

# CFE-LAW<sup>Q&As</sup>

CFE - LAW

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**QUESTION 1**

Greta is convicted of white-collar crime. However, her sentence is suspended in return for her promise of good behavior. Which of the following BEST describes Greta's sentence?

- A. Determinate sentence
- B. Probation
- C. Indeterminate sentence
- D. Deferred prosecution agreement

Correct Answer: B

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**QUESTION 2**

During an internal investigation, Todd, a Certified Fraud Examiner (CFE), interviewed Janessa, a fraud suspect. Although Janessa wanted to leave in the middle of the interview, Todd blocked the exit and prevented her from leaving. Janessa subsequently confessed to committing fraud. If, under these facts, Janessa files a lawsuit for false imprisonment against Todd, Todd will likely:

- A. Win the case if he did not know the conduct was illegal
- B. Win the case because he is protected under the qualified business privilege
- C. Lose the case if a trier of fact concludes that he restrained Janessa without consent or legal justification
- D. Lose the case because Janessa did not leave the interview

Correct Answer: C

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**QUESTION 3**

Even if a government agent obtains consent to search by force, duress, or bribery, the consent will still constitute a valid waiver of the consenting party's right to be free from searches.

- A. True
- B. False

Correct Answer: B

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**QUESTION 4**

Which of the following can affect the rights that employees may have during an internal investigation?

- A. Existence of violation red flags

- B. Existence of interstate compacts
- C. Existence of an employment contract
- D. Existence of fraud risk factors

Correct Answer: C

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#### QUESTION 5

During a trial in an adversarial system, an attorney calls an expert witness to the stand and asks, "Could you please describe the procedures you performed in your examination?" Based on this question, which type of testimony is MOST LIKELY being presented?

- A. Request for admission
- B. Cross-examination
- C. Impeachment
- D. Direct examination

Correct Answer: B

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#### QUESTION 6

Which of the following statements regarding civil lawsuits in most jurisdictions is CORRECT?

- A. The plaintiffs initial filing does not typically need to contain a summary of the evidence.
- B. Civil lawsuits begin with the filing of a pleading, usually in the jurisdiction in which the defendant resides or where the claim arose.
- C. The plaintiffs initial filing with the court does not typically need to include the specific facts on which the claim relies.
- D. All of the above are correct.

Correct Answer: C

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#### QUESTION 7

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

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

Correct Answer: D

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**QUESTION 8**

Which of the following schemes involves disguising money from illegal nonbusiness sources by recording more income on a business's books than the business actually generates?

- A. Overstating revenues
- B. Structured deposits
- C. Trade-based laundering
- D. None of the above

Correct Answer: A

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**QUESTION 9**

Which of the following is generally NOT one of the goals of deferred prosecution agreements?

- A. To get an organization to reform its policies
- B. To postpone prosecution until a company conducts an extensive internal investigation
- C. To allow prosecutors to resolve a case while still punishing malfeasance
- D. To reduce the risk of illegal practices at an organization

Correct Answer: C

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**QUESTION 10**

A business files for bankruptcy with the goal of obtaining relief from creditors so that it can rearrange its financial affairs and continue as a going concern. Which of the following describes this type of bankruptcy proceeding?

- A. Debt dismissal bankruptcy
- B. Liquidation bankruptcy
- C. Reorganization bankruptcy
- D. Debt adjustment bankruptcy

Correct Answer: B

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**QUESTION 11**

- A. The employee was acting within the scope of their employment.

- B. Management was directly involved with the offense.
- C. Management knew of the underlying offense but did not correct it.
- D. The corporation had previous violations of a similar nature.

Correct Answer: B

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#### QUESTION 12

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

Correct Answer: A

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#### QUESTION 13

In most civil law jurisdictions, which of the following BEST describes when a party's requirement to take steps to preserve and produce relevant evidence arises?

- A. When the charging documents are filed
- B. When the party receives a service of process
- C. When litigation is reasonably anticipated
- D. When the court orders such steps to be taken

Correct Answer: D

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#### QUESTION 14

Which of the following is the MOST ACCURATE statement about the litigation privilege in common law jurisdictions?

- A. The litigation privilege only protects documents and materials prepared by an attorney.
- B. The primary purpose of the litigation privilege is to protect confidential communications between a client and the client's legal representative.
- C. The litigation privilege applies only while a trial is underway.

D. The litigation privilege applies only to documents and materials prepared in anticipation of litigation.

Correct Answer: B

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**QUESTION 15**

Which of the following statements about the International Organization of Securities Commissions (IOSCO) is TRUE?

- A. IOSCO is recognized as the international standard-setter for securities markets.
- B. IOSCO is an oversight body responsible for issuing and enforcing regulations that govern all international securities markets.
- C. IOSCO provides a forum for regular cooperation on banking supervisory matters affecting developing nations.
- D. IOSCO is a self-regulatory organization for companies that have securities traded on international securities markets.

Correct Answer: A

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