

1. The authority of a court to decide certain types of cases is called *jurisdiction*.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

2. All courts have general jurisdiction.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

3. A court that can only hear disputes involving damages of \$5,000 or less has a limited jurisdiction.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

4. An appellate court determines whether there has been reversible error.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System

OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

5. The federal court system consists of three levels.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

6. Federal district courts are the trial courts of the federal court system.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

7. An *en banc* decision within a U.S. Court of Appeal only requires a panel of three judges.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

8. A probate court is an example of a general trial court.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False

HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

9. A family law court is an example of a small claims court.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

10. State supreme courts generally hear all cases appealed to them.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

11. The defendant in a civil case is the party who is suing.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

12. To initiate a lawsuit, both parties must appear in person and state their claims and defenses in court.

- a. True
- b. False

ANSWER: False

POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

13. If questions of fact are involved, a judge will usually decide the case based on the pleadings alone.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

14. Documents filed by both parties at the beginning of a lawsuit are called the *pleadings*.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

15. Depositions are usually taken in the courtroom for purposes of discovery.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

16. A *peremptory* challenge to a prospective juror generally can be exercised without giving a reason.

- a. True

b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

17. A motion for a directed verdict occurs immediately after the last pleading is filed.

a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

18. A judge rules on the admissibility of evidence presented in the trial.

a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

19. Generally, the prevailing party in a lawsuit is awarded the costs of the action, including witness fees and jury fees.

a. True
b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

20. Garnishment is a method for satisfying a judgment against a defendant.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

21. The mediator in a mediation has the power to force the parties to come to a settlement.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

22. Arbitration procedures occur in a court of law.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

23. The Federal Arbitration Act provides that only arbitration clauses dealing with federal subject matters are valid, irrevocable, and binding.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic

DATE CREATED: 8/11/2020 11:31 AM

DATE MODIFIED: 8/11/2020 11:31 AM

24. When arbitration is mandatory under a statute, the losing party generally can appeal from such arbitration to a court.

a. True

b. False

ANSWER: True

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-3 Alternative Dispute Resolution

OTHER: AACSB Analytic

DATE CREATED: 8/11/2020 11:31 AM

DATE MODIFIED: 8/11/2020 11:31 AM

25. A summary jury trial is a mock trial before a judge.

a. True

b. False

ANSWER: False

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-3 Alternative Dispute Resolution

OTHER: AACSB Analytic

DATE CREATED: 8/11/2020 11:31 AM

DATE MODIFIED: 8/11/2020 11:31 AM

26. Mediation tends to keep ongoing discussions between parties.

a. True

b. False

ANSWER: True

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-3 Alternative Dispute Resolution

OTHER: AACSB Analytic

DATE CREATED: 8/11/2020 11:31 AM

DATE MODIFIED: 10/7/2020 3:26 PM

27. If there is a reference to a third party to determine a dispute, in most cases the decision is binding.

a. True

b. False

ANSWER: True

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

28. A "Rent-a-Judge" serves as a referee.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

29. The decision of an association tribunal is binding on both the association member and the consumer.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

30. Courts have been stepping in to set aside arbitration clauses involving small businesses or consumers.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 10/7/2020 3:29 PM

31. To be enforceable, the parties must specifically agree to mandatory arbitration.

- a. True
- b. False

ANSWER: True
POINTS: 1

QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:30 PM
DATE MODIFIED: 10/7/2020 3:31 PM

32. A MedArb process is one used for resolving medical malpractice issues through arbitration.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:32 PM
DATE MODIFIED: 10/7/2020 3:36 PM

33. Subject matter jurisdiction is determined solely on the basis of the amount involved in the case.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:36 PM
DATE MODIFIED: 10/7/2020 3:38 PM

34. A trial court can change its decision if the parties make a motion for reversible error.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:38 PM
DATE MODIFIED: 10/7/2020 3:39 PM

35. A case brought by the federal government against a corporation for securities fraud would be heard in federal district court.

