

國立臺北大學 113 學年度碩士班一般入學考試試題

系(所)組別：法律學系(基礎法學組、公法學組、刑事法學組、
財經法學組、國際法學組、法律專業組)

科目：英文

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Part I : Please choose the best answer. (2% for each question)

1. When a defendant of a criminal case asserts that he/she was suffering from a mental disease and was unable to appreciate the nature and wrongfulness of his/her act when the crime was committed. It is a:
(A) Justification defense (B) Self-defense (C) Statute of Limitations (D) Insanity defense
2. A court finds the defendant _____ when it considers him/her responsible for a crime.
(A) Compensated (B) Admitted (C) Liable (D) Guilty
3. A statement made by a witness, under oath, in a legal proceeding is called:
(A) Writ (B) Testimony (C) Interrogation (D) Hearsay
4. When a criminal defendant gives up a statutory right for his/her benefit, such as the right to counsel, he/she _____ the right to counsel.
(A) Waives (B) Commits (C) is entitled to (D) is empowered by
5. An attempt to inflict bodily injury upon a person is an:
(A) Assault (B) Arson (C) Insurrection (D) Intoxication
6. Buying or selling a security, in breach of a fiduciary duty or other relationship of trust and confidence, on the basis of material, nonpublic information about the security is called:
(A) Market speculation (B) Corporate investments (C) Insider trading (D) Public transactions
7. The act of a company adhering to laws and policies that are pertinent to the sector within which they do business is called:
(A) Ethical standards (B) ESG investment decisions
(C) Legal compliance (D) Corporate morality
8. When one company combines with another one to form a new entity, or when one company takes over another company and absorbs its business, these processes are called:
(A) Mergers and acquisitions (B) Corporate governance
(C) Licensing and franchising (D) Antitrust scrutiny
9. Providing legal services voluntarily and without charge for the public good is called:
(A) Bona fide (B) Pro bono (C) Sine qua non (D) Ad hoc
10. New technology that seeks to improve and automate the delivery and use of financial services is:
(A) PayPal (B) Fintech (C) Hackathon (D) Telethon

Part II : Please read the following paragraph and find the best answer to Questions 11 to 15. (3% for each question)

Had Americans become *litigious*, particularly after the Second World War? Some facts and figures show an increase in litigation rates: certain kinds of cases had increased rapidly in the latter half of the last century, while others were in decline. Changes in the law can affect litigation rates and account for the discrepancy. For instance, title insurance and other factors have made cases about land ownership less common. Federal deposit insurance and other measures that stabilize money and banking have all but eliminated whole classes of cases that once clogged the courts. Federal litigation rates have risen dramatically in the course of the century. Civil rights laws give people chances to litigate questions they could not have gone to court with before. However, we should not focus solely on the sheer numbers. The discussion often drowns out voices that express the opposite complaint: the system is too expensive,

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too formal, and too biased to serve the interests of ordinary people—like _____ (blank) _____, rotten, fishy, and usually only the rich can afford it. This idea spurred the creation of a legal services component in Lyndon Johnson's War on Poverty and fueled the movement for alternative dispute resolution, or ADR.

11. Which of the following is the best title for this paragraph?
(A) Professional Training for Litigation (B) The So-called Litigation Explosion
(C) The Rise and Fall of Legal Aid (D) Litigation in a Fast-changing Society
12. Which of the following best fits the blank in the paragraph?
(A) Canned tuna (B) Caviar (C) Sweet corn soup (D) Cannoli
13. By *litigious* (first line) the author means:
(A) Showing high proficiency as a legal practitioner
(B) Paying a high price in exchange for legal services
(C) Willing to engage in lawsuits
(D) Competitive when making legal arguments
14. What is the view of the author regarding the phenomenon that is described in this paragraph?
(A) The author is critical of the phenomenon and thinks it is evil because it clogs the courts and only makes lawyers rich.
(B) The author thinks the phenomenon is natural because an intellectual movement was taking place at law schools.
(C) The author thinks the phenomenon is evil because it is manipulated by lawyers and legislators.
(D) The author does not think the phenomenon is good or evil and highlights how the legal system has driven away people who need it.
15. Which of the following is not one type of alternative dispute resolution (ADR)?
(A) Mediation (B) Arbitration (C) Tribunal (D) Negotiation

Part III : Please read the following paragraphs and find the best answer to Questions 16 to 20. (3% for each question)

