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| 1. Most American law is based on which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Civil law | |  | b. | Natural law | |  | c. | English common law | |  | d. | Roman law | |  | e. | Canonical law |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:04 AM | | *DATE MODIFIED:* | 12/14/2020 12:06 AM | |

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| 2. If a judge rules a certain way on a case because prior cases of similar nature were subject to the same rule, that judge could be said to be relying on which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Precedent | |  | b. | Judicial review | |  | c. | Strict construction | |  | d. | Broad construction | |  | e. | Judicial activism |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:10 AM | | *DATE MODIFIED:* | 12/14/2020 12:12 AM | |

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| 3. Which of the following statements regarding precedent is true?   |  |  |  | | --- | --- | --- | |  | a. | It reverses the decision of a lower court | |  | b. | It implies the court does not have jurisdiction in a case. | |  | c. | It allows a court to refer the case to the next higher court. | |  | d. | It is the policy of following the law established by prior cases to decide other cases. | |  | e. | It means a strict interpretation of the laws. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:12 AM | | *DATE MODIFIED:* | 12/14/2020 12:13 AM | |

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| 4. Which of the following occurs when the U.S. Supreme Court issues an opinion?   |  |  |  | | --- | --- | --- | |  | a. | All other courts consider the Supreme Court's opinion in their own decision making. | |  | b. | All other courts are obligated to follow the Supreme Court's ruling. | |  | c. | Each court can decide for itself whether the Supreme Court decision applies to cases in its jurisdiction. | |  | d. | Congress is obligated to pass laws that support that decision. | |  | e. | It is written into the Constitution as an amendment if it raised a constitutional question. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:14 AM | | *DATE MODIFIED:* | 12/14/2020 12:15 AM | |

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| 5. Which of the following statements regarding state courts is true?   |  |  |  | | --- | --- | --- | |  | a. | They are exact copies of the federal court system. | |  | b. | They do not have to follow common law. | |  | c. | They are supreme within their own borders and able to override the federal courts. | |  | d. | Their decisions are not necessarily final, due to the supremacy clause. | |  | e. | They make decisions on state law as long as those decisions don't conflict with the U.S. Constitution. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:15 AM | | *DATE MODIFIED:* | 12/14/2020 12:17 AM | |

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| 6. Which of the following statements describes the concept of precedent?   |  |  |  | | --- | --- | --- | |  | a. | The common law changes very slowly to permit rational decision making in each branch of our government. | |  | b. | The Supreme Court is required to issue an opinion after a ruling. | |  | c. | Most citizens can know that the law will become consistent in its expectations for them. | |  | d. | Judges must abide by the decisions of earlier cases unless there is a clear reason to distinguish the current case from its predecessors. | |  | e. | The Supreme Court is able to promote judicial review through regularly scheduled reviews of case law. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:17 AM | | *DATE MODIFIED:* | 12/14/2020 12:19 AM | |

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| 7. Which of the following is true of the U.S. Constitution?   |  |  |  | | --- | --- | --- | |  | a. | It is the supreme law of the land. | |  | b. | It is subordinate to state constitutions in many matters. | |  | c. | It does not specify the details of state and federal powers but leaves that up to Congress. | |  | d. | It outlines the details of various state criminal codes. | |  | e. | It outlines the details of court case law. |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 12:19 AM | | *DATE MODIFIED:* | 12/14/2020 12:21 AM | |

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| 8. The United States has a dual court system which means which of the following?   |  |  |  | | --- | --- | --- | |  | a. | The U.S. has separate civil and criminal courts | |  | b. | The U.S. has separate misdemeanor and felony courts | |  | c. | The U.S. has separate state and federal courts | |  | d. | The U.S. has separate state and local courts | |  | e. | The U.S. has separate district and territorial courts |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:21 AM | | *DATE MODIFIED:* | 12/14/2020 12:23 AM | |

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| 9. Jurisdiction refers to which of the following?   |  |  |  | | --- | --- | --- | |  | a. | The rules and principles announced in court decisions | |  | b. | The authority of a court to hear a particular class of cases | |  | c. | The constitutionality of a law | |  | d. | Statutory law | |  | e. | Common law |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:23 AM | | *DATE MODIFIED:* | 12/14/2020 12:25 AM | |