- a. True

b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:39 PM
DATE MODIFIED: 10/7/2020 3:41 PM

36. Each state has one federal district.

a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:42 PM
DATE MODIFIED: 10/7/2020 3:43 PM

37. There are 50 federal courts of appeal.

a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:43 PM
DATE MODIFIED: 10/7/2020 3:44 PM

38. When a writ of certiorari is granted, the appeal has been denied.

a. True
b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:45 PM
DATE MODIFIED: 10/7/2020 3:46 PM

39. The U.S. Supreme Court is the only court expressly created in the U.S. Constitution.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:46 PM
DATE MODIFIED: 10/7/2020 3:47 PM

40. City and municipal courts hear cases involving issues such as violations of noise ordinances.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:48 PM
DATE MODIFIED: 10/7/2020 3:49 PM

41. In true small claims courts, the parties are not represented by attorneys.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:50 PM
DATE MODIFIED: 10/7/2020 3:51 PM

42. Lawyers are not permitted to disclose that their clients confessed to the crime they have been charged with.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:51 PM

DATE MODIFIED:

10/7/2020 3:52 PM

43. In a case involving criminal charges, the party bringing the charges is called the plaintiff.

- a. True
- b. False

ANSWER: False

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-2 Court Procedure

OTHER: AACSB Analytic

DATE CREATED: 10/7/2020 3:53 PM

DATE MODIFIED: 10/7/2020 3:54 PM

44. Company lawyers represent the company as well as its employees.

- a. True
- b. False

ANSWER: False

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-2 Court Procedure

OTHER: AACSB Analytic

DATE CREATED: 10/7/2020 3:54 PM

DATE MODIFIED: 10/7/2020 3:55 PM

45. When there is a conflicts of law issue, the court will be unable to decide the issue.

- a. True
- b. False

ANSWER: False

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-2 Court Procedure

OTHER: AACSB Analytic

DATE CREATED: 10/7/2020 3:55 PM

DATE MODIFIED: 10/7/2020 3:56 PM

46. A summons is part of the service of process.

- a. True
- b. False

ANSWER: True

POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

TOPICS: 2-2 Court Procedure

OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:57 PM
DATE MODIFIED: 10/7/2020 3:58 PM

47. A motion to dismiss is one form of answering a complaint.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:58 PM
DATE MODIFIED: 10/7/2020 3:59 PM

48. Discovery does not include electronic communications.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 3:59 PM
DATE MODIFIED: 10/7/2020 4:00 PM

49. An expert witness's testimony can be excluded if it is determined to be junk science.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 4:01 PM
DATE MODIFIED: 10/7/2020 4:04 PM

50. A peremptory challenge can be used to disqualify a potential juror for any reason.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False

HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 4:05 PM
DATE MODIFIED: 10/7/2020 4:06 PM

51. Jurors are not permitted to use "Google" when they are participating in the trial or deliberating.

- a. True
- b. False

ANSWER: True
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 4:07 PM
DATE MODIFIED: 10/7/2020 4:09 PM

52. A judgment *n.o.v.* can only be granted by an appellate court.

- a. True
- b. False

ANSWER: False
POINTS: 1
QUESTION TYPE: True / False
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 10/7/2020 4:09 PM
DATE MODIFIED: 10/7/2020 4:11 PM

Multiple Choice

53. A court is a tribunal established by:

- a. the parties to a lawsuit.
- b. the government.
- c. the parties to a contract.
- d. the will of the people.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

54. The power given to courts to hear certain types of cases is called:

- a. jurisdiction.
- b. mediation.
- c. arbitration.
- d. summary judgment.

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

55. Original jurisdiction courts are generally _____.

- a. supreme courts
- b. appellate courts
- c. trial courts
- d. limited courts

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

56. Which of the following is not an example of limited or special jurisdiction court?

- a. Probate court
- b. Juvenile court
- c. Domestic Relations court
- d. Court of original jurisdiction.

