

GEORGIA TORTS BAR PRACTICE EXAM (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. How is a "good faith" act defined under the Good Samaritan statute?**
 - A. Rendering aid with malicious intent
 - B. Providing help in emergency situations without expecting compensation
 - C. Acting negligently during a rescue
 - D. Only helping those who are family members
- 2. Who can generally be held liable for the acts of partners in a partnership?**
 - A. Only the partner who directly committed the act
 - B. All partners are jointly liable for acts within the partnership
 - C. No one can be held liable without a formal agreement
 - D. Only external stakeholders involved in the partnership
- 3. What is the effect of brief dispossession of chattels?**
 - A. It has no legal impact on ownership
 - B. It could still constitute a trespass to chattels
 - C. Only permanent dispossession counts
 - D. It negates the owner's rights
- 4. Who can act in loco parentis and be entitled to certain privileges?**
 - A. Only legal guardians
 - B. Anyone tasked with parental responsibilities
 - C. Only biological parents
 - D. Only school teachers
- 5. Does transferred intent apply to assault?**
 - A. A. Yes, it applies similarly as it does to battery.
 - B. B. No, it only applies to physical injuries.
 - C. C. Yes, but only in cases of negligence.
 - D. D. No, it only applies in civil cases.
- 6. What is the limit on a private actor's use of force during a citizen's arrest?**
 - A. They can use any force necessary to ensure compliance
 - B. Force must be reasonable and proportional to the situation
 - C. They can only restrain verbally without physical contact
 - D. Deadly force is permitted against any resistance

- 7. What does "reasonable mistake" refer to in the context of a citizen's arrest?**
- A. Confusing the location of the crime
 - B. Misidentifying the person committing the felony
 - C. Assuming the crime has been committed without evidence
 - D. Understanding the law incorrectly
- 8. In which situation is an employer generally not liable for an independent contractor's actions?**
- A. When the contractor is performing inherently dangerous activities
 - B. When the contractor breaches a nondelegable duty
 - C. When the contractor is operating under a direct contract with the employer
 - D. When the contractor's actions are outside the employment relationship
- 9. What is required for a duty to avoid negligent infliction of emotional distress to exist?**
- A. There must be a physical impact on the plaintiff
 - B. The plaintiff must show physical symptoms
 - C. A special relationship between the plaintiff and defendant
 - D. There must be economic loss proven
- 10. What is the purpose of the risk-utility test in design defect cases?**
- A. To determine the manufacturing costs
 - B. To evaluate the usefulness of the product design
 - C. To measure potential consumer satisfaction
 - D. To assess the risk of harm versus its utility

Answers

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1. B
2. B
3. B
4. B
5. A
6. B
7. B
8. D
9. C
10. D

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Explanations

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1. How is a "good faith" act defined under the Good Samaritan statute?

- A. Rendering aid with malicious intent
- B. Providing help in emergency situations without expecting compensation**
- C. Acting negligently during a rescue
- D. Only helping those who are family members

The definition of a "good faith" act under the Good Samaritan statute is centered on the idea of offering assistance in emergency situations without expecting any form of compensation. This reflects the statute's intent to encourage bystanders to assist individuals in peril without the fear of legal repercussions. Individuals acting in good faith are recognized for their willingness to help others selflessly, and the law protects them from liability as long as they act reasonably under the circumstances. The emphasis on rendering help without expectation of remuneration fosters a spirit of community support and emergency response. By defining good faith in this manner, the statute aims to balance the need for aid in emergencies with the protection of those who offer assistance, ensuring that altruistic actions are safeguarded legally.

2. Who can generally be held liable for the acts of partners in a partnership?

- A. Only the partner who directly committed the act
- B. All partners are jointly liable for acts within the partnership**
- C. No one can be held liable without a formal agreement
- D. Only external stakeholders involved in the partnership

In a partnership, all partners are jointly liable for the acts of the partnership, particularly if those acts fall within the scope of the partnership's business. This principle is rooted in the concept of joint and several liability, which means that each partner can be held accountable for the entire obligation of the partnership that arises from its business activities. When a partner acts on behalf of the partnership and their actions are related to the partnership's business, all partners can be implicated in any resulting liabilities or obligations. This liability extends to tortious acts as well as contractual obligations that occur within the partnership's scope of operations. Therefore, if a partner engages in conduct that causes harm or violates legal rights, all partners share responsibility for that act, regardless of whether they directly committed the act themselves. This joint liability serves to protect third parties interacting with the partnership, ensuring that they have recourse against any of the partners if needed. It promotes trust in business transactions, as individuals can pursue claims against any partner rather than having to determine who specifically committed a wrongful act or breach of contract. The other options do not accurately reflect this legal principle. Individual liability is not limited to just the partner who committed the act, there is no requirement for a formal agreement for liability to exist

