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## ACFE Certified Fraud Examiner Sample Questions (Q151-Q156):

### NEW QUESTION # 151

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

**Answer: C**

#### NEW QUESTION # 152

Which of the following typically does NOT have to be present for communications between an attorney and the attorney's client to be protected by a legal professional privilege?

- A. A lawsuit has been filed
- B. Intent to keep the communications confidential
- C. Communication between a legal advisor and a client
- D. Purpose of the communications was to seek or provide legal advice

**Answer: A**

#### NEW QUESTION # 153

Which of the following would be direct evidence that an employee committed a cash larceny scheme that resulted in the theft of \$800 from their employer's safe?

- A. A witness testifies that they saw the employee take the money.
- B. A coworker states that the employee appeared to be nervous on the day of the theft.
- C. A witness testifies that the employee was usually the last person to leave the office.
- D. A diagram is used to display the location of the employer's safe.

**Answer: A**

Explanation:

This question tests your knowledge of Domain 7.

In the context of Individual Rights During Examinations, specifically relating to employee, the question asks about the core concepts in this area.

The correct answer is C: A witness testifies that they saw the employee take the money..

This question relates to individual rights during examinations. The correct answer accurately describes the legal protections, obligations, or privacy considerations that apply in workplace investigations. Fraud examiners must balance investigative needs with legal protections for individuals.

#### NEW QUESTION # 154

Which of the following statements concerning the appointment of expert witnesses at that is accurate?

- A. Generally, the court appoints the primary expert witnesses in inquisitorial jurisdictions.
- B. Generally the court selects the primary expert witnesses in adversarial jurisdictions.
- C. Generally, only the parties may select experts to introduce testimony in adversarial jurisdictions
- D. Generally, only the parties may select expert witnesses in inquisitorial jurisdictions.

**Answer: A**

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to adversarial, inquisitorial, the question asks about the appointment of expert witnesses at that is accurate.

The answer is not provided in the original document. Based on analysis of the question and options:

A: Generally, the court appoints the primary expert witnesses in inquisitorial jurisdictions. B: Generally, only the parties may select expert witnesses in inquisitorial jurisdictions. C: Generally the court selects the primary expert witnesses in adversarial jurisdictions. D: Generally, only the parties may select experts to introduce testimony in adversarial jurisdictions Based on CFE Law principles, the most likely correct answer would be A.

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. 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. In inquisitorial jurisdictions, the court typically appoints expert witnesses who are considered neutral and objective, while in adversarial systems, the parties generally select their own expert witnesses to support their respective positions.

#### NEW QUESTION # 155

Which of the following statements about the appeals process in criminal cases is MOST ACCURATE?

- A. Appellate courts will usually reverse a conviction even if the trial court's error did not affect the outcome of the case
- B. Appellate courts will usually hear an appeal even if the petition was not filed in a timely manner
- C. In civil law jurisdictions appellate courts are generally not permitted to make their own legal conclusions when reviewing a case
- **D. In common law jurisdictions, appellate courts are generally not permitted to make their own factual determinations when reviewing a case**

**Answer: D**

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to civil, common law, the question asks about MOST ACCURATE, the appeals process in criminal cases is MOST ACCURATE.

The correct answer is A: In common law jurisdictions, appellate courts are generally not permitted to make their own factual determinations when reviewing a case.

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.

## NEW QUESTION # 156

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