

The Judiciary

1. When a court of law is viewed as a neutral arena in which two parties argue their differences and present their points of view before an impartial arbiter, it is said to be a(n)
 - a. judicial system.
 - b. fighting system.
 - c. court of appeal.
 - d. adversarial system.
2. Disputes within the scope of judicial power **ÄÄ** those that grow out of actual cases and are capable of settlement by legal methods are said to be
 - a. actionable.
 - b. justiciable.
 - c. political questions.
 - d. stare decisis.
3. Cases which require knowledge of a nonlegal character or the use of techniques not suitable for the court, or are explicitly assigned by the Constitution to Congress or the President are
 - a. actionable.
 - b. justiciable.
 - c. political questions.
 - d. stare decisis.
4. When a small number of persons are allowed to represent all other persons similarly situation, they may bring a
 - a. actionable dispute.
 - b. justiciable dispute.
 - c. class action suit.
 - d. representative suit.
5. Litigants must have sustained or be in immediate danger of sustaining a direct and substantial injury to have
 - a. a right to win a case.
 - b. standing to sue.
 - c. actionability.
 - d. representation by an attorney.
6. "Stare decisis" is a judicial term that refers to
 - a. the Court of the Star Chamber.
 - b. the rule of precedent.
 - c. judicial nomination.
 - d. the dissenting opinion.

7. The court composed of seven district judges which meets in secret to hear requests from the Department of Justice acting on behalf of the National Security Agency, the Federal Bureau of Investigation and other intelligence agencies is the
 - a. Court of Appeals.
 - b. Foreign Intelligence Surveillance Court.
 - c. Washington, D. C. District Court.
 - d. Court of Claims.
8. In the adversarial system of justice, judges are expected to be
 - a. impartial arbiters.
 - b. passive litigants.
 - c. advocates.
 - d. active participants.
9. The court which applies military law, separate from the body of law that governs the rest of the federal court system, is the
 - a. United States Court of Claims.
 - b. United States Court of Appeals for the Armed Forces.
 - c. United States District Court of Washington, D.C.
 - d. Armed Forces Court of Military Justice.
10. The courts which regularly employ grand juries are
 - a. district courts.
 - b. courts of appeal.
 - c. military tribunals.
 - d. bankruptcy courts.
11. Who is responsible for the appointment of bailiffs, probation officers, U.S. magistrates, and court reporters?
 - a. Congress
 - b. the President
 - c. federal judges
 - d. State Court judges
12. The job of a "petit jury" is to
 - a. investigate.
 - b. indict.
 - c. hold trials.
 - d. recommend sentencing.

13. Magistrates can be described as
 - a. executive appointees who supervise district judges.
 - b. judicial appointees who perform quasi-executive tasks.
 - c. judicial appointees who are employed to fulfill certain judicial functions that lend assistance to the District courts.
 - d. legislative appointees who perform extra-judicial and quasi-executive tasks that are beyond the scope of both executive and judicial agents.

14. The two major forms of jurisdiction are
 - a. original and appellate.
 - b. grand and petit.
 - c. judicial and magisterial.
 - d. accusatorial and inquisitorial.

15. Duties and requirements for federal judges are addressed in the Constitution in
 - a. Article I.
 - b. Article II.
 - c. Article III.
 - d. Article VI.

16. Decisions of the Court of Appeals are
 - a. frequently overturned by the Supreme Court.
 - b. seldom overturned by the Supreme Court.
 - c. never overturned by the Supreme Court.
 - d. are not subject to the jurisdiction of the Supreme Court.

17. That part of civil law which covers the liability of those whose conduct injures others and the compensation they must pay is called
 - a. negligence rulings.
 - b. tort law.
 - c. criminal law.
 - d. civil law.

