

Assessment

Judicial Branch

Name _____

1. Federal courts hear cases involving federal laws and
 - cases that the state courts cannot resolve.
 - cases beyond the authority of individual states.
 - civil cases involving a monetary dispute.
 - criminal cases involving a felony.

2. The most significant difference between a legislator and a federal judge is that
 - the legislator must be open to the influence of others, especially constituents; a judge must be impartial.
 - the legislator seeks to solve broad problems by creating law; the judge focuses on settling one case at a time.
 - the legislator focuses on principles; the judge makes policies.
 - the legislator is elected; the judge is appointed.

3. How does the Supreme Court decide what cases to hear?
 - It generally selects cases in which evidence seems to be questionable.
 - It generally selects cases that coincide with the court's particular interests.
 - It generally selects cases that raise important constitutional issues.
 - It generally selects cases in which the law seems not to have been fairly applied.

4. The power of the Supreme Court to decide the constitutionality of a law is
 - directly expressed in the Constitution.
 - a precedent that derives from a case heard in 1803.
 - the hallmark of judicial restraint.
 - also known as a concurrent power.

5. If a defendant is found guilty and can appeal the court's decision, why can't the prosecution appeal the decision if the defendant is found innocent?

- A precedent of this kind has not been set.
- Once a decision is made, it is considered final.
- The Constitution prohibits double jeopardy.
- The prosecution does not have the same rights as the defendant.

6. The precedent for Judicial Review is

- Dred Scott
- Marbury vs. Madison
- Brown vs. Board of Education
- Article III

7. How are federal judges chosen?

- They are voted into office.
- They are appointed by the President and confirmed by the Senate.
- They are appointed based on seniority.
- They are chosen by the Supreme Court.

8. Each of the following cases would most likely be heard in a federal court EXCEPT a case involving

- tax evasion.
- a disagreement between states.
- foreign representatives.
- a car accident resulting from drunk driving.

9. A federal district court of appeals hears cases in order to determine whether

- the party is guilty or innocent.
- the original trial was fair and the law was interpreted correctly.
- a new jury will reach the same verdict.
- the evidence presented is persuasive.

10. Federal Judges serve for
- life
 - 4 years
 - 8 years
 - 12 years
11. The Judiciary neither has control over declaring war nor over
- policy*
 - the Constitution*
 - money*
 - interpreting laws
12. What is a *precedent*?
- a guideline, set by a case, that influences how similar future cases will be decided
 - the first case that is heard by the Supreme Court each year
 - an individual who brings a complaint against another
 - an individual who defends against a complaint
13. Which of the following represents the correct order of U.S. court supremacy, from least powerful to most powerful?
- district courts, the Supreme Court, courts of appeals
 - the Supreme Court, courts of appeals, district courts
 - courts of appeals, district courts, the Supreme Court
 - trial courts, courts of appeals, the Supreme Court
14. A court that is only concerned about the fairness of a trial and the interpretation of the law in a trial is a(n)
- special court.
 - appeals court.
 - district court.
 - state court.
15. What is the right to an *appeal*?
- the right to ask for a new trial
 - the right to ask for presidential intervention
 - the right to ask for a new decision by a hung jury
 - the right to ask a higher court to review a decision

16. The U.S. Supreme Court has this number of judges.
- 4
 - 5
 - 7
 - 9
17. What is a *plaintiff*?
- a government lawyer
 - a typical legal battle
 - an individual who brings a complaint against another
 - an individual who defends against a complaint
18. What is *judicial review*?
- the power of the Supreme Court to overturn any law that it finds unconstitutional
 - the power of the Supreme Court to overturn any of its decisions
 - the power of the President to overturn any decision of the Supreme Court
 - an annual review of the Supreme Court's decisions, conducted by Congress
19. What check does the Senate have on the power of the Supreme Court?
- It can refuse to confirm presidential appointments to the Court.
 - It can veto measures passed by the Court.
 - It can limit the length of the justices' terms.
 - It can invoke executive privilege and remove a justice.
20. A young man is accused of robbing a convenience store. The case will be tried in a(n)
- state criminal court.
 - state civil court.
 - appeals court.
 - federal court.