

國立臺北大學 114 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）

科目：英文

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☐可 ☒不可 攜帶任何參考資料及電子資訊用具

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

1. A defendant who has been found guilty of an offense may _____ a term of imprisonment.
(A) is sentenced to (B) sentence to (C) sentencing to (D) be sentenced to
2. Intentional torts occur when a person intentionally acts in a certain way that _____ another person's injury.
(A) led to (B) is lead to (C) leads to (D) is led to
3. The European Parliament's ban on TikTok _____ on March 20, 2023.
(A) took effect (B) is taking effect (C) taken effect (D) effect
4. The Supreme Court _____ a new dispute on the tensions between LGBT rights and religious rights last week.
(A) taking up (B) took up (C) take against (D) tool down
5. The right of public access to court proceedings is partly _____ the Constitution and partly from court tradition.
(A) deriving from (B) drive for (C) derives in (D) derived from
6. The U.S. Department of Justice _____ prosecuting federal crimes and for representing the government in civil cases.
(A) is responsible for (B) is responsible with (C) represents for (D) responses in
7. Tariffs are taxes placed on imports. They _____ the government on companies that import goods.
(A) impose on (B) are imposed by (C) are imported by (D) import by
8. _____ it is not uncommon for planes to strike wildlife, most episodes don't result in deaths or serious injuries.
(A) Because (B) Where (C) While (D) When
9. These days, _____ Nvidia boss goes, crowds chant his name and scramble for selfies and autographs.
(A) while (B) wherever (C) whoever (D) whatever
10. The International Court of Justice (ICJ) held historic hearings last December _____ States' obligations under international law to combat climate change.
(A) address (B) addressing (C) addressed (D) is addressing
11. The Supreme Court justices must _____ the President.
(A) are appointed by (B) be appointed by (C) appointed by (D) appoint with
12. The U.S. Supreme Court _____ the Chief Justice of the United States and eight associate justices.
(A) consists of (B) consisted in (C) consists of (D) consists off
13. In the U.S., federal question jurisdiction arises in cases that _____ the U.S. government, the U.S. Constitution or federal laws, or controversies between states or between the United States and foreign governments.
(A) involve (B) involve with (C) involved (D) involves

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接背面

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14. A case also may be filed in federal court _____ the diversity of citizenship.
(A) base on (B) based on (C) based in (D) basing on
15. Products Liability is generally considered a strict liability offense. It is irrelevant _____ the manufacturer or supplier exercised great care.
(A) while (B) whether (C) which (D) whom
16. Beginning 17 January 2025, the Digital Operational Resilience Act (DORA) will _____ almost all EU financial entities.
(A) apply with (B) applying to (C) apply to (D) be applied with
17. The NGOs urge Russia to _____ international humanitarian law.
(A) comply with (B) complain with (C) comply for (D) complying
18. Since the federal death penalty was reinstated by the U.S. Supreme Court in 1988, executions _____ by the national or federal government in the U.S. have remained rare.
(A) carries out (B) carried out (C) carry out (D) carrying out
19. South Korea's president Yoon Suk Yeol has _____ anti-corruption investigators, following a weeks-long stand-off between investigators and his personal security detail.
(A) been arrested by (B) arrest by (C) arresting with (D) arrested with
20. A litigant who _____ a decision made by a federal administrative agency usually may file a petition for review of the agency decision by a court of appeals.
(A) does not satisfy with (B) satisfied by (C) is not satisfied with (D) is not satisfying by
21. Nine people have died in a fire at a hospital in southern Taiwan, according to local media. The cause of the fire - which was _____ more than three hours later, officials said - is still under investigation.
(A) putting out (B) put out (C) put down (D) putting down
22. South Korean President Yoon Suk Yeol's fate now rests with the Constitutional Court, _____ has begun deliberating on whether to formally remove Yoon from office or reject the charges and reinstate him.
(A) what (B) which (C) who (D) where
23. The defendant must appear in court on the day of the hearing, _____ the judge may grant a default judgment in favor of the plaintiff.
(A) and (B) or (C) but (D) as
24. A Florida jury finds CNN _____ defaming Navy veteran in Afghan story.
(A) liability for (B) liable for (C) liable by (D) lie for
25. The ceremony is moved indoors _____ server weather.
(A) due to (B) because (C) but (D) as to

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接下頁

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Part II : Please read the following excerpt and select answers that best explain the underlined legal terms.
(3% for each question)

The court's decision in *Loper Bright Enterprises v. Raimondo*, which (1) overruled the 40-year-old (2) Chevron v. Natural Resources Defense Council, won't affect Americans' lives in as stark and immediate a way as the 2022 decision overruling *Roe v. Wade*. But *Loper Bright* has the potential to fundamentally transform major aspects of the health, safety and well-being of most Americans. That's especially true when it is viewed alongside some of the other major cases about agency power the court has handed down in recent terms that have (3) stripped agencies of power and shifted that power directly to federal courts.

(1) What does 'overrule' mean here?

- (A) postpone (B) support (C) ignore (D) reverse

(2) 'Chevron v. Natural Resources Defense Council' refers to:

- (A) a published article (B) a customary law (C) a well-received legal theory (D) a precedent

(3) What does 'strip' mean here?

- (A) grant (B) expand (C) remove (D) reinforce

Out of the 1984 Chevron decision came the (4) doctrine of Chevron (5) deference. In essence, Chevron deference allowed (6) agencies to use their expertise to determine how to carry out laws passed by Congress — laws intended to keep our air and water clean, our drugs safe and effective and our securities markets protected from fraud and deception. The Supreme Court has now decreed that it, rather than agencies staffed by individuals with deep subject matter expertise and answerable to presidential appointees, will be the final (7) arbiter of the meaning of every (8) statute passed by Congress. It will do so with a wooden, (9) formalistic and acontextual approach to reading statutory text — informed by dictionaries and the common law and Latin phrases but not the on-the-ground reality of the problems Congress seeks to address in the texts it passes. In a world without Chevron, the court will rely not on expertise but on whatever tools catch its fancy or whatever sources of evidence appear in (10) amicus briefs filed by ideological fellow travelers.

(4) What is a 'doctrine'?

- (A) a rule laid down by the judiciary (B) a political or philosophical theory
(C) an established religious notion (D) a corporate practice

(5) What does 'deference' mean here?

- (A) maximization (B) ideological opposition (C) respectful submission (D) persistent dismissal

(6) What does 'agencies' mean here?

- (A) judicial tribunals (B) corporations (C) administrative divisions (D) investigative committees

(7) What does 'arbiter' mean here?

- (A) decision maker (B) editor (C) policy enforcement (D) lawmaker

(8) What does 'statute' mean?

- (A) judicial opinion (B) legislation (C) court ruling (D) policy

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(9) What does 'formalistic' mean in this context?

- (A) arbitrary (B) flexible (C) progressive (D) rigid

(10) 'Amicus briefs' refer to documents submitted to the court by

- (A) parties to the case (B) non-parties to the case
(C) special government organs (D) lower court judges

(11) What is the best title for this essay?

- (A) The Imperial Supreme Court (B) The Rise and Fall of the Supreme Court
(C) The Decline of the Supreme Court (D) Chevron and Its Far-Reaching Effects

Part III : Please translate the following legal terms into English.

1. 違反著作權 (3%)

2. 證券交易法 (2%)

3. 舉證責任 (2%)

4. 消滅時效 (2%)

5. 刑事訴訟法 (2%)

6. 豁免權 (2%)

7. 破產 (2%)

8. 所有權 (2%)

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