

chapter 18-19 review

Multiple Choice

Identify the letter of the choice that best completes the statement or answers the question.

IDENTIFYING KEY TERMS

- ___ 1. The court that first hears a case is said to have
- a. appellate jurisdiction.
 - b. exclusive jurisdiction.
 - c. original jurisdiction.
 - d. concurrent jurisdiction.
- ___ 2. The list of cases to be heard by a court is called a
- a. civil case list.
 - b. certificate.
 - c. writ of certiorari.
 - d. docket.
- ___ 3. Which of the following could be the subject of a criminal case tried in federal court?
- a. bankruptcy
 - b. civil rights
 - c. counterfeiting
 - d. labor relations
- ___ 4. Which of the following is a TRUE statement about a writ of certiorari?
- a. Only a defendant can petition for it.
 - b. Only a plaintiff can petition for it.
 - c. The Supreme Court must grant cert for all requests.
 - d. The Supreme Court grants cert in a limited numbers of instances.

MAIN IDEAS

- ___ 5. One weakness of the Articles of Confederation was that
- a. it established a dual court system.
 - b. it did not provide for a national judiciary.
 - c. Congress could create only a few lower federal courts.
 - d. the jurisdiction of the Supreme Court was not clearly defined.
- ___ 6. Which of the following federal courts exercises both original and appellate jurisdiction?
- a. the Supreme Court
 - b. court of appeals
 - c. district court
 - d. the Court of Appeals for the Federal Circuit
- ___ 7. Which of the following statements about federal judges is TRUE?
- a. They must have had previous service as State court judges or attorneys.
 - b. They serve a fixed term of office, set by Congress.
 - c. They are appointed by the President and confirmed by the Senate.
 - d. All of the above are true.
- ___ 8. Most importantly, the Supreme Court is called the High Court because it is the
- a. best court in the country.
 - b. only court established by the Constitution.
 - c. first court in which most of the important federal cases are heard.
 - d. last court in which federal questions can be decided.
- ___ 9. The Court of Appeals for the Federal Circuit differs from the other 12 federal courts of appeals because it
- a. does not hear appeals from regulatory agencies.
 - b. can have original jurisdiction over federal cases.
 - c. hears cases from across the country.

- d. only hears appeals from the Supreme Court.
- ___ 10. The term of office for constitutional court judges is determined by
- a. the Constitution.
 - b. Congress.
 - c. the Department of Justice.
 - d. the President.
- ___ 11. Which one of the following duties is NOT performed by a United States magistrate?
- a. issuing arrest warrants
 - b. setting bail
 - c. trying some cases concerning minor offenses
 - d. recording court proceedings
- ___ 12. The United States Tax Court hears
- a. criminal cases.
 - b. civil cases.
 - c. no cases generated by the Internal Revenue Service.
 - d. all of the above.
- ___ 13. The Supreme Court's decision in *Marbury v. Madison*
- a. enabled William Marbury to become a justice of the peace.
 - b. stripped the President of his power to appoint federal judges.
 - c. established the Court's power of judicial review.
 - d. none of the above.
- ___ 14. Which statement about differences between constitutional courts and special courts is TRUE?
- a. Constitutional courts do not exercise broad judicial power.
 - b. Only constitutional courts hear cases arising out of expressed congressional powers.
 - c. Special courts have special powers granted under Article III.
 - d. Special courts hear a much narrower range of cases.
- ___ 15. A federal court has jurisdiction over a case if
- a. a citizen of one State is suing a citizen from another State.
 - b. a State is suing a resident of another State.
 - c. a State is suing another State.
 - d. all of the above.
- ___ 16. The MOST IMPORTANT reason why the United States needed a national court system was that
- a. laws in the Constitution are not clearly stated.
 - b. Congress had too much power to interpret laws.
 - c. people were ignoring the decisions of the State courts.
 - d. each State was interpreting laws for itself.
- ___ 17. Jurisdiction DIRECTLY limits
- a. when a case may be heard.
 - b. which court may decide a case.
 - c. how many witnesses may be called by the defendant.
 - d. the number of times a case may be appealed.
- ___ 18. The federal officers who make arrests, secure jurors, and serve legal papers are
- a. marshals.
 - b. magistrates.
 - c. United States attorneys.
 - d. deputy clerks.
- ___ 19. Which of the following statements does NOT accurately describe federal district courts?
- a. They handle both civil and criminal cases.
 - b. Like courts of appeals, they have the right to listen to appeals.
 - c. Like the Supreme Court, they can have original jurisdiction.
 - d. They are the principal trial courts in the federal system.
- ___ 20. Chief Justice Charles Evans Hughes once said that the Constitution "means what the judges say it means." He was defining the Supreme Court's

- a. original jurisdiction.
- b. power of judicial review.
- c. exclusive jurisdiction.
- d. right to use the writ of certiorari.