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

57. The U.S. Courts of Appeals consists of _____ federal judicial districts.

- a. Ten (10)
- b. Fifteen (15)
- c. Thirteen (13)

d. Nine (9)

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

58. The types of civil cases that a private citizen can file in federal district courts include:
- a. cases in which any state in the United States is one of the parties.
 - b. cases between citizens of different states that involve damages of \$75,000 or more.
 - c. cases brought by the citizen of one state against the state government of the same state.
 - d. criminal charges against a state representative.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

59. The United States Supreme Court was created by:
- a. Congress.
 - b. the President.
 - c. the Uniform State Law Commission.
 - d. the U.S. Constitution

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

60. State supreme courts primarily have _____ jurisdiction.

- a. appellate
- b. limited
- c. general
- d. original

ANSWER: a
POINTS: 1

QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-1 The Court System
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

61. The person who initiates a civil lawsuit is called the:

- a. defendant.
- b. prosecutor
- c. plaintiff.
- d. judge.

ANSWER: c
POINTS: 1

QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

62. Service of process refers to:

- a. a demand letter sent by the plaintiff to the defendant.
- b. a reply sent to the plaintiff by the defendant.
- c. giving the defendant proper notice that a legal action is pending.
- d. a record of the court's preliminary hearing.

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

63. The answer to the complaint is filed by the:

- a. defendant.
- b. prosecutor.
- c. plaintiff.
- d. judge.

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure

OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

64. When a defendant files a(n) _____ he is attacking the plaintiff's pleading as not stating a cause of action or defense.

- a. counterclaim.
- b. motion to dismiss.
- c. motion for summary judgment.
- d. notice of service.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

65. If a case has no material facts in dispute either party can file a(n) _____ and allow a judge to make a ruling as a matter of law.

- a. motion to dismiss
- b. counterclaim
- c. demurrer
- d. motion for summary judgment

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 10/9/2020 5:57 PM

66. A deposition is or can accomplish any of the following except:

- a. the testimony of a witness taken under oath.
- b. conducted outside of the courtroom.
- c. can be used to impeach a witness.
- d. can be used to dismiss the lawsuit.

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-2 Court Procedure
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM

DATE MODIFIED:

8/11/2020 11:31 AM

67. *Voir dire* examination is used in connection with:

- a. determining whether the pleadings are valid.
- b. jury selection.
- c. deciding whether to appeal a trial court decision.
- d. discovery.

ANSWER:

b

POINTS:

1

QUESTION TYPE:

Multiple Choice

HAS VARIABLES:

False

TOPICS:

2-2 Court Procedure

OTHER:

AACSB Analytic

DATE CREATED:

8/11/2020 11:31 AM

DATE MODIFIED:

8/11/2020 11:31 AM

68. The _____ rule(s) on the admissibility of evidence.

- a. Judge
- b. Jury
- c. Attorneys
- d. court clerk

ANSWER:

a

POINTS:

1

QUESTION TYPE:

Multiple Choice

HAS VARIABLES:

False

TOPICS:

2-2 Court Procedure

OTHER:

AACSB Analytic

DATE CREATED:

8/11/2020 11:31 AM

DATE MODIFIED:

8/11/2020 11:31 AM

69. A motion for a directed verdict is appropriate:

- a. immediately after the pleadings are filed.
- b. immediately after discovery is concluded.
- c. immediately after the presentation of all evidence at trial.
- d. on appeal.

ANSWER:

c

POINTS:

1

QUESTION TYPE:

Multiple Choice

HAS VARIABLES:

False

TOPICS:

2-2 Court Procedure

OTHER:

AACSB Analytic

DATE CREATED:

8/11/2020 11:31 AM

DATE MODIFIED:

8/11/2020 11:31 AM

70. One of the motions that can be made after a verdict has been entered is a motion for a:

- a. mistrial.

- b. summary judgment.
- c. directed verdict.
- d. judgment notwithstanding the verdict.

ANSWER: d
 POINTS: 1
 QUESTION TYPE: Multiple Choice
 HAS VARIABLES: False
 TOPICS: 2-2 Court Procedure
 OTHER: AACSB Analytic
 DATE CREATED: 8/11/2020 11:31 AM
 DATE MODIFIED: 8/11/2020 11:31 AM

71. When testifying at trial, the witness for the plaintiff will undergo _____ by the plaintiff's attorney, and a(n) _____ by defense counsel.