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| 10. Which of the following statements regarding standing to sue is true?   |  |  |  | | --- | --- | --- | |  | a. | It is determined by whether or not a court has jurisdiction over a matter. | |  | b. | It is determined by whether or not the Supreme Court will hear a case. | |  | c. | It is determined by whether or not a person or a group has suffered harm as a result of the action that led to the dispute in question. | |  | d. | It is the decorum that is expected in dealing with the Supreme Court during trial. | |  | e. | It is also known as *stare decisis.* |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:25 AM | | *DATE MODIFIED:* | 12/14/2020 12:26 AM | |

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| 11. In many cases, a third party to a court case will file which of the following to support a particular outcome?  ​   |  |  |  | | --- | --- | --- | |  | a. | An *amicus curiae* brief | |  | b. | A *Brandeis* brief | |  | c. | A question of standing | |  | d. | A litigation brief | |  | e. | A *writ of certiorari* |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.4 - Critique the Supreme Court's ability to make decisions on issues of national importance. | | *DATE CREATED:* | 12/14/2020 12:26 AM | | *DATE MODIFIED:* | 12/14/2020 12:28 AM | |

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| 12. Which of the following statements regarding U.S. district courts is true?   |  |  |  | | --- | --- | --- | |  | a. | They are intermediate appellate courts. | |  | b. | They have final appellate jurisdiction to review cases. | |  | c. | They are state courts. | |  | d. | They are the trial courts of the federal system. | |  | e. | They are courts of limited jurisdiction. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:28 AM | | *DATE MODIFIED:* | 12/14/2020 12:30 AM | |

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| 13. Which of the following statements regarding appeals courts is true?   |  |  |  | | --- | --- | --- | |  | a. | Witnesses and testimony are presented to the jury. | |  | b. | Judges review lower court case records to determine if there is evidence of an error. | |  | c. | Grand juries decide if there is enough evidence to conduct a trial. | |  | d. | Attorneys from both sides try to work out an agreement. | |  | e. | Defendants are not allowed attorneys since they have limited jurisdiction. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:31 AM | | *DATE MODIFIED:* | 12/14/2020 12:32 AM | |

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| 14. When can the U.S. Supreme Court review a state supreme court decision?   |  |  |  | | --- | --- | --- | |  | a. | If there are damages in excess of $50,000 | |  | b. | If the solicitor general asks it to do so | |  | c. | In all cases | |  | d. | In cases in which the state is a party | |  | e. | If a federal question is involved |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:32 AM | | *DATE MODIFIED:* | 12/14/2020 12:35 AM | |

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| 15. Which of the following procedures does an appellate court use when it reviews a case?   |  |  |  | | --- | --- | --- | |  | a. | It uses a panel of judges to review the records of a case. | |  | b. | It conducts another trial. | |  | c. | It relies on a jury to hear a new case. | |  | d. | It assesses only questions of fact associated with the case. | |  | e. | It presents the records of a case to the local government. |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:36 AM | | *DATE MODIFIED:* | 12/14/2020 12:38 AM | |

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| 16. The overwhelming majority of federal cases are resolved in which of the following courts?   |  |  |  | | --- | --- | --- | |  | a. | Appeals courts | |  | b. | The U.S. Supreme Court | |  | c. | District courts | |  | d. | Article I courts | |  | e. | Administrative courts |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:39 AM | | *DATE MODIFIED:* | 12/14/2020 12:41 AM | |

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| 17. A lawsuit filed by one person on behalf of that person and all similarly situated individuals is known as which of the following kinds of suit?   |  |  |  | | --- | --- | --- | |  | a. | Amicus curiae | |  | b. | Appeal | |  | c. | Plurality action | |  | d. | Class action | |  | e. | Writ of *habeas corpus* |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 12:41 AM | | *DATE MODIFIED:* | 12/14/2020 12:43 AM | |

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| 18. Federal appellate courts review and can overturn which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Precedents set by the U.S. Supreme Court | |  | b. | Only federal criminal cases | |  | c. | Rulings made by the lower federal courts | |  | d. | Only administrative cases | |  | e. | Only civil cases |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:43 AM | | *DATE MODIFIED:* | 12/14/2020 12:46 AM | |

