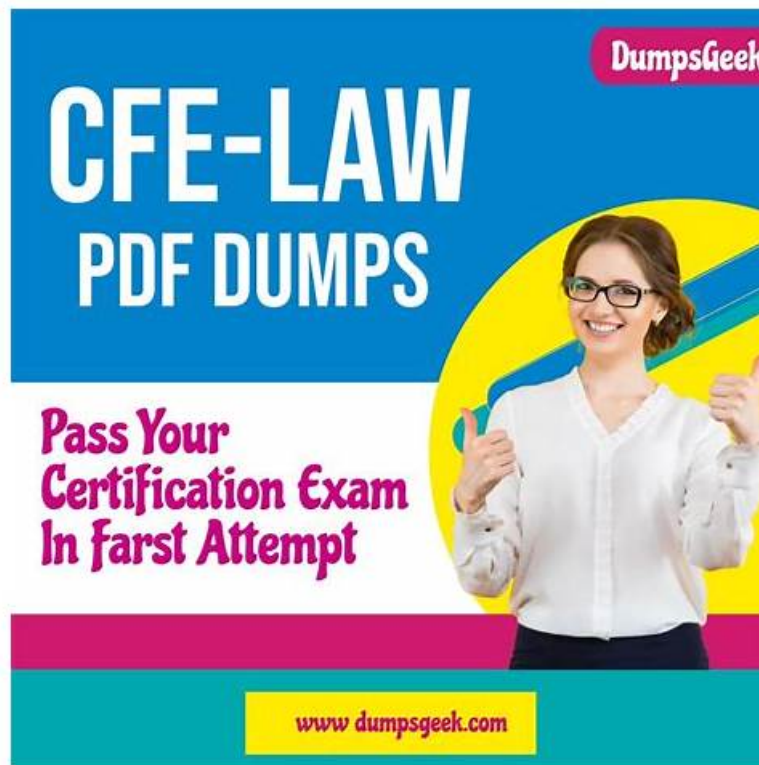


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ACFE Certified Fraud Examiner Sample Questions (Q186-Q191):

NEW QUESTION # 186

Which of the following statements about civil actions in most jurisdictions is correct?

- A. The plaintiff's complaint does not need to state the grounds for legal relief.
- B. All of the above are correct.

- C. The plaintiff's complaint must typically contain a copy of all documents that might be relevant to the case.
- D. Civil actions begin with the filing of a pleading, usually in the jurisdiction where the defendant resides or where the claim originated.

Answer: D

Explanation:

The correct answer is B. The CFE Manual states that a civil action generally begins when the plaintiff files a pleading with the appropriate court, usually in the jurisdiction where the defendant resides or where the claim arose. The pleading sets out the complaint and the remedy sought by the plaintiff.

Option A is incorrect because the plaintiff's complaint does not typically need to include all documents that might be relevant to the case. The Manual explains that pleading requirements vary by jurisdiction, and while some jurisdictions may require certain documents, witness lists, or key items of expected evidence, that is not the general rule for all potentially relevant documents. Option C is also incorrect because the Manual specifically notes that pleadings in most jurisdictions generally must identify the grounds for legal relief.

Since both A and C are wrong, D cannot be correct. For CFE purposes, the best statement is that civil litigation starts with the filing of a pleading in the appropriate jurisdiction, making B the most accurate choice.

NEW QUESTION # 187

Which of the following is the MOST ACCURATE statement about rules prohibiting securities broker-dealers from making unsuitable recommendations on investments or investment strategies?

- A. A suitability violation occurs when a broker trades in a client's account without obtaining prior approval for making the transaction(s).
- B. A suitability violation occurs when a broker recommends an investment or investment strategy that is inconsistent with the client's objectives
- C. A suitability violation occurs when a broker does not carry out a trade requested by or promised to a customer
- D. A suitability violation occurs when a broker enters into transactions and manages a client's account for the purpose of generating excessive commissions

Answer: D

Explanation:

This question tests your knowledge of Domain 4.

In the context of Securities Fraud, specifically relating to securities, unsuitable recommendations, the question asks about MOST ACCURATE, rules prohibiting securities broker-dealers from making unsuitable recommendations on investments or investment strategies.

The correct answer is D: A suitability violation occurs when a broker enters into transactions and manages a client's account for the purpose of generating excessive commissions.

This question tests knowledge of securities fraud and regulation. The correct answer accurately describes the role of regulatory bodies, securities laws, or fraud schemes in this context. Securities fraud is a specialized area requiring knowledge of specific regulations and oversight mechanisms.

NEW QUESTION # 188

Which of the following is NOT a right of the accused under the United Nations' (UN) International Covenant on Civil and Political Rights (ICCPR)?

- A. Right to a trial by jury
- B. Right to be presumed innocent until proven guilty
- C. Right of the accused to be informed of criminal charges
- D. Freedom from arbitrary arrests

Answer: A

NEW QUESTION # 189

The government filed a civil action against a politician for accepting real estate as a bribe. There is a possibility that the politician could transfer the real estate to a third party before the court enters a final judgment. Which type of order should the government

seek from the court to prevent the politician from transferring the real estate?

- A. Preservation order
- B. Litigation hold
- **C. Prejudgment attachment**
- D. Declaratory relief

Answer: C

Explanation:

This question tests your knowledge of Uncategorized.

the question asks about the core concepts in this area.

The correct answer is C: Prejudgment attachment.

This question tests your understanding of key fraud examination concepts and legal principles.

NEW QUESTION # 190

In most civil law systems, which of the following parties typically serves as the fact finder in criminal proceedings?

- A. A jury
- B. A panel of court-appointed attorneys
- **C. judge**
- D. A panel comprised of laypersons

Answer: C

Explanation:

This question tests your knowledge of Domain 1.

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

The correct answer is A: judge.

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 # 191

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