

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. In which scenario is a physician NOT required to disclose risks to a patient?**
 - A. The patient requests information about the risks
 - B. The risk is commonly known
 - C. The patient is competent to make decisions
 - D. The risk is severe and would alter patient behavior

- 2. Under the doctrine of Partial Comparative Fault, when can a plaintiff NOT recover damages?**
 - A. If they are 40% at fault
 - B. If they are 50% or more at fault
 - C. If they are 70% or more at fault
 - D. If they are 100% at fault

- 3. When are land possessors NOT required to inspect their property for trespassers?**
 - A. When they are undiscovered
 - B. When they hold public events
 - C. When they have explicitly warned
 - D. When they have adequate security

- 4. In a battery claim, what does the term "objectively offensive" mean?**
 - A. The plaintiff personally finds it offensive
 - B. The action is considered offensive by societal standards
 - C. It refers exclusively to physical contact
 - D. The defendant's opinion on the contact matters

- 5. Who may bring an action for trespass on land?**
 - A. Only the owner of the property
 - B. Anyone in actual or constructive possession of land
 - C. Only the lessee of the property
 - D. Only adverse possessors

- 6. What is one of the three types of defects that can render a product defective?**
- A. Excessive packaging
 - B. Inadequate instructions or warnings
 - C. Complicated usage manuals
 - D. Marketing shortcomings
- 7. How does contributory negligence affect strict liability claims?**
- A. It entirely bars recovery for the plaintiff.
 - B. It is considered a complete defense to strict liability.
 - C. It does not bar recovery in contributory-negligence jurisdictions.
 - D. It reduces recovery in all jurisdictions.
- 8. What is the landlord's responsibility regarding repairs in Georgia?**
- A. The landlord is not liable for repair issues.
 - B. Landlords must maintain the premises and are liable for repair-related injuries.
 - C. Landlords only need to notify tenants about maintenance schedules.
 - D. Landlords are only responsible for external property maintenance.
- 9. What must the defendant intend to do in order to establish liability for assault?**
- A. To cause physical harm.
 - B. To create anticipation of imminent contact.
 - C. To harm the plaintiff's reputation.
 - D. To cause emotional distress.
- 10. What defines substantial interference in a nuisance claim?**
- A. Being offensive, inconvenient, or annoying to a reasonable person
 - B. Causing only fleeting annoyances to a reasonable person
 - C. Not affecting the property owner's use and enjoyment of their land
 - D. Only affecting the landowner's personal property

Answers

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

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Explanations

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1. In which scenario is a physician NOT required to disclose risks to a patient?

- A. The patient requests information about the risks
- B. The risk is commonly known**
- C. The patient is competent to make decisions
- D. The risk is severe and would alter patient behavior

In the context of informed consent, a physician is generally required to disclose potential risks associated with a medical procedure or treatment to ensure the patient can make an informed decision about their healthcare. However, when the risk is commonly known, the physician is not required to go into detail about it. This is because it is presumed that a patient would have knowledge of inherent risks that are widely recognized within a specific treatment or procedure. In medical practice, common risks are those that a reasonable person could expect to encounter without explicit discussion. For example, risks associated with a well-known procedure, such as a routine surgery, might include pain or infection, which most patients are likely aware of. In such cases, focusing on more unique or significant risks is more relevant to the informed consent process. The other scenarios present situations where disclosure would generally be necessary. If a patient requests information, the physician has an ethical obligation to provide it. If the patient is competent to make decisions, they need to be informed to exercise that competence fully. Lastly, for severe risks that could honestly alter a patient's behavior, transparency is critical in allowing the patient to weigh their options effectively.

2. Under the doctrine of Partial Comparative Fault, when can a plaintiff NOT recover damages?

- A. If they are 40% at fault
- B. If they are 50% or more at fault**
- C. If they are 70% or more at fault
- D. If they are 100% at fault

Under the doctrine of Partial Comparative Fault as applied in Georgia, a plaintiff cannot recover damages if their own percentage of fault equals or exceeds 50%. This reflects the principle that when a plaintiff is found to be at least as liable as the defendant, they are barred from financial recovery due to their own contributions to the injury or damages suffered. The rationale behind this rule is to ensure that a party who contributes significantly to the circumstances leading to their own harm cannot shift the responsibility onto another party. In this system, the determination of fault is made on a percentage basis, and once the plaintiff's fault reaches the 50% threshold, they are considered equally responsible, thus negating their claim for damages. While partial comparative fault allows for recovery in cases where the plaintiff is less than 50% at fault, as the choices reflect, only at this threshold of 50% or greater is recovery precluded entirely. This is an important aspect of tort law in Georgia as it encourages all parties to act responsibly and avoid reckless or negligent behavior that could lead to injury.