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| 19. Which of the following is true of someone's right to have their case heard by the U.S. Supreme Court?   |  |  |  | | --- | --- | --- | |  | a. | It only exists in criminal cases. | |  | b. | It only exists in federal cases. | |  | c. | It only exists in cases where someone has been sentenced to death. | |  | d. | It exists in all cases. | |  | e. | It is entirely at the Court's discretion. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:46 AM | | *DATE MODIFIED:* | 12/14/2020 12:49 AM | |

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| 20. A *writ of certiorari* by the U.S. Supreme Court orders which of the following to occur?   |  |  |  | | --- | --- | --- | |  | a. | Both of the parties in the case to reach agreement without further litigation | |  | b. | State courts to abide by the decision of the Supreme Court | |  | c. | A lower court to send up the record of a case for review | |  | d. | Congress to rewrite unconstitutional legislation | |  | e. | A prisoner to be brought before the court and the reasons for his detention to be provided |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:49 AM | | *DATE MODIFIED:* | 12/14/2020 12:51 AM | |

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| 21. If an appeals court decides that a case is remanded, which of the following occurs?   |  |  |  | | --- | --- | --- | |  | a. | It is sent to the supreme court of the state in question. | |  | b. | It is sent back to the court that originally heard the case. | |  | c. | It has to be a civil case; criminal cases cannot be remanded. | |  | d. | It must be decided within the calendar year. | |  | e. | It is not subject to any further action by the courts. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:51 AM | | *DATE MODIFIED:* | 12/14/2020 12:53 AM | |

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| 22. Which of the following statements is true of a majority opinion?   |  |  |  | | --- | --- | --- | |  | a. | It means all justices unanimously agree on the decision. | |  | b. | It is sent back to the court that originally heard the case. | |  | c. | It means the decision of the District Court must stand. | |  | d. | It will result in a new trial for the defendant. | |  | e. | It is the decision of the justices and the decision of the Court. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:53 AM | | *DATE MODIFIED:* | 12/14/2020 12:55 AM | |

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| 23. Which of the following is the last step of the Supreme Court decision-making process?   |  |  |  | | --- | --- | --- | |  | a. | Announcing its decision to the public and the rationale for the decision | |  | b. | Assigning a justice to write the decision | |  | c. | Deciding if the Court will hear the case | |  | d. | Hearing oral arguments in the case | |  | e. | Asking the lower court to send the records of the case for review |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:56 AM | | *DATE MODIFIED:* | 12/14/2020 12:57 AM | |

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| 24. An opinion prepared by a judge who supports the court's decision but wishes to in some way clarify, emphasize, or offer a different rationale is known as which of the following?   |  |  |  | | --- | --- | --- | |  | a. | A majority opinion | |  | b. | A dissenting opinion | |  | c. | A plurality opinion | |  | d. | A concurring opinion | |  | e. | A bench ruling |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 12:57 AM | | *DATE MODIFIED:* | 12/14/2020 12:59 AM | |

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| 25. Spoken presentations by an attorney to the appellate court laying out the reasons why the court should rule in his or her client's favor are known as which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Appellate arguments | |  | b. | Briefs | |  | c. | Criminal defenses | |  | d. | Dissenting opinions | |  | e. | Oral arguments |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 12:59 AM | | *DATE MODIFIED:* | 12/14/2020 1:01 AM | |

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| 26. The opinion of a court laying out the outcome of a Supreme Court case is known as which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Majority opinion | |  | b. | Dissenting opinion | |  | c. | Minority opinion | |  | d. | Primary opinion | |  | e. | Prevailing opinion |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 1:02 AM | | *DATE MODIFIED:* | 12/14/2020 1:03 AM | |

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| 27. The Supreme Court will often hear a case if asked to by which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Secretary of State | |  | b. | Solicitor general | |  | c. | Any federal prosecutor | |  | d. | Secretary of Homeland Security | |  | e. | Congress |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 1:04 AM | | *DATE MODIFIED:* | 12/14/2020 1:06 AM | |

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| 28. Which of the following is true of judges and justices in the federal court system?   |  |  |  | | --- | --- | --- | |  | a. | They are appointed by the president with the advice and consent of the House of Representatives. | |  | b. | They are appointed by the president with the advice and consent of the Senate. | |  | c. | They are appointed by the president with the advice and consent of both houses of Congress. | |  | d. | They are part of a seniority system that gradually moves them toward the Supreme Court. | |  | e. | They are elected by the people every ten years. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 1:06 AM | | *DATE MODIFIED:* | 12/14/2020 1:08 AM | |