- _____ 21. Which of the following are all special courts?
- a. Court of Appeals for the Armed Forces, Court of Federal Claims, U.S. Tax Court
 - b. U.S. Tax Court, Court of International Trade, Court of Federal Claims
 - c. Court of Appeals for the Armed Forces, Court of Appeals for Veterans Claims, Court of Appeals for the Federal Circuit
 - d. Court of Federal Claims, U.S. Tax Court, Court of Appeals for the Federal Circuit
- _____ 22. Judges of the constitutional courts are appointed
- a. for terms varying from four to eight years.
 - b. for 12-year terms.
 - c. for 15-year terms.
 - d. for life
- _____ 23. The courts of appeals hear cases that have been appealed from
- a. the district courts.
 - b. the U.S. Tax Court.
 - c. the decisions of federal regulatory agencies.
 - d. all of the above.
- _____ 24. The power of judicial review is held
- a. exclusively by the Supreme Court.
 - b. only by federal courts.
 - c. by most federal and State courts.
 - d. only by courts with appellate jurisdiction.
- _____ 25. The federal courts can hear and decide cases on the basis of
- a. the subject matter or people affected by the case.
 - b. the amount of money or number of defendants.
 - c. diverse citizenship or human interest.
 - d. appeals from States and from courts of appeals.
- _____ 26. The independence of the judicial branch is ensured by the
- a. manner in which federal judges are chosen.
 - b. terms federal judges serve.
 - c. salaries of federal judges.
 - d. all of the above.
- _____ 27. Which of the following statements about civil rights is NOT true?
- a. Each person's rights are relative to the rights of others.
 - b. Rights sometimes conflict with one another.
 - c. Some rights may be limited in wartime.
 - d. Rights are extended only to citizens.
- _____ 28. The Free Exercise Clause gives people the right to
- a. assemble and express their views on public matters.
 - b. hold meetings and parades on public streets without permits.
 - c. believe whatever they choose to believe in matters of religion.
 - d. exercise anywhere they choose.
- _____ 29. Which of the following statements about prior restraint is TRUE?
- a. Prior restraints are usually upheld by the Supreme Court.
 - b. The Constitution guarantees the right of prior restraint.
 - c. The Supreme Court has only rarely upheld prior restraints.
 - d. Prior restraints are necessary to prevent censorship.
- _____ 30. Laws against seditious speech have been upheld by the Supreme Court if they

- a. disagree with the government in public.
 - b. urge people to vote against the government.
 - c. urge people to overthrow the government.
 - d. support the party out of power.
- _____ 31. Government has the right to make reasonable rules regulating assemblies
- a. to uphold its limits on free speech.
 - b. to protect against the inciting of violence or the endangerment of life.
 - c. in situations that may involve protest against government policies.
 - d. if rules are applied individually regarding content.
- _____ 32. The Due Process Clause guarantees that
- a. the National Government will not interfere with constitutional rights.
 - b. States are not bound by their State constitutions in matters of individual rights.
 - c. States will not deny people any basic or essential liberties.
 - d. State governments will police the National Government.
- _____ 33. A democracy must allow freedom of expression, otherwise
- a. a dictatorship cannot exist.
 - b. office seekers cannot run for office.
 - c. government will collapse.
 - d. democracy does not really exist.
- _____ 34. Which of the following statements about commercial speech is TRUE?
- a. It is legal to print false or misleading advertising only to benefit government-funded products.
 - b. Cigarette ads are permitted on radio and television.
 - c. Federal law forbids pharmacies from advertising prescription drug prices.
 - d. Commercial speech is protected by the 1st and 14th amendments.
- _____ 35. Which has received the most limited 1st Amendment protection?
- a. radio and television
 - b. magazines
 - c. movies
 - d. newspapers
- _____ 36. The Supreme Court has ruled that demonstrations on private property
- a. are protected by the First Amendment.
 - b. are not protected by the First Amendment if demonstrators are trespassing.
 - c. have the same protections as those on public property.
 - d. are legal if speeches are given.
- _____ 37. Individual rights were included in the Constitution because
- a. conflicts between individuals and the government remained unsolved.
 - b. the people demanded a listing of rights.
 - c. the distinction between civil rights and civil liberties had to be made.
 - d. people did not want the government to have any authority over them.
- _____ 38. The 10 amendments known as the Bill of Rights were originally intended as restrictions against
- a. the already existing States.
 - b. any new States that would enter the Union.
 - c. the new National Government.
 - d. both the National Government and State governments.
- _____ 39. Without freedom of expression,
- a. Congress would have too much power.
 - b. democracy could not exist.
 - c. all kinds of unpopular ideas would become popular.
 - d. States would have too much power.
- _____ 40. Under the Establishment Clause, the government still has the power to do all of the following EXCEPT
- a. use tax money to pay for busing students to parochial schools.

- b. provide public funds for some uses in church-related schools.
 - c. establish an acceptable voluntary prayer for use in public schools.
 - d. exercise control over public, seasonal displays.
- _____ 41. In deciding cases involving laws against sedition, the Supreme Court has
- a. developed the "clear and present danger" rule.
 - b. established the excessive entanglement standard.
 - c. upheld the Alien and Sedition acts of 1798.
 - d. upheld the constitutionality of all such laws.
- _____ 42. A person may do as he or she chooses in this country
- a. because the Constitution guarantees that right.
 - b. because the Supreme Court has ruled that to be a right.
 - c. as long as that person does not infringe on the rights of others.
 - d. as long as that person does not criticize others.
- _____ 43. The Free Exercise Clause gives people the right to
- a. assemble on private property.
 - b. hold any religious beliefs.
 - c. offend public morals.
 - d. violate criminal law in the name of religion.
- _____ 44. Which of the following is NOT one of the public places in which people have a constitutional right to hand out political literature?
- a. streets
 - b. shopping centers
 - c. public parks
 - d. sidewalks
- _____ 45. The government can limit free speech or free press if the communication
- a. is political.
 - b. seems offensive to some adults.
 - c. is advertising.
 - d. involves the picketing of an important business.
- _____ 46. An argument for government control of assemblies involves the
- a. government's right to censor the content of public meetings.
 - b. duty of government to protect the public.
 - c. right of government to prevent demonstrations.
 - d. unnecessary picketing of businesses by strikers.