

51A Middle Street Newburyport MA 01950 Phone: 800-588-7039

contact@bhfe.com www.bhfe.com

Course Information

Course Title: Guide to Auditor Legal Liability

#373024

Number of continuing education credit hours recommended for this course:

In accordance with the standards of the National Registry of CPE Sponsors CPE credits have been granted based on a 50-minute hour.

CPA: 1 (Accepted in all states)

National Registry of CPE Sponsors ID Number: 107615. Sponsor numbers for states requiring sponsor registration

Florida Division of Certified Public Accountancy: 0004761 (Ethics #0011467)

Hawaii Board of Accountancy: 14003

New York State Board of Accountancy (for ethics): 002146

Ohio State Board of Accountancy: CPE.51 PSR Pennsylvania Board of Accountancy: PX178025 Texas State Board of Accountancy: 009349

Course Description

Auditors are routinely named in suits by disgruntled clients or third parties. Given the costs involved in defending against lawsuits, the auditor needs to be aware of the applicable legal liabilities and how to mount a robust defense. In the *Guide to Auditor Legal Liability* course, we examine the sources of legal liability for the auditor, the arguments that plaintiffs will rely upon when bringing suit, and how to defend against them. We also address a number of risk mitigation tactics that may reduce the risk of being targeted by lawsuits.

Course Content

Publication/Revision date: 5/23/2022. Author: Steven M. Bragg, CPA.

Final exam (online): Five Questions (multiple-choice).

Program Delivery Method: NASBA QAS Self-Study (interactive)

Subject Codes/Field of Study

NASBA (CPA): Auditing

Course Level, Prerequisites, and Advance Preparation Requirements

Program level: Overview Prerequisites: None.

Advance Preparation: None

Learning Objectives

- Recognize the different types of fraud that can be applied to the actions of an auditor.
- Specify the different interpretations of auditor liability.
- Recognize the nature of and liabilities imposed by the different federal securities laws.
- Specify how to use due professional care as a defense.

Instructions for Taking This Course

- Log in to your secure account at <u>www.bhfe.com</u>. Go to "My Account."
- You must complete this course within one year of purchase (If the course is "Expired," contact us and we will add the latest edition of the course to your account (no charge).
- To retain the course-PDF after completion (for future reference) and to enable enhanced navigation: From "My Account," Download and save the course-PDF to your computer. This will enable the search function (Menu: Edit>Find) and bookmarks (icon on left side of document window).
- Complete the course by following the learning objectives listed for the course, studying the text, and, if included, studying the review questions at the end of each major section (or at the end of the course).
- Once you have completed studying the course and you are confident that the learning objectives have been met, answer the final exam questions (online).

Instructions for Taking the Online Exam

- Log in to your secure account at www.bhfe.com. Go to "My Account."
- A passing grade of at least **70%** is required on the exam for this course.
- You will have three attempts to pass the exam (call or email us after three unsuccessful attempts for instructions).
- The exam is not timed, and it does not need to be completed in one session.
- For a printed copy of the exam questions, open the exam and press "Print Exam."
- Once you pass the exam, the results (correct/incorrect answers) and certificate of completion appear in "My Account." A confirmation email is also sent.
- CFP Board and IRS credit hours, if applicable, are reported on Tuesdays and at the end of the month.

Have a question? Call us at 800-588-7039 or email us at contact@bhfe.com.

About the Author

Steven Bragg, CPA, has been the chief financial officer or controller of four companies, as well as a consulting manager at Ernst & Young. He received a master's degree in finance from Bentley College, an MBA from Babson College, and a Bachelor's degree in Economics from the University of Maine. He has been a two-time president of the Colorado Mountain Club, and is an avid alpine skier, mountain biker, and certified master diver. Mr. Bragg resides in Centennial, Colorado. He has written more than 250 books and courses, including New Controller Guidebook, GAAP Guidebook, and Payroll Management.

Copyright © 2024 by AccountingTools, Inc. All rights reserved.

Published by AccountingTools, Inc., Centennial, Colorado.

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, except as permitted under Section 107 or 108 of the 1976 United States Copyright Act, without the prior written permission of the Publisher. Requests to the Publisher for permission should be addressed to Steven M. Bragg, 6727 E. Fremont Place, Centennial, CO 80112.

Limit of Liability/Disclaimer of Warranty: While the publisher and author have used their best efforts in preparing this book, they make no representations or warranties with respect to the accuracy or completeness of the contents of this book and specifically disclaim any implied warranties of merchantability or fitness for a particular purpose. No warranty may be created or extended by written sales materials. The advice and strategies contained herein may not be suitable for your situation. You should consult with a professional where appropriate. Neither the publisher nor author shall be liable for any loss of profit or any other commercial damages, including but not limited to special, incidental, consequential, or other damages.

Table of Contents

Guide to Auditor Legal Liability	1
Introduction	
The Reasoning of Plaintiffs	1
Common Law Liability	
Statutory Law Liability	
Securities Act of 1933.	
Securities Exchange Act of 1934	
Private Securities Litigation Reform Act	
Blue Sky Laws	
Client Losses Claimed as Damages	
Criminal Liability for Auditors	
SEC Actions Against Auditors	
PCAOB Actions Against Auditors	
Due Professional Care	
The Contributory and Comparative Negligence Defenses	9
The Other Causes Defense	10
Professional Liability Insurance	
Auditor Risk Mitigation	10
Summary	11
Review Questions	12
Answers to Chapter Questions	13
Glossary	14
U1035a1 y	14
Index	15