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| 29. Which of the following statements regarding federal judges is true?   |  |  |  | | --- | --- | --- | |  | a. | They are chosen in a secret process. | |  | b. | They are elected and retained by the people. | |  | c. | They are appointed for life. | |  | d. | They are chosen by Congress. | |  | e. | They are appointed for a six-year term. |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 1:08 AM | | *DATE MODIFIED:* | 12/14/2020 1:10 AM | |

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| 30. The concept of senatorial courtesy refers to which of the following?   |  |  |  | | --- | --- | --- | |  | a. | The Senate approving judges only if they belong to the same party that controls the Senate | |  | b. | The practice of allowing senators to have the exclusive right to nominate candidates for the federal district courts in the state | |  | c. | The practice of allowing members of the House to participate in the nomination process | |  | d. | The practice of allowing senators to veto candidates for federal district courts in their state | |  | e. | The Senate's deferring to the president and routinely approving his or her nominee |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 1:10 AM | | *DATE MODIFIED:* | 12/14/2020 1:12 AM | |

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| 31. The opportunity for the president to appoint members to the federal judiciary is valuable for which of the following reasons?   |  |  |  | | --- | --- | --- | |  | a. | New justices help move long-term justices closer to mandatory retirement. | |  | b. | A majority of presidents have been able to make more than five appointments to the bench while in office. | |  | c. | Rulings related to redistricting and election laws will be altered to favor the president's political party. | |  | d. | The Court is able to move swiftly to begin ruling in favor of the president's ideology. | |  | e. | The political views of the president will continue to be institutionalized long after they have left the White House. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 1:12 AM | | *DATE MODIFIED:* | 12/14/2020 1:14 AM | |

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| 32. Federal judges serve until which of the following occurs?   |  |  |  | | --- | --- | --- | |  | a. | They resign. | |  | b. | They die. | |  | c. | They retire voluntarily. | |  | d. | They are impeached and convicted. | |  | e. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 1:14 AM | | *DATE MODIFIED:* | 12/14/2020 1:17 AM | |

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| 33. Which of the following presidents was the first to nominate a Latina to the U.S. Supreme Court?   |  |  |  | | --- | --- | --- | |  | a. | Jimmy Carter | |  | b. | Donald Trump | |  | c. | Barack Obama | |  | d. | Ronald Reagan | |  | e. | George W. Bush |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 1:17 AM | | *DATE MODIFIED:* | 12/14/2020 1:19 AM | |

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| 34. A nominee to the U.S. Supreme Court will face difficulty in getting Senate approval in which of the following cases?   |  |  |  | | --- | --- | --- | |  | a. | Their approval will change the conservative/liberal balance of the Court. | |  | b. | There are questions about the judge's character. | |  | c. | There is an upcoming presidential election that would allow the opposition party to possibly make the nomination. | |  | d. | The appointee is very conservative in a Democratically controlled Senate. | |  | e. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 1:19 AM | | *DATE MODIFIED:* | 12/14/2020 1:21 AM | |

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| 35. Which of the following U.S. presidents established independent commissions to oversee the initial nomination process for federal judges, a practice discontinued by later presidents?   |  |  |  | | --- | --- | --- | |  | a. | Jimmy Carter | |  | b. | William Howard Taft | |  | c. | Ronald Reagan | |  | d. | Franklin Roosevelt | |  | e. | George Washington |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 1:21 AM | | *DATE MODIFIED:* | 12/14/2020 1:23 AM | |

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| 36. The power of the courts to determine the constitutionality of a law or action is known as which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Appellate review of fact | |  | b. | Judicial review | |  | c. | Precedent | |  | d. | The writ of judicial appeal | |  | e. | *Habeas corpus* |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.5 - Explain the power of judicial review. | | *DATE CREATED:* | 12/14/2020 1:23 AM | | *DATE MODIFIED:* | 12/14/2020 1:26 AM | |

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| 37. A doctrine holding that the courts defer to the decisions of elected officials is called which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Rational basis | |  | b. | Conservative activism | |  | c. | Strict construction | |  | d. | Judicial restraint | |  | e. | Judicial activism |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 1:26 AM | | *DATE MODIFIED:* | 12/14/2020 1:28 AM | |

