

13. _____ are most likely to be considered unconstitutional by the Supreme Court.
- Administrative laws
 - Laws passed by Congress
 - Lower court decisions
 - Presidential actions
 - State laws
14. Judicial review permits the Supreme Court _____.
- to enforce the separation of powers between the branches of government
 - to exercise powers that the founders inferred to in Article I of the Constitution
 - to equally share influence when determining with institutional power of the executive and legislative branch
 - the ability to disrupt the checks and balances the founders intended to equalize the branches of government
 - the power to dominate the other two branches of government and make the judicial branch superior
15. Which statement about the federal court system is most accurate?
- The United States has a dual court system meaning that there are civil courts and criminal courts.
 - Court cases that originate in the state court system reach the Supreme Court only if there is diversity of citizenship among those involved.
 - Article III of the Constitution outlines the division of the court system between the federal, state, and specialized courts.
 - Before a case can be brought before a court, jurisdiction and standing to sue requirements must be met.
 - The federal court derives its power from the Supreme Court and is organized according to Article III of the Constitution.

16. Which statement regarding the different types of federal courts is most accurate?
- a. A court that hears a broad, nonrestricted range of cases is known as a federal appellate court.
 - b. The 50 states are grouped into five regions with a federal district court hearing cases in each region.
 - c. A court of appeals will normally review the facts of the case by conducting another trial.
 - d. Tax courts and bankruptcy courts are examples of appellate courts.
 - e. The U.S. district courts are courts in which trials are held and testimony is taken.
17. Which of the following did the Supreme Court argue in the case of *Marbury v. Madison*?
- a. Congress had the power to act in matters of commerce because of the necessary and proper clause.
 - b. The president did not have the power to bar the Supreme Court from meeting.
 - c. The court had the power to decide whether or not acts of governors and state legislatures were constitutional.
 - d. The court had the power to decide whether or not acts of Congress and the president were constitutional.
 - e. Secretary of State Madison had to uphold an appointment made during the previous administration.
18. Which statement about the Supreme Court is most accurate?
- a. When the Supreme Court came into existence in 1789, it had four justices, resulting in the nickname "the rule of four."
 - b. President Franklin Roosevelt increased the number of justices on the Supreme Court to nine as part of his court-packing plan.
 - c. Article III of the Constitution empowered the Supreme Court to create lower federal courts.
 - d. The Supreme Court can review a state supreme court decision in cases in which the state is a party.
 - e. The Supreme Court can serve as a trial court in cases affecting foreign diplomats and in cases in which the state is a party.
19. Which statement about lawsuits is most accurate?
- a. A lawsuit involves a defendant, the person that initiates the lawsuit, and a plaintiff, the person against whom the lawsuit is brought.
 - b. A class-action suit is a lawsuit filed by a third party who is not directly involved in the litigation.
 - c. To engage in legal proceedings or seek relief in a court of law is to litigate.
 - d. Interest groups play an important role in our judicial system because they are frequently defendants in class-action suits.
 - e. An *amicus curiae* brief is filed by the U.S. court of appeals when they are unable to reach a decision in a lawsuit.
20. Which of the statements about procedural rules is true?
- a. Congress has established procedural rules for the federal court system in an effort to decrease the number of frivolous lawsuits.
 - b. The Supreme Court has held that attorneys can discriminate against prospective jurors on the basis of race or gender.
 - c. Procedural rules have resulted in more time consumed during cases and additional court costs.
 - d. Procedural rules are designed to ensure that the litigation process is fair and orderly.
 - e. The courts have delayed placing information online related to legal proceedings because of security concerns.

21. Which statement about the Supreme Court is true?
- a. The Supreme Court can influence the nation's policies by deciding to hear some types of cases and refusing to hear appeals in others.
 - b. Congress has the discretion of determining the cases that the Supreme Court will hear.
 - c. The cases that the Supreme Court reviews often involve issues between the executive branch and legislative branch.
 - d. Cases that are not heard during the regular annual term of the Supreme Court are allowed to stand based on the lower court's decision.
 - e. The Supreme Court reviews about 25 percent of the total number of cases that are decided each year.
22. It is difficult to predict which case or type of case the Supreme Court might review because _____.
- a. cases are assigned by the Department of Justice
 - b. the attorney general determines which cases will be heard
 - c. Congress selects the cases that will be decided
 - d. the justices never explain their reasons for hearing certain cases and not others
 - e. cases are selected randomly using a lottery system
23. The function of the U.S. solicitor general is to _____.
- a. enforce the decisions of the Supreme Court
 - b. advise the president regarding nominees for federal judge positions
 - c. maintain order in the Supreme Court's courtroom
 - d. serve as the principal legal adviser to members of the Supreme Court
 - e. approve every case the federal government presents to the Supreme Court
24. Which statement about a writ of *certiorari* issued by the Supreme Court is most accurate?
- a. The Supreme Court will only grant a writ of *certiorari* to cases involving federal laws.
 - b. A writ of *certiorari* requires state courts to abide by the decisions of the Supreme Court.
 - c. A writ of *certiorari* indicates that the Supreme Court will review the decision of a lower court.
 - d. The writ of *certiorari* has been used in only a few cases over the past decade.
 - e. The rule of five requires that at least five Supreme Court justice vote in favor of issuing a writ of *certiorari*.
25. A similarity shared by appeals courts and the Supreme Court is that _____.
- a. both courts consist of the same number of justices to hear cases
 - b. cases that are reviewed are not able to present any evidence
 - c. lawyers addressing the courts can be questioned by the justices at any time
 - d. rulings are handed down immediately following oral arguments
 - e. rulings made by both of the courts are final and cannot be appealed

26. Spoken presentations by attorneys to the appellate court laying out the reasons why the court should rule in his or her client's favor are known as _____.

- a. affirmation opinions
- b. briefs
- c. criminal defenses
- d. defense statements
- e. oral arguments