

Sample Test: The Judicial System

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

Article III, Section 1; US Constitution

1. Which of the following best summarizes this passage from the Constitution?
 - a. Section 1 vests judicial power in federal courts, requires a supreme court, allows for inferior courts, establishes life tenure for judges, and prohibits decreasing the salaries of judges.
 - b. Section 1 vests all judicial power with the Supreme Court.
 - c. Section 1 allows the Supreme Court to determine the salary of all judicial officials, diminishing or increasing pay based on the merit of the person.
 - d. Section 1 establishes the role of the courts in our nation, setting a precedent for what all courts and court officials can rule on.
2. A court's authority to hear and decide a matter before any other court can review the matter is...
 - a. Appellate jurisdiction
 - b. Exclusive jurisdiction
 - c. Concurrent jurisdiction
 - d. Original jurisdiction

?
US Supreme Court
US Courts of Appeals
US District Courts
Court of International Trade
US Court of Federal Claims

3. Which of the following would make the best title for the above list?
 - a. Federal Court System
 - b. North Carolina Court System
 - c. State Judicial System
 - d. Executive Court System
4. Which statement about the Supreme Court of the United States is accurate?
 - a. Only around 100 civil and criminal cases are filed in the Supreme Court each year.
 - b. The Supreme Court never has original and exclusive jurisdiction on cases.
 - c. The Supreme Court of has a Chief Justice and eight Associate Justices.
 - d. Cases heard by the US Court of Appeals or the highest court of each state cannot be reviewed by the US Supreme Court.
5. The decision in *Marbury v. Madison* (1803) expanded the power of the Supreme Court by
 - a. restricting the use of the elastic clause.
 - b. establishing the power of judicial review.
 - c. upholding the constitutionality of the National Bank.
 - d. interpreting the interstate commerce clause.

6. When a petitioner asks the Supreme Court of the United States to issue a *writ of certiorari*, it is requesting
- that the US Supreme Court honor the decision made in the lower court.
 - that the US Supreme Court reverse the decision made in the lower court.
 - an order for the lower court to send the case to the US Supreme Court so that it can review the case.
 - an order for a Supreme Court Justice to be removed from the panel that reviews the case.
7. What was a central issue in the Supreme Court cases of *Gideon v. Wainwright* (1963) and *Miranda v. Arizona* (1966)?
- Freedom of religion
 - Voting rights
 - Rights of the accused
 - Property rights
8. Which court would hear a civil or criminal appeal from a US district court within their circuit?
- The Supreme Court
 - The District Court
 - The Court of Federal Claims
 - The Courts of Appeals
9. Which headline illustrates the use of judicial review?
- “Congress Passes a Civil Rights Bill”
 - “Conference Committee Meets to Finalize Budget”
 - “New York State’s Reapportionment Plan Ruled Unconstitutional”
 - “President Signs SALT Agreement with Russia”

. . . Whenever normal agencies prove inadequate to the task and it becomes necessary for the Executive Branch of the Federal Government to use its powers and authority to uphold Federal Courts, the President’s responsibility is inescapable. In accordance with that responsibility, I have today issued an Executive Order directing the use of troops under Federal authority to aid in the execution of Federal law at Little Rock, Arkansas. This became necessary when my Proclamation of yesterday was not observed, and the obstruction of justice still continues. . . .

— *President Dwight D. Eisenhower, September 24, 1957*

10. The situation described in this statement grew out of efforts to
- enforce the decision in *Brown v. Board of Education of Topeka*
 - uphold the Voting Rights Act
 - pass a constitutional amendment ending poll taxes
 - extend the Montgomery bus boycott to Little Rock
11. North Carolina’s General Court of Justice is composed of which three divisions?
- The Supreme Court Division, the Superior Court Division, and the Trial Court Division
 - The Appellate Division, a Superior Court Division, and a District Court Division
 - The Superior Court Division, the Trial Court Division, and the Civil Court Division
 - The Supreme Court Division, the Superior Court Division, and the Civil Court Division

