

BLOGS

Practice Multiple Choice Questions on Tort Law

Ruchika Mohapatra · 21 Mar 2024

MULTIPLE CHOICE QUESTIONS

1: In tort law, which of the following best describes the “eggshell skull” rule?

- A. The plaintiff must prove that the defendant’s actions caused severe injuries.
- B. The defendant must take the plaintiff as they find them, including pre-existing vulnerabilities.
- C. The defendant is only liable for injuries that a reasonable person would have anticipated.
- D. The plaintiff cannot claim damages for injuries that were unforeseeable.

2. What is the primary focus of the “duty of care” in tort law?

- A. A requirement for parties to exercise reasonable care to avoid foreseeable harm to others.
- B. A rule that determines liability based on the relationship between parties.
- C. An obligation for plaintiffs to mitigate their damages.
- D. A principle that exempts certain professionals from tort liability.

3. Which of the following is NOT a type of damages awarded in tort law?

- A. Compensatory damages.
- B. Nominal damages.
- C. Punitive damages.
- D. Injunctive damages.

4. What is the purpose of punitive damages in tort law?

- A. To compensate the plaintiff for pain and suffering.
- B. To punish the defendant and deter others from similar actions.
- C. To compensate the plaintiff for actual monetary losses.

D. To reimburse the plaintiff for legal expenses.

5. What is the “res ipsa loquitur” doctrine in tort law?

A. A rule that shifts the burden of proof to the defendant when the cause of injury is under the defendant’s control and the event would not typically occur without negligence.

B. A principle that holds employers responsible for the actions of their employees.

C. A concept used to establish causation when there is direct evidence of negligence.

D. A rule requiring plaintiffs to prove specific intent to cause harm.

6. In tort law, what is the “but-for” test used for?

A. Determining factual causation by asking whether the harm would have occurred but for the defendant’s actions.

B. Assessing whether a defendant’s actions were reasonable under the circumstances.

C. Determining if the defendant intended to cause harm.

D. Establishing whether the harm was foreseeable.

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8. In which of the following situations would strict liability generally apply?

A. When a person engages in inherently dangerous activities regardless of negligence.

B. When a person intentionally causes harm to another.

C. When an employee causes harm within the scope of employment.

D. When a person violates a statute resulting in harm.

9. What is the main difference between negligence and gross negligence in tort law?

- A. Negligence involves failing to exercise reasonable care, while gross negligence involves extreme disregard for the safety of others.
- B. Negligence involves an intentional breach, while gross negligence involves unintentional harm.
- C. Negligence applies only to professionals, while gross negligence applies to everyone.
- D. Negligence carries higher damages than gross negligence.

10. What is the “proximate cause” concept in tort law?

- A. A doctrine that allows defendants to avoid liability if they can prove an intervening cause.
- B. A rule that requires plaintiffs to prove that the defendant’s actions were the actual cause of the harm.
- C. A legal test to determine whether the harm caused was a direct result of the defendant’s actions and whether it was foreseeable.
- D. A principle that limits liability to the party with the primary duty of care.

11. What is the primary defense in a claim of defamation in tort law?

- A. Truth.
- B. Privilege.
- C. Malice.
- D. Intentionality.

12. What is the difference between libel and slander in tort law?

- A. Libel is written defamation, while slander is spoken defamation.
- B. Libel is intentional, while slander is unintentional.
- C. Libel requires proof of damages, while slander does not.
- D. Libel is public, while slander is private.

13. What does “vicarious liability” in tort law mean?

- A. An employer is liable for the actions of employees performed within the scope of their employment.

- B. A person is liable for the wrongful acts of someone under their supervision.
- C. A party is liable for harm caused by their property.
- D. A person is liable for damages caused by their family members.

14. What is the “assumption of risk” defense in tort law?

- A. The plaintiff voluntarily and knowingly accepted the risks associated with a particular activity.
- B. The defendant can avoid liability by proving that the plaintiff was aware of the risks but continued with the activity.
- C. A defense that applies to cases involving inherently dangerous activities.
- D. A principle that limits liability to only foreseeable risks.

15. Which of the following best describes the doctrine of “comparative negligence”?

- A. A doctrine that shifts the burden of proof to the defendant if the plaintiff is partially at fault.
- B. A rule that exempts a defendant from liability if the plaintiff was more than 50% responsible for their own injuries.
- C. A rule that applies only in product liability cases.
- D. A rule that allows a plaintiff’s damages to be reduced based on their own degree of negligence.

16. What is “trespass to chattels” in tort law?

- A. Interference with someone’s personal property without the intention to take possession.
- B. The unauthorized use of someone else’s real property.
- C. The act of entering another’s land without permission.
- D. The intentional damage of personal property belonging to another.

17. Which of the following best describes “private nuisance” in tort law?

- A. An interference with a person’s use or enjoyment of their land.
- B. A public act that harms the community’s interest.
- C. An environmental hazard that affects a large group of people.
- D. An action that causes harm to public property.

18. What is the concept of “public nuisance” in tort law?

- A. An action that specifically affects a single individual or household.
- B. An act or omission that unreasonably interferes with the rights of the general public.
- C. An intentional disruption of public services or facilities.
- D. A public demonstration or protest that becomes violent.

19. What is the “indemnity” concept in tort law?

- A. The right of one party to seek compensation from another for a loss or damage they were forced to pay due to a tort.
- B. The right to sue for compensation without proving fault.
- C. The process of calculating damages owed to the plaintiff.
- D. A method to distribute liability among multiple defendants.

20. What is “legal cause” or “proximate cause” in tort law?

- A. The cause that is legally sufficient to hold the defendant responsible for the harm caused to the plaintiff.
- B. The primary reason for the harm suffered by the plaintiff.
- C. The initial cause that leads to a chain of events resulting in harm.
- D. The cause established through a burden of proof.

ANSWERS

- 1. B
- 2. A
- 3. B
- 4. B
- 5. A
- 6. C
- 7. A

- 8. A
- 9. A
- 10. C
- 11. A
- 12. A
- 13. A
- 14. A
- 15. D
- 16. A
- 17. A
- 18. B
- 19. A
- 20. A

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