3. What is the effect of brief dispossession of chattels?

- A. It has no legal impact on ownership
- B. It could still constitute a trespass to chattels**
- C. Only permanent dispossession counts
- D. It negates the owner's rights

The selection of the option indicating that a brief dispossession of chattels could still constitute a trespass to chattels is grounded in the legal principles related to property rights and possession. In tort law, trespass to chattels occurs when one party intentionally interferes with another person's lawful possession of a chattel, even if the interference is temporary. A brief dispossession does not negate the owner's rights nor does it require permanent dispossession to be actionable. The law recognizes that even a short period during which a person is deprived of their property can result in annoyance, distress, and inconvenience, making it actionable as a trespass. The focus is on the interference with possession rather than the duration of the dispossession itself. Thus, an owner can pursue a claim for trespass even if they regain possession quickly, affirming that possession rights are protected under the law regardless of how long the dispossession lasts.

4. Who can act in loco parentis and be entitled to certain privileges?

- A. Only legal guardians
- B. Anyone tasked with parental responsibilities**
- C. Only biological parents
- D. Only school teachers

The concept of in loco parentis involves the legal authority given to individuals or entities to act in place of a parent, assuming responsibility for a child's welfare. When someone takes on parental responsibilities, they can be granted certain privileges, such as making decisions regarding the child's education, healthcare, and daily care. This privilege is not limited solely to legal guardians or biological parents; it can extend to various adults or entities who have been entrusted with the care of a child. For example, a relative or a non-relative who provides consistent care and supports a child's needs can act in loco parentis. Similarly, teachers often operate under this principle when they supervise students in school settings, but their authority is more contextual and doesn't encompass all privileges relevant to a child's wellbeing outside of the school environment. Thus, anyone who has been assigned parental responsibilities, regardless of their official legal status, can act in loco parentis and enjoy the associated privileges, making the second option the correct choice.

5. Does transferred intent apply to assault?

- A. A. Yes, it applies similarly as it does to battery.**
- B. B. No, it only applies to physical injuries.
- C. C. Yes, but only in cases of negligence.
- D. D. No, it only applies in civil cases.

Transferred intent applies to assault, just like it does to battery, making the first answer the correct choice. This legal doctrine allows for the intent to harm one individual to be "transferred" to another individual if the intended target is not the one who is harmed. In the context of assault, if a person intends to scare or threaten a specific individual but accidentally causes reasonable apprehension in someone else, the intent can still be applied to that third party. This principle secures the rights of individuals harmed by the actions of others, ensuring that the intent behind the act is not rendered powerless simply because the person affected was not the intended target. This is distinct from the other options which misrepresent the application of transferred intent. For instance, the second option incorrectly states that transferred intent applies solely to physical injuries, ignoring its broader applicability to intentional torts like assault. The third option incorrectly limits transferred intent to negligence, which is not applicable since negligence involves a lack of intent. Lastly, the fourth option mistakenly confines transferred intent to civil cases, while it's a concept relevant to both civil and criminal contexts.

6. What is the limit on a private actor's use of force during a citizen's arrest?

- A. They can use any force necessary to ensure compliance
- B. Force must be reasonable and proportional to the situation**
- C. They can only restrain verbally without physical contact
- D. Deadly force is permitted against any resistance

The limit on a private actor's use of force during a citizen's arrest is that the force must be reasonable and proportional to the situation. This principle acknowledges the need for individuals to protect themselves and others while also ensuring that the response to a perceived threat or offense does not escalate unnecessarily. In the context of a citizen's arrest, the law allows ordinary citizens to detain someone they believe has committed a crime, but only to the extent that the force applied is necessary to effect that arrest and not greater than what is needed to prevent harm to themselves or others. For example, if someone is attempting to flee after committing a minor offense, using excessive physical force or weapons would likely be considered unreasonable. The threshold for what qualifies as "reasonable and proportional" may vary depending on the circumstances, such as the severity of the offense and the level of threat posed by the suspect. This emphasis on reasonable and proportional force helps balance the rights of both the individual making the arrest and the individual being arrested, protecting against potential abuse of power.

