

Practice Final Examination #2

Word Bank

record	notice	regulation	Fourth
Goldberg	Fifth	Federal Register	education
agencies	notices	environmental	sentencing
Nation Enquirer	judicial	procedure	preclusion

Fill-In

Questions

1. A rule is the same as a _____.
2. _____ gives the date of an agency action..
3. The _____ publishes rules daily.
4. *Marchetti* upheld the _____ amendment as a shield.
5. A complaint for hazardous waste is filed at a/an _____ agency.
6. The *experts of fact* are _____.
7. Judicial Review is restricted to agency _____.

Answers

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Multiple-Choice

Questions

8. The scope of review is the:
 - a. review of the U.S. Constitution
 - b. limit of court examination
 - c. implied preclusion
9. Agencies are often called:
 - a. the Third Branch of government
 - b. the Fourth Branch of government
 - c. the Seventh Branch of government

Answers

8. _____
9. _____

10. Rules that implement statutes are: 10. _____
a. hybrid
b. interpretive
c. substantive
11. Discovery is the gathering of information : 11. _____
a. jurisdiction
b. an exchange of information
c. sentencing
12. Standards are published in an agency's: 12. _____
a. rules and regulations
b. subpoenas
c. notices
13. Agency hearings admit as evidence: 13. _____
a. slander
b. hearsay
c. libel
14. Clients contest agency decisions at: 14. _____
a. hearings
b. sentencing
c. notices

True/False

Questions

15. Proposed rules are published in the US Code.
16. Most agency actions are formal proceedings.
17. Filing of a claim is an informal proceeding.
18. Preponderance of evidence is a proof criteria.
19. Hearsay is allowed as evidence.
20. The Privacy Act protects privacy of information.

Answers

15. _____
16. _____
17. _____
18. _____
19. _____
20. _____