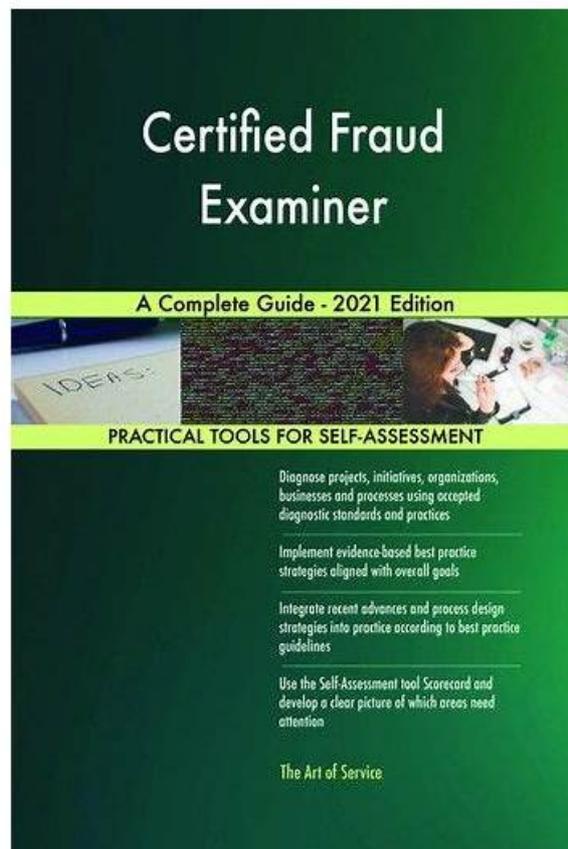


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ACFE Certified Fraud Examiner Sample Questions (Q203-Q208):

NEW QUESTION # 203

Each of the following is a common legal defense for tax evasion EXCEPT:

- A. The taxpayer relied on an attorney or accountant.
- B. The taxpayer has a mental illness.
- C. The taxpayer has filed for bankruptcy.
- D. There is no tax deficiency.

Answer: C

Explanation:

This question tests your knowledge of Domain 3.

In the context of Bankruptcy Fraud, specifically relating to bankruptcy, the question asks about EXCEPT.

The correct answer is B: The taxpayer has filed for bankruptcy..

This question focuses on bankruptcy fraud concepts. The correct answer correctly identifies the relevant bankruptcy process, filing type, or fraud scheme. Understanding bankruptcy proceedings and the roles of various parties is essential for fraud examiners investigating these cases.

References:

- CFE Exam Content Outline: Domain 3: Bankruptcy Fraud
- bankruptcy
- Fraud Examiners Manual, Law Section

NEW QUESTION # 204

Which of the following statements concerning examinations of expert witnesses in most inquisitorial jurisdictions is accurate?

- A. Only the judge is allowed to question the expert's analysis and the methods that they used in their determinations.
- B. Both the parties and the judge may question an expert's credibility.
- C. Both the parties and the judge may determine how much consideration should be given to an expert's testimony.
- D. Only the parties are allowed to make objections regarding an expert's biases.

Answer: B

Explanation:

This question tests your knowledge of Domain 11.

In the context of Testifying, specifically relating to expert witness, testimony, the question asks about examinations of expert

witnesses in most inquisitorial jurisdictions is accurate.

The correct answer is B: Both the parties and the judge may question an expert's credibility..

This question relates to expert witness testimony. The correct answer accurately describes the role, qualifications, or techniques for effective expert testimony. Fraud examiners often serve as expert witnesses and must understand these principles. In adversarial systems, opposing parties present their cases before a neutral judge or jury, while in inquisitorial systems, judges take a more active role in investigating cases.

Expert witnesses provide specialized knowledge to help the fact finder understand complex issues. Their testimony must be relevant, reliable, and based on sufficient facts or data.

NEW QUESTION # 205

In most common law jurisdictions, which of the following BEST describes when the duty to preserve evidence begins?

- A. When the court orders the party to produce the evidence
- **B. When litigation is reasonably anticipated**
- C. When the company receives notice of the lawsuit
- D. When the judge sets the schedule for discovery

Answer: B

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to common law, the question asks about BEST.

The correct answer is A: When litigation is reasonably anticipated.

This question relates to the legal system framework. Understanding the distinction between different legal systems and processes is crucial for fraud examiners. The correct answer accurately describes the relationship between different legal entities and their jurisdictions.

References:

- CFE Exam Content Outline: Domain 1: Overview of the Legal System
- common law
- Fraud Examiners Manual, Law Section

NEW QUESTION # 206

In a particular country's judicial process, the judge oversees the investigation of a case is primarily responsible for questioning witnesses and generally plays a larger role in the evidence-gathering process than the parties' legal counsel Which of the following BEST describes this type of judicial process'?

- A. Inquisitorial process
- B. Common law process
- **C. Adversarial process**
- D. Substantive law process

Answer: C

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to common law, adversarial, inquisitorial, the question asks about BEST.

The correct answer is A: Adversarial process.

This question relates to the legal system framework. Understanding the distinction between different legal systems and processes is crucial for fraud examiners. The correct answer accurately describes the relationship between different legal entities and their jurisdictions.

References:

- CFE Exam Content Outline: Domain 1: Overview of the Legal System
- common law
- adversarial
- inquisitorial
- Fraud Examiners Manual, Law Section

NEW QUESTION # 207

In systems using adversarial processes, an attorney may impeach an opposing party's witness by showing that the witness:

- A. Has a keen ability to observe
- B. Made poor consistent statements
- C. Testified from personal knowledge
- **D. Is influenced by bias or self-interest**

Answer: D

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to adversarial, the question asks about the core concepts in this area.

The correct answer is D: Is influenced by bias or self-interest.

This question relates to the legal system framework. Understanding the distinction between different legal systems and processes is crucial for fraud examiners. The correct answer accurately describes the relationship between different legal entities and their jurisdictions. In adversarial systems, opposing parties present their cases before a neutral judge or jury, while in inquisitorial systems, judges take a more active role in investigating cases.

NEW QUESTION # 208

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