

Chapter 1 Court Systems and Jurisdiction

1.1 Multiple Choice Questions

1) What courts does the federal court system include?

- A) The U.S. district courts
- B) The U.S. Supreme Court
- C) The U.S. courts of appeals
- D) All of the above

Answer: D

Objective: Describe the federal court system

Level: Basic

2) What term describes cases pertaining to the sea?

- A) Admiralty
- B) Maritime
- C) All of the above
- D) None of the above

Answer: C

Objective: Describe the federal court system

Level: Basic

3) What term describes decisions made by appellate courts?

- A) Common law
- B) English common law
- C) American law
- D) Judicial law

Answer: A

Objective: Describe the federal court system

Level: Basic

4) What is the name of the systematic collection of laws by the federal government?

- A) The United States Laws Consolidation
- B) The United States Legal Documents Collection
- C) The United States Code
- D) The United States Legal Codification

Answer: C

Objective: Describe the federal court system

Level: Intermediate

5) What part of the government creates administrative codes?

- A) State legislature
- B) Congress

- C) Administrative agencies
- D) Local government

Answer: C

Objective: Describe the federal court system

Level: Basic

6) How is the number of the U.S. Supreme Court justices determined?

- A) By the U.S. Constitution
- B) By Congress
- C) By the Judiciary Act of 1789
- D) By the U.S. President

Answer: B

Objective: Describe the federal court system

Level: Basic

7) When does the U.S. Supreme Court take a case on appeal?

- A) A case involves federal law
- B) A case involves issues of national significance
- C) Four out of the nine justices believe the case is important enough to be heard
- D) All of the above

Answer: D

Objective: Explain when the U. S. Supreme Court takes cases for review

Level: Basic

8) What is the significance of the abbreviation "cert. den." written on the court record?

- A) The case will be reviewed by the group of three judges of an appellate court
- B) The case can be resubmitted to the U.S. Supreme Court for review
- C) The case may be reviewed by the U.S. Supreme Court if four justices out of nine agree to hear it
- D) The decision of a lower appellate court must be followed

Answer: D

Objective: Explain when the U. S. Supreme Court takes cases for review

Level: Difficult

9) What courts does a state court system include?

- A) Trial courts
- B) Intermediate appellate courts
- C) Supreme courts
- D) All of the above

Answer: D

Objective: Distinguish the three types of courts in the state court system

Level: Basic

10) After a state trial court's decision, what action can parties to that case take?

- A) Appeal the decision to a state appellate court
- B) Ask the trial court to retry the case
- C) Appeal the decision to a state supreme court
- D) Appeal the decision to the U.S. Supreme Court

Answer: A

Objective: Distinguish the three types of courts in the state court system

Level: Basic

11) What are functions of state supreme courts?

- A) To review decisions of appellate courts
- B) To regulate the practice of law
- C) To oversee the administration of the justice system in their states
- D) All of the above

Answer: D

Objective: Distinguish the three types of courts in the state court system

Level: Basic

12) What does a three-judge panel of an appellate court determine for a particular case?

- A) The case's eligibility to go to an appellate court of another state
- B) The case's eligibility to go to the state's supreme court
- C) The case's eligibility to go to the U.S. Supreme Court
- D) The case's eligibility to go to another state supreme court

Answer: B

Objective: Distinguish the three types of courts in the state court system

Level: Intermediate

13) How is a state court of last resort called?

- A) State supreme court
- B) State superior court
- C) State court of common pleas
- D) State appellate court

Answer: A

Objective: Distinguish the three types of courts in the state court system

Level: Basic

14) If a court without jurisdiction makes a decision in a particular case, what are grounds for appeal for the party that lost this case?

- A) The decision is irrelevant because of lack of jurisdiction
- B) The decision is void because of lack of jurisdiction
- C) The decision is void because of lack of competency
- D) The decision is incompetent because of lack of jurisdiction

Answer: B

Objective: Define jurisdiction and categorize the types of jurisdiction

Level: Intermediate

15) What does original jurisdiction of a court mean?

- A) A legal issue occurred in the state where a court sits
- B) Parties to the case reside in the state where a court sits
- C) A court has the power to hear the case originally
- D) Parties to the case do business in the state where a court sits

Answer: C

Objective: Define jurisdiction and categorize the types of jurisdiction

Level: Basic

16) What is appellate jurisdiction?

- A) Power of a court to hear the case when it first goes to court
- B) Power of a higher court to retry cases that have been already tried by lower courts
- C) Power of a court to grant certiorari
- D) None of the above

Answer: D

Objective: Define jurisdiction and categorize the types of jurisdiction

Level: Basic

17) What is concurrent jurisdiction?

- A) Several courts have the power to hear a particular case
- B) Courts in the same state have the power to hear a particular case
- C) All of the above
- D) None of the above

Answer: A

Objective: Define jurisdiction and categorize the types of jurisdiction

Level: Basic

18) What legal term describes a lawsuit directed against property rather than against a particular person?

- A) Quasi in rem action
- B) In personam action
- C) In rem action
- D) Transitory action

Answer: C

Objective: Contrast an in personam action from an in rem action

Level: Basic

19) What is a characteristic of an in rem action?

- A) A lawsuit is directed against property

- B) The property must be located in the state where the court sits
- C) A notice must be given to people who may have an interest in the proceeding
- D) All of the above

Answer: D

Objective: Contrast an in personam action from an in rem action

Level: Basic

20) What type of jurisdiction allows a court to hear a quasi in rem action?

- A) A court has jurisdiction over the person but not over the property
- B) A court has jurisdiction over the property but not over the person
- C) A court has jurisdiction over the plaintiff but not over the defendant
- D) A court has jurisdiction over the person and the property

Answer: B

Objective: Contrast an in personam action from an in rem action

Level: Basic

21) How does a court obtain personal jurisdiction over the defendant?

- A) The defendant lives in the jurisdiction
- B) The defendant engages in legally significant behaviors in the jurisdiction
- C) The defendant has a business in the jurisdiction
- D) All of the above

Answer: D

Objective: Contrast an in personam action from an in rem action

Level: Basic

22) What is a proper venue?

- A) Geographical location where a court sits
- B) Convenient location for a trial
- C) Place where the defendant's property is located
- D) Any geographic location where the case can be tried

Answer: B

Objective: Explain how jurisdiction is different from venue

Level: Basic

23) What is a change of venue?

- A) The dismissal of a case because of lack of jurisdiction
- B) The appeal filed in a higher court
- C) The removal of a suit begun in one district to another district
- D) The change of the place where a court sits

Answer: C

Objective: Explain how jurisdiction is different from venue

Level: Basic