12. North Carolina's Appellate Division is made up of the Supreme Court and the
 - a. Superior Court
 - b. District Court
 - c. Civil Court
 - d. Court of Appeals

13. Tony and Tina are going to elope. Which official has the authority to marry them in North Carolina?
 - a. District Court Judge
 - b. Superior Court Judge
 - c. Magistrate
 - d. Clerk of Court

14. In civil cases, the injured party who brings an action against an alleged offender is the
 - a. Defendant
 - b. Plaintiff
 - c. Prosecutor
 - d. District Attorney

15. The screening device to determine if there is enough evidence to bring a defendant to trial is called a
 - a. Preliminary hearing
 - b. Arrest warrant
 - c. Trial
 - d. Summons

16. If you are selected to serve on a jury, after listening to the oral arguments of the case, jurors must
 - a. Make a formal decision called a verdict
 - b. Impose a sentence
 - c. Submit final questions to the defense and prosecution
 - d. Offer a plea

17. Prior to a trial, both parties in a lawsuit may choose to resolve their conflict in a mutual agreement that ends the dispute. This is called
 - a. A continuation
 - b. An arbitration
 - c. A trial
 - d. A settlement

18. Rodney was present at a party at which his best friend was arrested. While he is a witness, he doesn't want to go to court and testify against his friend. Which of the following documents might Rodney receive that will force him to testify in court?
 - a. Issue of fact
 - b. Subpoena
 - c. Brief
 - d. Court Docket

19. Which of the following best describes the role of a legislative committee?
 - a. Legislative committees sort through public policy and write legislation.
 - b. Legislative committees determine which laws should be passed and which should be vetoed.
 - c. Legislative committees instruct Senate and House members how to vote on proposed laws.
 - d. Legislative committees assist the Governor in choosing the most qualified legislators to work at the state level.

20. Which of the following statements by the President refers to a pocket veto?
- “The Children’s Health Care bill was presented to me during the last ten days of the legislative session, but I have chosen not to sign it.”
 - “I have chosen to remove specific spending items from the appropriation bill passed by Congress.”
 - “To show that I do not support the proposed bill, I ceremoniously folded it and placed it in my left jacket pocket.”
 - “The Children’s Health Care bill was presented to me this morning in the Oval Office, but I have chosen to mark the document with a large X, noting my disapproval.”
21. The Chapel Hill Town Council is interested in gathering citizen input regarding their proposal to make city buses fare-free. Which is the *most likely* way they will gather citizen input?
- Inform citizens to write letters voicing their opinions
 - Place surveys and collection boxes at busy city locations
 - Hold a public hearing
 - Instruct bus drivers to collect citizen opinions and report back to the city manager
22. Jasmine is angry with her city council since they have decided that a 12 story office building can be built on her street. Jasmine is upset about the city’s policy on
- Zoning
 - Annexation
 - Extraterritorial jurisdiction
 - Incorporation

Mr. and Mrs. Gonzalez were continually unhappy with their daughter’s public school. They felt she was not getting a proper education at the school to which she was assigned. Thus, they requested a certificate that to pay for the education of their child at a school of their choice, as opposed to the public school to which she was assigned.

23. What program is described in this passage?
- Charter school program
 - “Free Choice” program
 - School redistricting
 - Voucher program
24. Which of the following best explains the difference between a general obligation bond and a revenue bond?
- General obligation bonds are repaid using tax money, whereas revenue bonds are repaid through revenue generated by the entity associated with the purpose of the bond.
 - General obligation bonds are voted on by the community, whereas revenue bonds are issued by the local government without citizen input.
 - General obligation bonds are repaid with debt collection and other fines citizens are obligated to pay, whereas revenue bonds are repaid with federal grants and other revenue received by the government.
 - General obligation bonds are never repaid, whereas revenue bonds are always repaid in full.

ANSWER KEY

1. A
2. D
3. A
4. C
5. B
6. C
7. C
8. D
9. C
10. A
11. B
12. D
13. C
14. B
15. A
16. A
17. D
18. B
19. A
20. A
21. C
22. A
23. D
24. A