

Module 4 Quiz

1. The Great Seal of the United States contains the motto “E pluribus unum,” which means

- a. today and forever.
- b. life, liberty, and happiness.
- c. the chosen few.
- *d. one out of many.

2. When does a federal court abstain from hearing a case?

- a. If it involves criminal law
- *b. If a state has a greater interest in the outcome
- c. If it involves civil rights
- d. If federal supremacy governs it

3. Which doctrine preserves the balance between state and federal sovereignty by allowing federal courts to refuse jurisdiction to hear a case?

- a. Federalism
- b. Federal supremacy
- *c. Abstention
- d. Equal power doctrine

4. How many federal courts made decisions in the Marshall v. Marshall case?

- a. 1
- b. 2
- c. 3
- *d. 4

5. Federal courts can hear each of the following types of cases EXCEPT

- a. personal injury.
- b. bankruptcy.
- c. kidnapping.
- *d. probate.

6. What are the two categories of federal courts?

- a. Constitutional courts and the Supreme Court
- b. The Supreme Court and the appellate courts
- *c. Constitutional courts and legislative courts
- d. Appellate courts and legislative courts

7. The provision of the U.S. Constitution that creates the U.S. Supreme Court and authorizes Congress to create “inferior” federal courts is

- a. Article I.
- b. Article II.
- *c. Article III.
- d. Article IV.

8. By granting Congress the power to create the lower federal courts, the Framers of the U.S. Constitution

- a. intended to limit the power of the President.
- b. hoped to avoid conflicts between the executive and judicial branches.
- c. tried to abolish state courts.
- *d. allowed the states to have influence over the federal judiciary.

9. How many circuits are there in the U.S. judicial system?

- a. 11
- b. 12
- *c. 13
- d. 14

10. Where was the three tier structure of federal courts established?

- a. Congress
- b. Marbury v. Madison
- c. Article III of the U.S. Constitution
- *d. Judiciary Act of 1789

11. Courts created under Article III of the U.S. Constitution are referred to as

- *a. constitutional courts.
- b. legislative courts.
- c. executive courts.
- d. barrister courts.

12. Courts created under Article I of the U.S. Constitution are referred to as

- a. constitutional courts.
- *b. legislative courts.
- c. executive courts.
- d. barrister courts.

13. As discussed in the Litman case, “there are several methods used to ensure order is maintained within the judicial hierarchy.” These include which of the following?

- a. Removal of judges from office
- b. Appointment of qualified judges
- *c. The writ of mandamus
- d. Use of the contempt power

14. The court in Litman indicated that there are two factors that are essential to the proper operation of the judiciary. These are

- a. money and power.
- b. honesty and integrity.
- c. foresight and hindsight.
- *d. stability and predictability.

15. The three-tier structure of the federal courts was designed to

- *a. specify the sources of authority within the federal court system.
- b. parallel the structure of the branches of government.
- c. increase the amount of time litigation takes.
- d. decrease the workload of the federal courts.

16. The structure of the court system affords litigants the right to an appeal and also

- a. minimizes the cost of using the system to individuals.
- b. generates new law at a more rapid rate than the Congress.
- *c. creates order and confidence in the justice system.
- d. unnecessarily complicates the meaning of “justice for all”.

17. Presently, how many justices sit on the U.S. Supreme Court?

- a. 5
- b. 7
- *c. 9
- d. 11

18. How are the justices of the US Supreme Court chosen?

- a. Elected by the people
- b. Appointed by Congress
- *c. Appointed by the President
- d. Appointed by Congress with the “advice and consent” of the President

23. Which of the following is NOT a reason why the U.S. Supreme Court might accept a case on appeal?

- a. Conflict between federal appellate courts in different circuits
- b. Conflict between a federal appellate court and a state supreme court

- *c. Confusion about the meaning of a state constitution
- d. Improper interpretation of federal law by a state supreme court

20. Some of the most important commentary on the intent of the Framers of the U.S. Constitution is found in

- a. the New York Times.
- b. the Declaration of Independence.
- c. Thomas Payne's "Common Sense".
- *d. The Federalist Papers.

SAMPLE