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| 38. The doctrine that holds that the Supreme Court should actively check the other branches of government when they exceed their authority is known as which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Judicial restraint | |  | b. | Strict construction | |  | c. | Judicial activism | |  | d. | Broad construction | |  | e. | Conservative activism |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 1:28 AM | | *DATE MODIFIED:* | 12/14/2020 1:30 AM | |

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| 39. Which of the following is true of the Supreme Court's power to enforce its own decisions?   |  |  |  | | --- | --- | --- | |  | a. | It is derived from the Twelfth Amendment to the Constitution. | |  | b. | It is called justiciable authority. | |  | c. | It makes it one of the strongest courts in the world. | |  | d. | It is significantly stronger than that of lower federal courts. | |  | e. | It is nonexistent. |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 1:30 AM | | *DATE MODIFIED:* | 12/14/2020 1:32 AM | |

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| 40. Passing a new constitutional amendment or refusing to fund a decision are examples of which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Presidential limits placed on the courts | |  | b. | Congressional limits placed on the courts | |  | c. | Citizens' limits placed on the courts | |  | d. | Citizens' limits placed on the courts | |  | e. | State limitations placed on the courts |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 1:33 AM | | *DATE MODIFIED:* | 12/14/2020 1:35 AM | |

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| 41. Public opinion can serve as a check on the judiciary in which of the following ways?   |  |  |  | | --- | --- | --- | |  | a. | The Supreme Court typically polls the public as a basis for its decisions. | |  | b. | People have the ability to vote federal judges out of office if they do not approve of the rulings of the courts. | |  | c. | Judges often believe they have an obligation to rule consistent with public opinion. | |  | d. | The president will veto a Supreme Court decision if it is unpopular. | |  | e. | Congress will override a decision of the Supreme Court with a majority vote in both houses. |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 1:35 AM | | *DATE MODIFIED:* | 12/14/2020 1:37 AM | |

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| 42. The Supreme Court's power of judicial review was established by which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Article III of the U.S. Constitution | |  | b. | The Judiciary Act of 1789 | |  | c. | *Marbury v. Madison* | |  | d. | *Plessy v. Ferguson* | |  | e. | *Kelo v. City of New London* |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.5 - Explain the power of judicial review. | | *DATE CREATED:* | 12/14/2020 1:39 AM | | *DATE MODIFIED:* | 12/14/2020 1:41 AM | |

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| 43. Judicial review is the process for deciding whether a law or action is contrary to which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Administrative laws | |  | b. | A Supreme Court decision | |  | c. | Lower court decisions | |  | d. | State law | |  | e. | The U.S. Constitution |  |  |  | | --- | --- | | *ANSWER:* | e | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy Bloom’s: Remember/Understand | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 3.3.5 - Explain the power of judicial review. | | *DATE CREATED:* | 12/14/2020 1:41 AM | | *DATE MODIFIED:* | 12/14/2020 1:43 AM | |

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| 44. The civil rights movement was propelled forward by the Warren Court through the Court's use of which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Judicial restraint | |  | b. | Judicial activism | |  | c. | *Stare decisis* | |  | d. | Judicial courtesy | |  | e. | Strict interpretation |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 1:43 AM | | *DATE MODIFIED:* | 12/14/2020 1:46 AM | |

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| 45. Explain the concept of precedent and how it is used within the legal system.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 1:47 AM | | *DATE MODIFIED:* | 12/14/2020 1:51 AM | |

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| 46. Discuss how the principle of *stare decisis* applies to the wide variety of courts in the United States.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 1:51 AM | | *DATE MODIFIED:* | 12/14/2020 1:52 AM | |

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| 47. Identify and describe the different layers or levels of the federal court system.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 1:53 AM | | *DATE MODIFIED:* | 12/14/2020 1:54 AM | |

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| 48. Explain the role of interest groups in the United States legal system.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 1:54 AM | | *DATE MODIFIED:* | 12/14/2020 1:55 AM | |

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| 49. Identify the steps and describe the process by which the U.S. Supreme Court decides to hear cases.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 1:55 AM | | *DATE MODIFIED:* | 12/14/2020 1:56 AM | |