7. What does "reasonable mistake" refer to in the context of a citizen's arrest?

- A. Confusing the location of the crime
- B. Misidentifying the person committing the felony**
- C. Assuming the crime has been committed without evidence
- D. Understanding the law incorrectly

In the context of a citizen's arrest, "reasonable mistake" refers specifically to the situation where a person misidentifies the individual committing a felony. Citizens have the authority to make arrests in certain situations, typically involving felonies they have personally observed or have a reasonable belief about. If a person makes a mistake in identifying someone as the perpetrator of a crime, and that mistake is grounded in reasonable belief based on the facts available to them at the time, then this misidentification can be accounted for under the legal standards regarding citizen's arrest. This understanding is crucial because it acknowledges that while the person making the arrest must act with some level of care and reasonableness, they can still be protected from liability even if they mistakenly identify the wrong individual, as long as their belief was justified under the circumstances. Misidentification does not automatically negate the possibility of a reasonable mistake, provided that the mistake is deemed reasonable based on the information at hand at the time of the event.

8. In which situation is an employer generally not liable for an independent contractor's actions?

- A. When the contractor is performing inherently dangerous activities
- B. When the contractor breaches a nondelegable duty
- C. When the contractor is operating under a direct contract with the employer
- D. When the contractor's actions are outside the employment relationship**

An employer is generally not liable for the actions of an independent contractor when those actions are outside the employment relationship. This principle is rooted in the nature of the employer-independent contractor relationship, where employers do not have control over the methods and means by which independent contractors perform their tasks. Consequently, if the contractor's activities are conducted outside the scope of their work for the employer—meaning they are not acting within the parameters of the contracted duties—the employer cannot be held responsible for any resulting injuries or damages. In this context, it's important to understand how independent contractors differ from employees. Employees typically operate under the direction and control of their employers, so their actions are more closely tied to the employer's responsibilities. In contrast, independent contractors maintain a significant degree of autonomy, which diminishes the employer's liability for their actions, especially if those actions deviate from what was agreed upon in their contract. The other situations presented, such as performing inherently dangerous activities or breaching a nondelegable duty, can still result in employer liability under certain circumstances. When an employer hires someone to perform inherently dangerous tasks, there can be an obligation to ensure safety standards are met. Similarly, if an independent contractor is tasked with a nondelegable duty, the employer may still

9. What is required for a duty to avoid negligent infliction of emotional distress to exist?

- A. There must be a physical impact on the plaintiff
- B. The plaintiff must show physical symptoms
- C. A special relationship between the plaintiff and defendant**
- D. There must be economic loss proven

In the context of negligent infliction of emotional distress, establishing a duty often hinges on the existence of a special relationship between the plaintiff and the defendant. This recognizes that certain types of relationships, such as those involving family members, caregivers, or patients and physicians, warrant a heightened duty of care because of the reliance and emotional vulnerability present in those contexts. Courts typically consider these special relationships as creating an obligation for the defendant to act with care to avoid causing emotional harm to the plaintiff. This standard reflects the understanding that some relationships inherently involve a close connection where emotional distress could reasonably be anticipated as a result of negligent conduct. Therefore, without this special relationship, the duty to avoid inflicting emotional distress might not be established, as a general duty to avoid causing emotional harm is not typically recognized outside of these scenarios. Understanding this principle is essential for navigating claims of negligent infliction of emotional distress in tort law, especially in Georgia, where the requirements may slightly differ compared to other jurisdictions.

10. What is the purpose of the risk-utility test in design defect cases?

- A. To determine the manufacturing costs
- B. To evaluate the usefulness of the product design
- C. To measure potential consumer satisfaction
- D. To assess the risk of harm versus its utility**

The purpose of the risk-utility test in design defect cases is to assess the risk of harm that a product may pose against the utility or benefit that the product provides to users. This test is integral to determining whether a product design is considered defectively unsafe under tort law. In applying the risk-utility test, a court essentially weighs the safety features and potential hazards of the product against its intended use and benefits. If the risk of harm significantly outweighs the utility of the product, it may be deemed defectively designed and thus liable for resulting injuries. This balance helps ensure that products are designed with a reasonable level of safety in mind, without placing an undue burden on manufacturers to eliminate all risks. Understanding the correct application of this test is crucial in tort law as it provides a framework for analyzing product liability claims in a way that is both fair to consumers and manufacturers. While other options touch on aspects related to product performance and satisfaction, they do not directly address the core function of the risk-utility test in evaluating product safety and design.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://georgiatortsbar.examzify.com>

We wish you the very best on your exam journey. You've got this!

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