

## Practice Final Examination #3

### **Word Bank**

claim	discovery	amendment	act
Federal Register	agency	findings	interpretive
parties	enabling	appeal	stipulation
substantive	deference	agency record	procedural

### **Fill-In**

#### **Questions**

1. An \_\_\_\_\_ act creates an agency.
2. Proposed rules are published in the \_\_\_\_\_.
3. A \_\_\_\_\_ is a complaint or request for agency assistance.
4. An \_\_\_\_\_ rule explains an agency's action.
5. A person files a notice of \_\_\_\_\_ to contest an agency decision.
6. \_\_\_\_\_ is the exchange of evidence.
7. \_\_\_\_\_ are hearing decisions.

#### **Answers**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

### **Multiple-Choice**

#### **Questions**

8. A preponderance of evidence is:
  - a. less than 25%
  - b. more than 38%
  - c. 100%
9. Public meetings are protected by:
  - a. Privacy Act
  - b. Sunshine Act
  - c. Trade Secrets Act

#### **Answers**

8. \_\_\_\_\_
9. \_\_\_\_\_

10. The amendment protecting against improper searches is: 10. \_\_\_\_\_
  - a. Fourth
  - b. Fifth
  - c. Fourteenth
11. A complaint of hazardous waste is filed with the: 11. \_\_\_\_\_
  - a. Agricultural Department
  - b. Occupational Safety and Health Agency
  - c. Environmental Protection Agency
12. Participants in a hearing are: 12. \_\_\_\_\_
  - a. judges, attorneys, witnesses
  - b. journalists, attorneys, parties
  - c. witnesses, librarians, parties
13. Appeals may be denied judicial review if: 13. \_\_\_\_\_
  - a. statute precludes judicial review
  - b. stipulation occurs
  - c. discovery occurs
14. A person is entitled to judicial review if he/she 14. \_\_\_\_\_
  - a. has suffered legal wrong
  - b. has gone into bankruptcy
  - c. contests decision

### **True/False**

#### **Questions**

#### **Answers**

15. Past practice is based on irregular, haphazard decisions. 15. \_\_\_\_\_
16. The Administrative Procedure Act standardizes agency functions. 16. \_\_\_\_\_
17. The procedures of judicial review include exhaustion. 17. \_\_\_\_\_
18. Informal proceedings at agencies are adversarial processes. 18. \_\_\_\_\_
19. Processing claims is an informal agency action. 19. \_\_\_\_\_
20. Standing is a substantive law. 20. \_\_\_\_\_