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| 50. Explain how the United States Supreme Court can impact many of the nation's political policies through its decisions.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.4 - Critique the Supreme Court's ability to make decisions on issues of national importance. | | *DATE CREATED:* | 12/14/2020 1:57 AM | | *DATE MODIFIED:* | 12/14/2020 1:58 AM | |

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| 51. Explain how the U.S. Supreme Court decides cases and explains its decisions.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Supreme Court at Work | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.2 - Describe the process of how cases are accepted for review and decided by the U.S. Supreme Court. | | *DATE CREATED:* | 12/14/2020 1:58 AM | | *DATE MODIFIED:* | 12/14/2020 1:59 AM | |

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| 52. Explain the roles of the presidential and congressional parties and ideological preferences in the judicial appointment process.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 2:00 AM | | *DATE MODIFIED:* | 12/14/2020 2:01 AM | |

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| 53. Compare and contrast the positive and negative aspects of appointing federal judges for life.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 2:02 AM | | *DATE MODIFIED:* | 12/14/2020 2:04 AM | |

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| 54. Identify and describe the ways in which our courts can be checked by other branches of government.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 3.3.2 - Identify the checks on the judicial branch. | | *DATE CREATED:* | 12/14/2020 2:04 AM | | *DATE MODIFIED:* | 12/14/2020 2:05 AM | |

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| 55. Compare and contrast the concepts of judicial restraint and judicial activism.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 2:05 AM | | *DATE MODIFIED:* | 12/14/2020 2:06 AM | |

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| 56. Compare and contrast the legal and extralegal approaches to judicial decision making.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 2:06 AM | | *DATE MODIFIED:* | 12/14/2020 2:07 AM | |

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| 57. Explain judicial review and the constitutional and judicial origins of the power.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 3.3.5 - Explain the power of judicial review. | | *DATE CREATED:* | 12/14/2020 2:08 AM | | *DATE MODIFIED:* | 12/14/2020 2:09 AM | |

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| 58. Explain the importance of judicial review in the American legal system.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 3.3.5 - Explain the power of judicial review. | | *DATE CREATED:* | 12/14/2020 2:09 AM | | *DATE MODIFIED:* | 12/14/2020 2:10 AM | |

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| 59. Explain how actions by the Rehnquist Court might be illustrative of judicial activism.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 2:10 AM | | *DATE MODIFIED:* | 12/14/2020 2:11 AM | |

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| 60. Describe and explain how specific Supreme Court cases gave more powers to the states.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.3 - Distinguish between judicial restraint and judicial activism. | | *DATE CREATED:* | 12/14/2020 2:11 AM | | *DATE MODIFIED:* | 12/14/2020 2:12 AM | |

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| 61. Explain how the power of judicial appointment might be used by the president to advance a policy agenda.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Selection of Federal Judges | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.5 - Explain how judges at different levels of government are selected. | | *DATE CREATED:* | 12/14/2020 2:12 AM | | *DATE MODIFIED:* | 12/14/2020 2:13 AM | |

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| 62. Explain the purpose and function of an appellate court.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.1 - Explain the principal function of the court on each tier of the federal court system. | | *DATE CREATED:* | 12/14/2020 2:14 AM | | *DATE MODIFIED:* | 12/14/2020 2:15 AM | |

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| 63. Identify and describe the ways in which the courts can check and balance other branches of government.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Complex Bloom’s: Analyze/Evaluate | | *REFERENCES:* | Policymaking and the Courts | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 2:15 AM | | *DATE MODIFIED:* | 12/14/2020 2:16 AM | |

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| 64. Explain what common law is and the role it plays in the American legal system.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | Sources of American Law | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 2:16 AM | | *DATE MODIFIED:* | 12/14/2020 2:17 AM | |

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| 65. Explain the dual court system that exists in the United States.   |  |  | | --- | --- | | *ANSWER:* | Students' answers may vary. | | *POINTS:* | 1 | | *DIFFICULTY:* | Moderate Bloom’s: Apply | | *REFERENCES:* | The Federal Court System | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *LEARNING OBJECTIVES:* | 4.3.6 - Explain the role of the judiciary. | | *DATE CREATED:* | 12/14/2020 2:17 AM | | *DATE MODIFIED:* | 12/14/2020 2:18 AM | |