In 2023, the United Kingdom's highest court found that Rwanda is not a safe third country for the government to send asylum seekers. In *a unanimous judgment*, the Supreme Court agreed with the Court of Appeal that there are substantial grounds for believing that asylum seekers removed to Rwanda would face a real risk of being returned to their home country where they could face ill-treatment, known as refoulement. This would put the UK in breach of its obligations of nonrefoulement under international and domestic law. Regarding the UK's obligations under international law, the Court states that:

“Under international law, states have the right to control the entry, residence and expulsion of aliens, and to counter attempts to circumvent immigration restrictions, subject to their treaty obligations and to any relevant principles of customary international law. One limitation of the right to expel aliens is the principle of non-refoulement, which is *enshrined* in several international treaties which the United Kingdom has *ratified*. As will appear, the term bears slightly different meanings in different contexts. The Refugee Convention, which has 146 states parties including the United Kingdom, provides in article 33(1) [...] The United

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Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (“UNCAT”), which has 173 states parties including the United Kingdom, provides in article 3(1) [...] The United Nations International Covenant on Civil and Political Rights of 1966 (“ICCPR”), also with 173 states parties including the United Kingdom, is interpreted by the United Nations Human Rights Committee, which monitors implementation of the Covenant, as *imposing* a similar obligation [...]. It may be that the principle of non-refoulement also forms part of customary international law.[...]”

16. Which of the following best describes *a unanimous judgment*:
- (A) A legal order issued by the Supreme Court for an appellate court.
 - (B) A ruling made by a court that is presided over by a single judge.
 - (C) A resolution reached with legal representatives of the parties involved.
 - (D) A decision reached by all members of a court.
17. According to the text, which of the following statements about refoulement is false:
- (A) Some international conventions explicitly prohibit refoulement.
 - (B) The doctrine of non-refoulement is part of customary international law.
 - (C) In principle, states have the power to expel unwanted aliens.
 - (D) To this date, refoulement is only legally permissible if the destination is in Africa.
18. What does the term *enshrine* mean in the context of the text?
- (A) Codified
 - (B) Enforced
 - (C) Praised and encouraged
 - (D) Criticized
19. When a covenant *imposes* an obligation on a state or a person:
- (A) It is optional for a state or a person to follow what is ordered by the covenant.
 - (B) States have the discretion whether they will fulfill the obligation or not, but a person does not.
 - (C) The state or person is legally bound to fulfill the obligation.
 - (D) The covenant becomes void and unenforceable.
20. Which of the following is a possible outcome of the decision?
- (A) The International Criminal Court (ICC) will start an investigation and eventually try individuals charged with the gravest crimes.
 - (B) Asylum seekers who were sent to Rwanda may be transferred to a third country which is not obliged by the principle of non-refoulement under international and domestic law.
 - (C) The judgment establishes a legal precedent, emphasizing the importance of complying with non-refoulement obligations under international and domestic law. This precedent may influence future cases.
 - (D) All of the above.

Part IV : Please choose the best answer. (2% for each question)

21. America has a serious problem dealing with _____ workers crossing the border illegally.
- (A) undocumented
 - (B) unbelievable
 - (C) understandable
 - (D) underground
22. Linda is busy _____ her upcoming solo dancing show during the Chinese New Year.
- (A) of prepare
 - (B) prepare
 - (C) at preparing
 - (D) preparing

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23. Susan found a therapist to administer the treatment in the classroom _____ the third floor of the company building.
(A) under (B) to (C) in (D) on
24. _____ the color of her gown, she must be a lawyer.
(A) Coming to (B) Coming from (C) Judging of (D) Judging from
25. The movie is too sad; Porter can not help _____.
(A) cry (B) cried (C) cries (D) crying
26. When it comes to _____ the best compliance strategy, people need to consult with a legal expert.
(A) find (B) finding (C) found (D) funding
27. In recent years, people from different races and origins _____ to demand equal opportunities in employment.
(A) rising (B) arouse (C) have risen (D) arousing
28. After the racist jokes against minority groups, the supporters start to fall _____ from the party candidate.
(A) about (B) out (C) away (D) like
29. After four years of hard studying, law students have _____ the foundation of their legal knowledge.
(A) lays (B) lied (C) laid (D) laying
30. The Covid-19 pandemic stops James from _____ abroad.
(A) study (B) studing (C) studying (D) of studying

Part V : Please translate the following legal terms to Chinese. (2% for each question)

31. Default judgment: _____
32. Real estate: _____
33. Pension plan: _____
34. Will: _____
35. Force majeure: _____
36. Domicile: _____
37. Arbitration: _____
38. Labor Strike: _____
39. Stare decisis: _____
40. Freedom of association: _____
41. Minimum wage: _____
42. Constitution: _____
43. Causation: _____
44. Due Process: _____
45. Employment discrimination: _____

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