

Statutes and Regulations

MEHA RS Study Quiz

Last updated 3/18/14

- 1) _____ is a right stated in the _____ that requires all persons be treated equal under the law, i.e. comparable treatment of people and situations.
- 2) _____ protects citizens from arbitrary denial of life, property or liberty, by the Government outside the sanction of law, under the 5th and 14th Amendments. Under this principle government agencies must follow procedural requirements in actions against those in violation of applicable laws.
- 3) A legal requirement established by a government body is called a _____.
- 4) _____ and _____ are designed to regulate the conduct of those to whom they apply. They are laws enacted by federal, state and local agencies.
- 5) Laws enacted by local elected municipal and county officials are _____.
- 6) _____ are laws enacted by the (elected) legislative branch of the federal or state government. These laws are often organized by topic as “codes.”
- 7) Some activities are legally restricted to protect public health and welfare. A _____ or _____ is issued by a government entity to allow individuals or businesses to conduct these activities.
- 8) When a suit is started in a court of law to resolve a civil matter it is called _____.
- 9) A dispute resolution outside the court, binding _____ is an alternative to court action. It is a negotiation mediated by a disinterested person and is binding on both sides and enforceable.
- 10) _____ are formal or informal meeting by interested parties involving disputes under the authority of governmental agencies. The process establishes a record of facts in a particular case, toward some type of resolution, and allows both parties to explain their position. The person who conducts formal hearings is usually called the administrative law judge. He or she might instead be called a hearing examiner. A final decision will be issued in the case which may be accepted or appealed.
- 11) A document issued by a state or federal agency ordering a business or person to stop or correct and activity or condition is an _____ or _____.
- 12) A prohibition of the use or removal of an item(s) by a legal order is an _____.
- 13) A court order to confiscate property to be held or disposed of, is known as a _____. An example would be the seizure of a food warehouse infested with rodents. Following the action the court may agree to allow the food products to be sorted, under supervision, with unaffected products released and damaged products destroyed.

14) A legal order issued after a building or structure is determined to be dangerous for use: _____. Notices are posted on the property following such action.

15) An action, posted on a building, which prevents occupancy, but allows entry for the purpose of making repairs: _____

16) _____ law cases typically involve legal disagreements between individuals, businesses, corporations or partnerships. A person can also be involved in a _____ lawsuit with a government entity such as a state, county or city. Liability is established in such cases, not guilt, and type of compensation is sought.

17) A _____ is a civil wrong. It deals in situations where actions of a person have unfairly caused another to suffer loss or harm. The action not necessarily an illegal act but causes harm. Intent or negligence may or may not be a factor. The law allows someone who is harmed to receive compensation, to recover to as much as possible to the state they were in before the act. This might be thought of as a personal injury case.

18) The law which deals with situations where a person's actions cause harm to society in general is _____ law. The harm might be to a person or property.

19) _____ is a process by which a fully informed person can make decisions about a course of action. An example would be an inspector pointing out to a processor that a food item in storage is approaching a dangerous holding condition, like an improper temperature. If the processor elects to use the item, possibly with some risk, then he has done so with the inspectors' _____. This lessens the inspector's liability.

20) Most government agencies have given themselves varying degrees of _____ to reduce the burden lawsuits/tort actions that would demand agency resources. This immunity has been generally reduced in the past decades.

21) Under the 4th Amendment citizens are protected from unreasonable search and seizure. A court ordered _____ authorizes officers to conduct a search of a person, location, or vehicle for evidence of a crime and to seize any evidence found. It must be supported by probable cause as outlined in a sworn affidavit that also gives specifics about what is to be searched.

22) An _____ authorizes entry does not assume that a violation has been committed, and is based on justifiable cause that an inspection is needed (not probable cause). This can be the case with a food manufacturer. This is not necessary to inspect places open to the public. Also, it may not be needed in licensed where license conditions require giving up rights to privacy. Seizing evidence is not done, violations being based on inspector's observations.

23) Illegally obtained evidence cannot be admitted into court under the _____.

24) Business records required by law can be requested during an inspection. However, if private records are needed, and not offered voluntarily, they can be obtained using a _____. Certain medical or research records are an example. There is no need to demonstrate that a violation has occurred.

25) Under the _____, the public generally has access to government records, except those with private information.

Answers

- 1) Equal Protection, Bill of Rights
- 2) Due Process
- 3) Law
- 4) Rules and Regulations
- 5) Ordinances
- 6) Statutes
- 7) Permit or License
- 8) Litigation
- 9) Arbitration
- 10) Administrative Hearing
- 11) Administrative Order or Enforcement/Abatement Order
- 12) Embargo
- 13) Seizure order
- 14) Condemnation
- 15) Closed to Occupancy
- 16) Civil
- 17) Tort
- 18) Criminal
- 19) Informed Consent
- 20) Immunity
- 21) Search Warrant
- 22) Administrative or Inspection Warrant
- 23) Exclusionary Rule
- 24) Subpoena
- 25) Freedom of Information