

## Judicial Branch Test

1. Which of the following statements about British courts is true?
  - a. Judicial review is tightly regulated but fiercely protected.
  - b. Courts are frequently called on by Parliament to settle procedural issues.
  - c. No court may strike down a law that Parliament passes.
  - d. The British federalist system guarantees a minor role for the judiciary.
  - e. Common law ensures judges with active participants in the policy making process.
  
2. The chief judicial weapon in the government's system of checks and balances is known as
  - a. judicial activism.
  - b. judicial interpretivism.
  - c. judicial review.
  - d. judicial standing.
  - e. judicial bypass.
  
3. Strict-constructionist judges differ from activist judges in that they are more likely to
  - a. support policies that address social and economic problems.
  - b. apply rules that are clearly stated in the U.S. Constitution.
  - c. believe in the application of judicial review to criminal matters.
  - d. look for and apply the general principles underlying the U.S. Constitution.
  - e. entangle themselves in matters traditionally left to Congress and the Executive.
  
4. Which of the following is most likely to be true of an activist judge?
  - a. He or she is conservative politically.
  - b. He or she is bound by the wording of the U.S. Constitution.
  - c. He or she is liberal politically.
  - d. He or she is an interpretivist.
  - e. He or she feels constrained by precedent.
  
5. Marbury v. Madison had both legal and political significance. Which of the following rulings was of political significance?
  - a. Congress may not add to the original jurisdiction of the Supreme Court.
  - b. The Supreme Court may declare void any laws repugnant to the U.S. Constitution.
  - c. Persons seeking writs of mandamus must go to a lower court.
  - d. The Supreme Court will try to avoid direct confrontations with other branches of government.
  - e. Congress can expand or contract the appellate jurisdiction of the Court.
  
6. Between 1789 and the Civil War, the Supreme Court was primarily occupied with the issues of
  - a. states' rights and slavery.
  - b. trade relations and states' rights.
  - c. national supremacy and trade relations.
  - d. slavery and national supremacy.
  - e. commerce and civil liberties.

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7. What is the major issue (or set of issues) confronting the Supreme Court in America today?
- The relationship between government and the economy
  - Nationbuilding
  - Personal liberty, social equality, and the potential conflict between the two
  - Establishing the supremacy of federal government
  - The constitutionality of the federal income tax
8. The principle that the Supreme Court used in overturning Fulton's monopoly on a New York steamboat operation was that
- a monopoly is a restraint on trade.
  - patents cannot be issued on recent technology.
  - state law cannot prevail over federal law.
  - interstate commerce cannot be regulated.
  - the indirect effects of commerce are beyond the scope of government regulation.
9. The Dred Scott case involved
- the right of the national government to charter a bank.
  - the doctrine of separate but equal.
  - admission of new states to the union.
  - a slave owner's property rights to an escaped slave.
  - the suspension of habeas corpus.
10. Until the 1930s, the Supreme Court interpreted the Fourteenth and Fifteenth Amendments to
- view civil rights very narrowly.
  - view civil rights very broadly.
  - expand the notion of interstate commerce.
  - contract the notion of interstate commerce.
  - distinguish precedents in a manner that favored minorities.
11. The period in Supreme Court history from 1936 to the present has been marked by a concern for
- the regulation of commerce.
  - states' rights.
  - personal liberties.
  - private property.
  - corporate fraud.
12. Court-packing refers to the practice of
- taking away the Supreme Court's appellate jurisdiction.
  - appointing only justices who agree with the president's political philosophy.
  - appointing only justices who agree with Congress's political philosophy.
  - appointing only justices who can be categorized as strict constructionists.
  - ignoring decisions in which a majority of justices cannot agree on a single opinion.

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13. The Supreme Court's acceptance of New Deal principles probably avoided
- a conflict between the president and Congress.
  - the election of a Republican president in 1936.
  - an assault on the Supreme Court by the other branches.
  - the early demise of the New Deal.
  - the creation of an even higher appellate court.
14. There are 94 \_\_\_\_\_ in the federal judiciary.
- constitutional courts
  - district courts
  - courts of appeal
  - legislative courts
  - supreme courts
15. There are 12 \_\_\_\_\_ in the federal judiciary.
- constitutional courts
  - district courts
  - courts of appeal
  - legislative courts
  - supreme courts
16. Which court(s) are mandated by the U.S. Constitution?
- The Supreme Court only
  - The Supreme and appellate courts
  - The Supreme, appellate, and district courts
  - Both constitutional and legislative courts
  - Legislative courts
17. Senatorial courtesy is an especially important consideration in nominations to
- legislative courts.
  - courts of appeals.
  - district courts.
  - constitutional courts.
  - intermediate appellate courts.
18. Which of the following statements about the selection of federal judges is correct?
- The principle of senatorial courtesy applies to the selection of judges in the legislative courts.
  - Presidents generally appoint judges whose political views reflect their own.
  - Nominees for district court judge often face tough confirmation battles in the Senate.
  - The application of political litmus tests to Supreme Court nominees was established with the nomination of David Souter.
  - Supreme Court nominations have only recently become controversial.