18. Except for the few cases that may be taken directly to the Supreme Court, a final decision of a district court may be reviewable by a court of appeals. There are _____ judicial circuits, or courts of appeal.
 - a. 6
 - b. 12
 - c. 15
 - d. 50

19. The authority to try all cases that are not within the judicial power granted to the United States Supreme Court is given to
 - a. local courts.
 - b. regional courts.
 - c. State courts.
 - d. District courts.

20. The power to release persons from custody if the judge is not satisfied that the person is being constitutional detained is known as
 - a. habeas corpus.
 - b. stare decisis.
 - c. plea bargaining.
 - d. no contenders.

21. "Senatorial courtesy" refers to the
 - a. gentlemanly manners of federal judges and Senators.
 - b. Senators' practice of forwarding names to the President for consideration for federal judicial appointments.
 - c. courteous habit of judges when addressing a jury.
 - d. presidential custom of submitting names of prospective appointees for approval to Senators from the states in which the appointees reside.

22. The original jurisdiction of the Supreme Court includes all cases affecting
 - a. ambassadors.
 - b. public ministers.
 - c. all cases in which a state is a party.
 - d. (all of the above)

23. Appearing for, and representing the United States government before the Supreme Court is the job of the
 - a. solicitor general.
 - b. U.S. attorney.
 - c. the attorney general.
 - d. the assistant attorney general.

24. Poor defendants in criminal trials may be represented by
 - a. a private attorney appointed by the court.
 - b. a public defender.
 - c. (a and b)
 - d. (neither a nor b)

25. Key people or organizations in the selection of judges include
 - a. the President with the advice and consent of the Senate.
 - b. interest groups including the American Bar Association.
 - c. party leaders.
 - d. (all of the above)

26. The rule of senatorial courtesy no longer applies to the selection of
 - a. Supreme Court justices.
 - b. Court of Appeals judges.
 - c. federal district judges.
 - d. judges on the Court of Military Appeals.
27. The first president to appoint a woman to the Supreme Court was
 - a. Jimmy Carter.
 - b. Ronald Reagan.
 - c. George Bush.
 - d. Bill Clinton.
28. Which Presidents were able to appoint a majority of the federal bench during their tenure of office?
 - a. Calvin Coolidge, Franklin Roosevelt and Dwight Eisenhower.
 - b. Calvin Coolidge, Franklin Roosevelt and Ronald Reagan.
 - c. Woodrow Wilson, Franklin Roosevelt and Lyndon Johnson.
 - d. Franklin Roosevelt, Dwight Eisenhower and Ronald Reagan.
29. In 1937, what was President Frank Roosevelt's underlying motive in wanting to change the size of the Supreme court?
 - a. increasing its caseload
 - b. ensuring New Deal legislation would not be declared unconstitutional
 - c. appointing more Democrats
 - d. encouraging older justices to retire
30. All of the following are true about the Supreme Court EXCEPT
 - a. the Court listens to oral argument for two weeks and then adjourns for two weeks.
 - b. six justices must participate in each decision.
 - c. cases are decided by a unanimous decision.
 - d. the Court is in session from October to June.
31. All appellate cases come before the Court by means of a discretionary
 - a. writ of mandamus.
 - b. writ of certiorari.
 - c. appeal by the litigants.
 - d. appeal by the Solicitor General.
32. The "rule of four" means that
 - a. four justices are sufficient to hear any case.
 - b. a petition for writ of certiorari will be granted.
 - c. the court can be in formal session.
 - d. a case can only be appealed four times.

33. A "amicus curiae" brief is brought by
- litigants.
 - the attorney general.
 - the solicitor general.
 - friends of the court.
34. The individual presiding over Supreme Court conferences is
- the chief justice.
 - the most senior law clerk.
 - associate justices by rotation.
 - the justice assigned to the case.
35. Concurring opinions are written when a justice
- disagrees with the majority's conclusion but accepts its reasoning.
 - agrees with the minority's conclusion but not its reasoning.
 - agrees with the majority's conclusion and reasoning.
 - Agrees with the majority's conclusion but not its reasoning