3. When are land possessors NOT required to inspect their property for trespassers?

- A. When they are undiscovered**
- B. When they hold public events
- C. When they have explicitly warned
- D. When they have adequate security

Land possessors are not required to inspect their property for trespassers when the trespassers are undiscovered. This aligns with the legal understanding of duty of care owed by property owners or possessors. The rationale here is based on the principle that if the land possessor is unaware of someone's presence on their land, there is no reasonable expectation for them to actively inspect or monitor for those individuals. The law holds that land possessors have a duty primarily to protect known entrants, and unless there is a reasonable basis to believe that a trespasser might be present, they can focus on managing their property without the additional burden of inspection. In situations involving public events, explicit warnings, or adequate security, the land possessor may have a heightened duty to monitor their property. For instance, during public events, due to the influx of guests, possessors must take steps to ensure safety and prevent unauthorized access. Similarly, if there are explicit warnings or established security measures, this can indicate that the possessor is taking responsibility for potential risks, which can lead to expectations for increased vigilance.

4. In a battery claim, what does the term "objectively offensive" mean?

- A. The plaintiff personally finds it offensive
- B. The action is considered offensive by societal standards**
- C. It refers exclusively to physical contact
- D. The defendant's opinion on the contact matters

The term "objectively offensive" in the context of a battery claim refers to the idea that an action is deemed offensive based on societal standards rather than the personal feelings of the plaintiff or the defendant. In tort law, particularly in battery cases, the focus is on how a reasonable person would perceive the act rather than the subjective feelings of the individuals involved. This standard is essential because it ensures that the determination of offensiveness is grounded in a shared understanding of societal norms, which helps maintain consistency in legal judgments. By assessing whether a reasonable person would find the action offensive, the law emphasizes the objective nature of the wrongful behavior, allowing for a clearer and fairer evaluation of the case. The other options do not correctly capture the essence of "objectively offensive." For instance, merely relying on the plaintiff's personal feelings (option A) or the defendant's views on the contact (option D) would introduce a subjective element that could lead to varying interpretations. Likewise, limiting the term exclusively to physical contact (option C) misses the broader implications of actions that might be deemed offensive in a given context. Thus, the correct understanding hinges on societal standards of offensiveness, reaffirming the objective framework of battery claims.

5. Who may bring an action for trespass on land?

- A. Only the owner of the property
- B. Anyone in actual or constructive possession of land**
- C. Only the lessee of the property
- D. Only adverse possessors

In a trespass action, individuals who can demonstrate actual or constructive possession of the land have standing to bring an action. Actual possession refers to physically occupying or using the land, while constructive possession implies a legal right or entitlement to the land without needing to be physically present. This broader scope allows not only the owner of the property but also tenants or lessees, and even those temporarily in control of the land (like caretakers or those with permission from the owner) to enforce their rights against trespassers. Thus, the law recognizes the rights of possessors, regardless of whether they hold a complete ownership interest, allowing them to seek remedies against unauthorized intrusions onto the property. In contrast, the other options would limit the ability to bring an action for trespass too narrowly. For instance, asserting that only the property owner or only a lessee can bring a claim would exclude rightful possessors who may have a valid claim based on their use or control of the land. This understanding of possession in the context of trespass is central to protecting the interests of those who have a legitimate stake in the land.

6. What is one of the three types of defects that can render a product defective?

- A. Excessive packaging
- B. Inadequate instructions or warnings**
- C. Complicated usage manuals
- D. Marketing shortcomings

One of the three types of defects that can render a product defective is inadequate instructions or warnings. This type of defect falls under the category of "failure to warn" or "inadequate warning," which is essential in product liability cases. Manufacturers and sellers are obligated to provide adequate instructions for safe use and appropriate warnings about potential risks associated with their products. If a product lacks necessary warnings or instructions that would have informed the user about risks or safe handling procedures, it may be considered defective because it poses an unreasonable risk of harm. Inadequate instructions or warnings can lead to misuse of a product, resulting in injury to the user or others. This is especially critical in cases where the product could be hazardous. The law recognizes that consumers expect to receive clear and complete information about the products they purchase, and failure to meet this expectation can expose the manufacturer or seller to liability for any resulting harm. The other options listed—excessive packaging, complicated usage manuals, and marketing shortcomings—do not directly pertain to the fundamental responsibility of ensuring safe product usage. While they may be related to consumer experience or marketing effectiveness, they do not bear the same legal implications in terms of product safety and liability. Therefore, inadequate instructions or warning is the correct

7. How does contributory negligence affect strict liability claims?

- A. It entirely bars recovery for the plaintiff.
- B. It is considered a complete defense to strict liability.
- C. It does not bar recovery in contributory-negligence jurisdictions.**
- D. It reduces recovery in all jurisdictions.

