	E	T	O	N	E	P	C	W
T	C	O	U	R	T	M	R	B	E	C	N	A	I	S
C	O	N	O	I	T	A	S	U	A	C	T	O	V	R
I	J	U	R	Y	T	E	S	T	J	U	A	C	O	D
R	L	A	N	O	I	T	N	E	T	N	I	U	B	E
T	E	V	D	E	N	C	E	R	R	B	I	D	S	P
S	T	R	E	Q	N	E	G	L	I	G	E	N	C	E

LESSON 5—2 QUIZ

Legal Concepts

Directions: In the Answers column, write the letter from Column 1 that represents the word or phrase that matches the statement in Column 2.

<i>Column 1</i>	<i>Column 2</i>	Answers
A. false imprisonment	1. An intentional tort where one person threatens to physically or offensively injure another	1. _____
B. strict	2. A tort that occurs when personal property is stolen	2. _____
C. statutes of repose	3. A false statement about a person that injures their reputation	3. _____
D. assault	4. An intentional misrepresentation of an existing fact	4. _____
E. trespass to land	5. A tort in which a person is deprived of freedom of movement	5. _____
F. battery	6. A type of liability that makes the defendant liable if he or she engaged in an activity that resulted in injury	6. _____
G. defamation	7. A tort in which another's property is entered without their consent	7. _____
H. fraud	8. An intentional tort that involves harmful or offensive touching of another	8. _____
I. assumption of the risk	9. The duty to act with care and good judgment	9. _____
J. conversion	10. Cut off consumers' right to sue for defects in design of products after a certain time	10. _____
K. comparative	11. A type of negligence where the plaintiff knowingly subjects himself to danger	11. _____
L. reasonable-person standard		

Legal Application

12. Yoko's car slid on an icy interstate overpass. She lost control of her car and ran into a utility pole. She was uninjured, but her car sustained \$4,000 in damages. Yoko intends to sue the state department of transportation for improperly maintaining the road. The transportation department did have a sign affixed to the overpass warning of its tendency to freeze before other road surfaces. Is the state department liable?

LESSON 5—2 RETEACH

Directions: Write the answers to Questions 1–10 on the blanks provided. The answer to Question 11 should appear in the vertical boxes.

		11.	
1.	_____		_____
2.	_____		_____
3.	_____		_____
4.	_____		_____
5.	_____		_____
6.	_____		_____
7.	_____		_____
8.	_____		_____
9.	_____		_____
10.	_____		_____

1. Another name for spoken defamation
2. Tort in which property is entered without the owner's consent
3. Crime of intentionally misrepresenting an existing fact
4. Tort where a threat to harm or offend is made
5. Type of negligence where damages are proportionately awarded to the plaintiff
6. Tort that involves harmful or offensive touching of another person
7. Type of liability that holds the defendant liable for engaging in an activity that resulted in an injury
8. Type of negligence defense where the plaintiff knows of the danger
9. Tort that involves theft or destruction of another's property
10. Type of negligence where the plaintiff partially caused the injury
11. False statement that injures another's reputation

LESSON 5—3 QUIZ

Legal Concepts

Directions: In the Answers column, write the letter from Column 1 that represents the word or phrase that matches the statement in Column 2.

<i>Column 1</i>	<i>Column 2</i>	Answers
A. judgment	1. A court order for a person to do or not do a particular act	1. _____
B. discovery	2. A brief outline of what the defendant and the plaintiff will try to prove	2. _____
C. witness	3. A monetary award given to the injured party to compensate for loss	3. _____
D. damages	4. Any object a judge allows to be presented to the jury that helps prove or disprove a case	4. _____
E. summons	5. A monetary award that is set high enough to punish the defendant	5. _____
F. testimony	6. Involves taking depositions from parties and witnesses	6. _____
G. opening statements	7. A court order issued to a defendant to appear in court to answer a complaint	7. _____
H. punitive damages	8. Statements made by witnesses under oath	8. _____
I. injunction	9. The decision of a jury	9. _____
J. verdict	10. A person who has personal knowledge of the facts of a case	10. _____
K. evidence	11. The final result of a trial	11. _____

Legal Application

12. Dr. Williams is a family dentist who is required to wear latex surgical gloves and a mask while working on her patients. These measures are taken to prevent the transmittal of communicable diseases. Recently, Dr. Williams purchased several cases of these gloves and masks from a large medical supplier. The administrators of the medical company are aware that they have sold some defective gloves. If Dr. Williams or any of her assistants contract a disease from their patients, what type of damages should they seek?

LESSON 5—3 RETEACH

Directions: Write the numbers 1–20 on index cards in large print. On the other side of the card, write the definition or term that is shown by each number below. Tape the cards to a chalkboard in the pattern below with the numbers facing the students. Divide the students into four or five teams. Each team should choose a captain to answer for them. The team captain will choose any two numbers. Read the contents on the back of the two cards out loud. If the two chosen cards form a correct match of a term and its definition, they are removed from the chalkboard and that team scores a point. If the cards do not make a correct match, the next team may take a turn. **Note: Do not allow the students to have anything to write with during the game.**

Card 1 compensatory damages	Card 2 subpoena	Card 3 A money award that punishes the defendant	Card 4 Any object presented to a jury to help prove or disprove a case	Card 5 A monetary award given to the injured party
Card 6 judgment	Card 7 The decision of a jury	Card 8 witness	Card 9 Party that files the complaint	Card 10 verdict
Card 11 A person with personal knowledge of the case	Card 12 Plaintiff	Card 13 A command for a witness to appear in court	Card 14 punitive damages	Card 15 Another name for actual damages
Card 16 opening statement	Card 17 The final result of a trial	Card 18 A brief outline of what both parties in a case will try to prove	Card 19 evidence	Card 20 damages