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19. The president who appointed the largest percentage of Hispanics to the federal courts was
- Gerald Ford.
  - Jimmy Carter.
  - Ronald Reagan.
  - George W. Bush.
  - Dwight Eisenhower.
20. The dual-court system of the United States refers to
- trial and appellate courts.
  - criminal and civil courts.
  - statutory and common law courts.
  - federal and state courts.
  - legislative and constitutional courts.
21. Citizen X is suing his neighbor Y for ramming his \$7,000 car. This case could be heard in
- a federal court.
  - either a federal or state court.
  - a state court.
  - an appellate court.
  - an intermediate appellate court.
22. California is suing Arizona over the use of the Colorado River. The case will be heard by
- a federal court.
  - the Supreme Court of California.
  - the Supreme Court of Arizona.
  - the U.S. Supreme Court.
  - the Court of International Trade.
23. Certiorari is a Latin word meaning, roughly
- “beyond all uncertainties.”
  - “certified.”
  - “to be heard.”
  - “rule of four.”
  - “made more certain.”
24. Which of the following significantly increases the odds that the Supreme Court will review a case?
- Two or more federal courts of appeals have decided the same issue in different ways.
  - The highest court in a state has held a federal law in violation of the Constitution.
  - The highest court in a state has held a state law in violation of the Constitution.
  - The highest court in a state has upheld a state law against a claim that it is in violation of the Constitution.
  - All of the above.

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25. In a typical year, the Supreme Court may consider over \_\_\_\_\_ petitions asking it to review decisions of lower or state courts.
- 1,000
  - 2,000
  - 5,000
  - 7,000
  - 30,000
26. An organization that has been influential in getting First Amendment cases appealed to the Supreme Court is the
- NRA.
  - National Taxpayers' Union.
  - AFL-CIO.
  - ACLU.
  - NWO.
27. Two common ways for a plaintiff to lower the costs of an appeal are by filing and being heard as a pauper (in forma pauperis) and by
- finding an interest group to support the case.
  - filing a writ of certiorari.
  - asking the courts to rule in absentia.
  - suing under the principle of sovereign immunity.
  - applying for a writ of mandamus.
28. Fee shifting refers to the practice of
- dividing attorneys' fees among all participants in a class-action suit.
  - reducing fees if the votes of appellate court judges are divided.
  - getting the government to pay the fees of all parties.
  - having attorneys adjust their fees according to their experience and the damages awarded.
  - getting the loser to pay court costs.
29. In most cases presented to the Supreme Court, the bulk of the argumentation presented by either side will be found in the
- brief.
  - certiorari petition.
  - oral argument.
  - per curiam decision.
  - complaint.
30. An interest group such as the ACLU or the NAACP is most likely to attempt to influence the Supreme Court by
- appealing a decision directly to the president.
  - consulting in the nomination process of a new Supreme Court justice.
  - writing an amicus curiae brief.
  - raising a political question with the solicitor general.
  - lobbying the American Bar Association.

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31. The preamble to the U.S. Constitution lists all of the following goals of government except
- union.
  - justice.
  - liberty.
  - democracy.
  - tranquility.
32. Some 60 percent of adults adopt the party preference of their
- peers.
  - employers.
  - teachers.
  - physicians.
  - parents.
33. According to the text, one reason why identification with a party has declined in recent years is that
- young voters have weaker party identification.
  - party identification, today, is no longer influenced by parents' party identification.
  - today, there are more parties with which voters may identify.
  - voters tend to lose their party identification as they grow older, and today's population is aging.
  - party identification is increasingly seen as a sign of closed-mindedness.
34. Religious influences on public opinion are most pronounced with respect to \_\_\_\_\_ issues and less evident on others.
- foreign policy
  - state and local
  - ideological
  - economic
  - social
35. A majority agrees that a moment of silence should be allowed in public schools if one examines the opinions of
- the general public.
  - Catholics.
  - Evangelicals
  - Jews.
  - a, b, and c.
36. A gender gap is most likely to occur in an election in which the major issue is
- war.
  - women's rights.
  - gun control.
  - political ethics.
  - school prayer.

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37. Which of the following statements about the gender gap is the most accurate, according to the text?

- a. Men have “deserted” Democratic candidates for Republican ones.
- b. The gender gap has remained constant in the past four elections.
- c. Women voters tend to identify more strongly than men with the Republican party.
- d. Most analysts agree about the electoral significance of the gender gap.
- e. Men have “deserted” Republican candidates for Democratic ones.

38. Which of the following statements is incorrect?

- a. From the mid-1920s to the mid-1960s, Americans went to college in record numbers.
- b. Much research indicates higher levels of liberalism are associated with higher levels of education.
- c. Higher levels of conservatism were more prominent among those from more prestigious colleges.
- d. Increased schooling has been associated with increased voting.
- e. Increased schooling has been associated with increased political activity.

39. Cleavages in public opinion are more common in the United States than in many other countries because the United States

- a. has a socially heterogeneous population.
- b. is a relatively classless society.
- c. has a high degree of religious freedom.
- d. places a high value on social equality.
- e. is more protective of freedom of press.

40. Compared with European countries such as Great Britain, France, and Germany, class voting in the United States has

- a. also risen sharply.
- b. remained relatively steady.
- c. also declined sharply.
- d. always been more common.
- e. increased slightly.

41. An individual’s choice of political philosophy today is most likely to be based on one’s

- a. position on social issues such as abortion or environmentalism.
- b. geographic region and socioeconomic class.
- c. position on economic issues such as taxation or minimum wage.
- d. gender.
- e. religious beliefs.

42. An issue that continues to divide blacks and whites is

- a. the use of racial quotas.
- b. the justice system’s treatment of drug traffickers.
- c. legalized abortion.
- d. legalization of marijuana.
- e. affirmative action.

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43. Among the following groups, the group that is most likely to hold political views that are similar to Anglo-whites are
- blacks.
  - Hispanics.
  - Asian-Americans.
  - Latinos.
  - Mexican-Americans.
44. Voters in the South have become progressively less attached to
- the Democratic party.
  - the Republican party.
  - liberal ideology.
  - conservative ideology.
  - b and d.
45. The text classifies a populist as a person who \_\_\_\_\_ government initiatives concerning the economy and \_\_\_\_\_ government initiatives to coerce individuals into traditional ethical behavior.
- supports, opposes
  - opposes, supports
  - supports, supports
  - opposes, opposes
  - None of the above.



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