In the context of tort law, contributory negligence refers to the situation where the plaintiff's own negligence contributes to their injury. Strict liability, on the other hand, holds a party responsible for damages without requiring proof of negligence, particularly in cases involving inherently dangerous activities or defective products. The correct choice indicates that in jurisdictions that follow a contributory-negligence rule, a plaintiff's negligence does not preclude recovery when dealing with strict liability claims. In these jurisdictions, the emphasis is on the nature of the activity or product that triggers strict liability. Therefore, even if the plaintiff is found to have contributed to the harm through their own negligent actions, they may still recover damages for their injury because strict liability is predicated on the defendant's actions rather than the plaintiff's. This concept is significant because it reflects the legislature's intent to protect consumers or parties from harm caused by hazardous activities or defective products, emphasizing accountability on the part of the defendant rather than diminishing the plaintiff's rights unduly. While other jurisdictions may apply different rules regarding how contributory negligence interacts with negligence claims, strict liability maintains a unique standing where the nature of the liability does not hinge on the plaintiff's behavior, leading to the conclusion that recovery remains possible despite the plaintiff's

8. What is the landlord's responsibility regarding repairs in Georgia?

- A. The landlord is not liable for repair issues.
- B. Landlords must maintain the premises and are liable for repair-related injuries.**
- C. Landlords only need to notify tenants about maintenance schedules.
- D. Landlords are only responsible for external property maintenance.

In Georgia, the responsibility of landlords regarding repairs is primarily governed by both statutory law and the obligations established in lease agreements. When the correct option states that landlords must maintain the premises and are liable for repair-related injuries, it aligns with the legal expectation that landlords are required to ensure that rental properties are habitable and safe for tenants. This obligation encompasses a range of duties, including addressing issues that could pose health risks or safety hazards. For instance, if a landlord fails to repair a significant issue, such as a broken staircase or leaks in the plumbing, and a tenant is injured as a result, the landlord may be held liable for those injuries. This is rooted in principles of negligence and the duty of care that landlords owe to their tenants. The other choices do not accurately reflect the legal responsibilities of landlords in Georgia. For instance, claiming that landlords are not liable for repair issues completely dismisses the legal requirements for maintaining safe living conditions. Similarly, merely notifying tenants about maintenance schedules does not fulfill the landlord's obligation to take action and ensure premises are safe and habitable. Lastly, stating that landlords are only responsible for external property maintenance overlooks the comprehensive duties that cover both internal and external aspects of the property. Thus, the focus on the landlord's liability

9. What must the defendant intend to do in order to establish liability for assault?

- A. To cause physical harm.
- B. To create anticipation of imminent contact.**
- C. To harm the plaintiff's reputation.
- D. To cause emotional distress.

To establish liability for assault, the defendant must have the intent to create anticipation of imminent contact. Assault in tort law is defined as an act that places a person in fear or apprehension of harmful or offensive contact, which means that the focus is on the plaintiff's perception and mental state rather than on an actual physical act. The intent required is not necessarily to cause physical harm; instead, the defendant's action must be purposeful enough to lead the plaintiff to reasonably believe that they are about to be subjected to immediate contact. This distinguishes assault from other torts, such as battery, where actual harmful or offensive contact occurs. In summary, the correct understanding of assault hinges on the defendant's intention to instill a sense of fear or apprehension of immediate contact, making the establishment of such intent essential for liability in an assault claim.

10. What defines substantial interference in a nuisance claim?

- A. Being offensive, inconvenient, or annoying to a reasonable person**
- B. Causing only fleeting annoyances to a reasonable person
- C. Not affecting the property owner's use and enjoyment of their land
- D. Only affecting the landowner's personal property

In the context of a nuisance claim, substantial interference is defined by the impact that the defendant's actions have on the use and enjoyment of someone's land. The correct answer captures the essence of this concept: it requires that the interference be offensive, inconvenient, or annoying to a reasonable person. This standard is grounded in the principle that the legal system aims to protect individuals from conditions that would be intolerable or disruptive to the average person in the same circumstances. A defining characteristic of substantial interference is that it goes beyond trivial annoyances; it must be significant enough to cause a reasonable person to feel disturbed or inconvenienced in their enjoyment of their property. In contrast, fleeting annoyances do not typically constitute substantial interference, as they lack the permanence or severity necessary to disrupt a person's use and enjoyment of their property. Furthermore, if an action does not affect the property owner's use or enjoyment of their land, it does not meet the criteria for substantial interference. Lastly, issues that only pertain to personal property, rather than the enjoyment of land itself, fall outside the scope of nuisance claims. Thus, being offensive, inconvenient, or annoying to a reasonable person resonates with the legal principles governing nuisance and effectively outlines what constitutes substantial interference in this realm.

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:

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

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