

Chapter 1 Getting Started

True-False

- 1) Once the Supreme Court issues a decision, both the majority opinions and dissenting opinions are recorded in court documents, but only the majority opinions can be cited in future cases.

Answer: FALSE Page Ref: 14-15

- 2) When a Circuit Court rules on a case, that ruling is binding only on lower courts from states within that Circuit, but may still be cited in cases in other states.

Answer: TRUE Page Ref: 14

- 3) The governments of Canada, New Zealand, and Uruguay recognize the value of freedom of expression in a way similar to that of the United States Constitution.

Answer: TRUE Page Ref: 2

- 4) Court rulings, as well as law enforcement policy, have determined that private citizens may not videotape the work of police officers at traffic stops.

Answer: FALSE Page Ref: 17

- 5) Court rulings have determined that motorists may not flash their headlights at oncoming traffic to warn motorists of speed traps in the area.

Answer: FALSE Page Ref: 19

Multiple Choice

6) The history of free speech can be traced back to which time period?

- A) the announcement of the invention of fire, millions of years B.C.
- B) ancient Greece between 800 and 400 B.C.
- C) the American Revolutionary War, late 1700s
- D) the modern civil rights movement of the 1950s and 1960s
- E) the abortion debates of the 1990s

Answer: B

Page Ref: 1

7) In countries ruled by military dictators or heavily influenced by religious doctrine, it is dangerous for citizens to do which of the following?

- A) ridicule government leaders by name
- B) question religious principles
- C) criticize government policy
- D) conduct online research on controversial issues
- E) all of the above

Answer: E

Page Ref: 5-6

(8) The right of a journalist or ordinary citizen to file a Freedom of Information Act (FOIA) request is based on which clause of the First Amendment?

- A) the establishment clause
- B) the free speech clause
- C) the free press clause
- D) the assembly clause
- E) the petition clause

Answer: E

Page Ref: 11

(9) The Supreme Court has ruled that excessive punitive damage awards (such as those in libel cases) are unconstitutional because they violate which Amendment?

- A) the First Amendment clause regarding press freedom
- B) the Fourth Amendment right regarding unreasonable searches and seizures
- C) the Sixth Amendment right to a speedy and public trial
- D) the Eighth Amendment ban on cruel and unusual punishment
- E) the Tenth Amendment protection of state's rights

Answer: D

Page Ref: 12

- 10) The term “revenge porn” was recently coined to refer to what alleged crime?
- A) burning down adult movie theatres to protest their presence in certain neighborhoods
 - B) mailing pornographic magazines and videos to political candidates you don’t like
 - C) posting intimate photographs and videos of an ex-lover on social media
 - D) bombing or threatening to bomb the editorial offices of pornographic magazines or the facilities of pornographic movie studios

Answer: C

Page Ref: 21-22

- 11) If you file an appeal with the U.S. Supreme Court and it issues a “writ of certiorari,” what has the court told you?
- A) we will not hear your case; go away and don’t bother us again
 - B) we cannot hear your case because it is outside our jurisdiction
 - C) we will review your case
 - D) we will send your case back to the lower case to be tried again

Answer: C

Page Ref: 14

- 12) Which of the following statements is true concerning federal courts and the review of cases from lower courts?
- A) The U.S. Supreme Court is governed by the rule of mandatory review and must review every case that comes to it, but Circuit Courts of Appeal are governed by the rule of discretionary review and can refuse to hear cases
 - B) Circuit Courts of Appeal are governed by the rule of mandatory review and must review every case that comes to them, but the U.S. Supreme Court is governed by the rule of discretionary review and can refuse to hear cases
 - C) both are governed by the rule of mandatory review
 - D) both are governed by the rule of discretionary review

Answer: B

Page Ref: 14

13) The Fourteenth Amendment to the Constitution provides that U.S. citizens are citizens of the United States before they are citizens of the states in which they reside, and therefore no state law can invalidate or take priority over a federal law or constitutional right. The formal name for this provision is

- A) the establishment clause
- B) separation of church and state
- C) stare decisis
- D) equal protection clause
- E) Blackstonian Doctrine

Answer: D

Page Ref: 12-13

14) The source of law that results from decisions made by government officials such as the U.S. president, a state's governor, or a city's mayor, is known as

- A) constitutional law
- B) statutory law
- C) administrative law
- D) executive orders
- E) common law

Answer: D

Page Ref: 9

15) The source of law that consists of judges' decisions that are based on the accumulation of previous cases and precedents is known as

- A) constitutional law
- B) statutory law
- C) administrative law
- D) executive orders
- E) common law

Answer: E

Page Ref: 9

16) The source of law that consists of laws that are passed by elected governmental bodies such as the U.S. Congress, state legislatures, county commissions, and city councils, is known as

- A) constitutional law
- B) statutory law
- C) administrative law
- D) executive orders
- E) common law

Answer: B

Page Ref: 8

17) The source of law that consists of rules made by regulatory agencies that are part of the executive branch of the federal government and whose members are appointed (rather than elected) is known as

- A) constitutional law
- B) statutory law
- C) administrative law
- D) executive law
- E) common law

Answer: C

Page Ref: 8

18) When the U.S. Supreme Court declines to review a case from lower courts, which of the following is most likely to be true?

- A) the decision not to review a case means the Supreme Court agrees with the ruling or rulings of lower court(s)
- B) the court believes the issue involved is not significant enough
- C) the issue involved is a media rights case and not within the court's jurisdiction
- D) this is a trick question, as the Supreme Court has mandatory review and must consider all appeals

Answer: B

Page Ref: 14

19) The model of media regulation under which American media operate today is known as the

- A) authoritarian model
- B) libertarian model
- C) social responsibility model
- D) Soviet-Communist model

Answer: C

Page Ref: 7

20) The model of media regulation in which the media operate as a branch of national government is known as the

- A) authoritarian model
- B) libertarian model
- C) social responsibility model
- D) Soviet-Communist model

Answer: D

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