- a. a background check, cross-examination
- b. direct examination, recross-examination
- c. redirect examination, cross-examination
- d. direct examination, cross-examination

ANSWER: d
 POINTS: 1
 QUESTION TYPE: Multiple Choice
 HAS VARIABLES: False
 TOPICS: 2-2 Court Procedure
 OTHER: AACSB Analytic
 DATE CREATED: 8/11/2020 11:31 AM
 DATE MODIFIED: 8/11/2020 11:31 AM

72. Garnishment applies to the judgment debtor's:

- a. wages.
- b. attorney fees.
- c. land and home.
- d. cars.

ANSWER: a
 POINTS: 1
 QUESTION TYPE: Multiple Choice
 HAS VARIABLES: False
 TOPICS: 2-2 Court Procedure
 OTHER: AACSB Analytic
 DATE CREATED: 8/11/2020 11:31 AM
 DATE MODIFIED: 8/11/2020 11:31 AM

73. Which is not considered an alternate means of dispute resolution?

- a. civil lawsuit
- b. arbitration
- c. association tribunals
- d. minitrial

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

74. In mediation, the mediator acts as a(n):

- a. judge.
- b. attorney.
- c. messenger.
- d. expert witness.

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

75. A summary jury trial is:

- a. binding on the parties.
- b. a mock trial.
- c. a full and complete hearing of all evidence pertaining to the case.
- d. a shortcut to establishing judicial precedent.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

76. In a minitrial:

- a. only three jurors are used.
- b. the trial addresses only portions of the case or certain issues related to the case.
- c. the decision is always fully binding on the parties.
- d. no evidence is allowed to be presented.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice

HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 10/9/2020 5:59 PM

77. Judicial Triage is all of the following except:

- a. a court management tool.
- b. results in some cases being expedited.
- c. results in some cases being postponed.
- d. a directed verdict

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
TOPICS: 2-3 Alternative Dispute Resolution
OTHER: AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
DATE MODIFIED: 8/11/2020 11:31 AM

Essay

78. Chandra sues Martin for breach of contract. Both parties have completed discovery. Chandra now wants her attorney to file a motion to have the judge rule in her favor without having to proceed further. Chandra does not know whether the motion to dismiss or the motion for a summary judgment is proper. Which motion is proper and why?

ANSWER: As between the motion to dismiss and the motion for summary judgment, Chandra's attorney should file a motion for summary judgment, since the parties are beyond the pleadings stage of litigation, and since they have completed discovery. Using evidence gathered during discovery, such as affidavits and/or deposition testimony, Chandra's attorney could argue that there are no material issues of fact disputed by the parties, and that Chandra is entitled to judgment as a matter of law.

POINTS: 1
QUESTION TYPE: Essay
PE:
HAS VARIABLE: False
S:
STUDENT ENTRY MODE: Basic
TOPICS: 2-2 Court Procedure
OTHER: AACSB Reflective Thinking | AACSB Analytic
DATE CREATED: 8/11/2020 11:31 AM
D:
DATE MODIFIED: 8/11/2020 11:31 AM
ED:

79. Billy has a dispute with Sleepdigit Bedspring Company over a number of beds Billy recently purchased from Sleepdigit for use in his hotel. Billy needs to decide whether to pursue litigation or employ an alternative means of dispute resolution. What advantages are most often associated with alternative dispute resolution? Which choice would be most appropriate in this case?

ANSWER: The most frequently cited advantages of alternative dispute resolution, compared to litigation, are a) cost savings and b) time savings. As far as a specific method of alternative dispute resolution, arbitration might be the best approach for Billy in his commercial dispute with Sleepdigit; in addition to the cost-saving and time-saving advantages of alternative dispute resolution, arbitration has a long history of success in the area of commercial contracts.

POINTS: 1

QUESTION TYPE: Essay

PE:

HAS VARIABLE: False

S:

STUDENT ENTRY MODE: Basic

RY MODE:

TOPICS: 2-3 Alternative Dispute Resolution

OTHER: AACSB Reflective Thinking | AACSB Analytic

DATE CREATED: 8/11/2020 11:31 AM

D:

DATE MODIFIED: 8/11/2020 11:31 AM

ED: