

APGOV Reading Guide Review Questions Chapter 16
***Answers are in the notebook in my classroom.**

1. The Supreme Court makes the majority of American judicial policy.
 - True
 - False

2. Federal judges
 - a. actively initiate cases.
 - b. issue advisory opinions on hypothetical cases.
 - c. cannot resolve justiciable disputes
 - d. are impartial arbiters between two contending views.

3. Which of the following is NOT associated with civil law?
 - a. a plaintiff and defendant
 - b. a charge that a law has been violated
 - c. statutes and common law
 - d. a dispute between two parties

4. Most civil and criminal cases begin and end in the state courts.
 - True
 - False

5. Every judicial case involves
 - a. a plaintiff and defendant.
 - b. a jury.
 - c. a federal judge.
 - d. criminal law.

6. Litigants must have
 - a. a jury trial.
 - b. standing to sue.
 - c. original jurisdiction.
 - d. a civil dispute.

7. The concept of standing to sue has been broadened by the use of
 - a. class action suits.
 - b. appellate jurisdiction.
 - c. common law.
 - d. justiciable disputes

8. Which of the following is NOT a justiciable dispute?
- a. a divorce proceeding
 - b. a dispute over an insurance claim
 - c. a suit calling for the abolishment of a federal program
 - d. a murder trial
9. Interest groups ignore the judicial process because of its limited impact on public policy.
- True
 - False
10. The federal government provides legal assistance to the poor through the
- a. National Association for the Advancement of Colored People.
 - b. Americans Civil Liberties Union.
 - c. Legal Services Corporation.
 - d. all of these.
11. The Constitution specifically created the
- a. Supreme Court.
 - b. federal district courts.
 - c. federal courts of appeal.
 - d. all of these.
12. Courts with appellate jurisdiction
- a. review the factual record of cases.
 - b. hear the majority of court cases in the United States.
 - c. review the legal issues involved in cases.
 - d. are all federal courts.
13. The Court of Military Appeals and the Tax Court are
- a. constitutional courts.
 - b. legislative courts.
 - c. state courts.
 - d. local courts.
14. Each state has at least one federal district court.
- True
 - False
15. Cases in the federal district courts
- a. are usually presided over by one judge.
 - b. cannot involve litigants from different states.
 - c. are heard on appeal from state courts.
 - d. involving civil law are rarely settled.

16. Duties of the federal magistrates include all of the following EXCEPT
- a. issuing warrants for arrest.
 - b. hearing motions subject to review by the district judge.
 - c. representing the U.S. government in civil cases.
 - d. presiding over some trials.
17. Most of the cases handled in the district courts
- a. are settled by a jury.
 - b. are routine.
 - c. result in policy innovations.
 - d. are published by the U.S. government.
18. Cases in the federal courts of appeal
- a. involve trials and testimony.
 - b. focus on the correction of errors in procedure and law.
 - c. rarely come from the federal district courts.
 - d. must be decided by a unanimous vote.
19. Which of the following is NOT among the functions of the Supreme Court?
- a. maintaining national supremacy in the law.
 - b. ensuring uniformity in interpretations of national laws.
 - c. enforcing the orders of federal regulatory agencies.
 - d. resolving conflicts among the states.
20. Few cases arise under the Supreme Court's original jurisdiction.
- True
 - False
21. Cases appealed to the Supreme Court from state courts must involve
- a. a crime.
 - b. at least \$50,000 in a civil case.
 - c. a substantial federal question.
 - d. all of these.
22. Federal judges and justices
- a. serve for life.
 - b. cannot be impeached.
 - c. can be removed for political reasons.
 - d. are elected to office.

23. The only Supreme Court Justice who was tried but not convicted by the Senate was
- a. Robert Bork.
 - b. Samuel Chase.
 - c. John Marshall.
 - d. William Rehnquist.
24. Senatorial courtesy allows any Senator to prevent the confirmation of a federal judiciary nominee.
- True
 - False
25. Nominees for the federal judiciary are evaluated by
- a. the Department of Justice.
 - b. the Federal Bureau of Investigation.
 - c. sitting judges.
 - d. all of these.
26. The president's appointments to the Supreme Court may be his or her most important legacy.
- True
 - False
27. Which of the following does the president rely on most to identify and screen candidates for the Supreme Court?
- a. the Senate Judiciary Committee
 - b. the attorney general and the Department of Justice
 - c. sitting judges
 - d. the American Bar Association
28. Candidates for the Supreme Court usually aggressively pursue the position, especially by politicking the Senate Judiciary Committee.
- True
 - False
29. Which of the following works to the advantage of a Supreme Court nominee?
- a. a reputation of judicial activism
 - b. nomination by a president at the end of his term
 - c. nomination by a president whose party is in the minority in the Senate
 - d. ethics, competence, and a low profile

30. Which of the following statements is TRUE?
- a. Federal judges are highly representative of the American people.
 - b. The Constitution does not require federal judges to be lawyers.
 - c. Most federal judges have never been involved in politics.
 - d. The Reagan administration ignored ideology in making judicial appointments.
31. The race and gender of nominees for Supreme Court justice have become less salient in recent years.
- True
 - False
32. Many Supreme Court Justices, including some of the most distinguished ones, have not had previous judicial experience.
- True
 - False
33. An important influence on the selection of judges and justices is
- a. partisanship.
 - b. ideology.
 - c. politics.
 - d. all of these.
34. Which of the following statements is FALSE?
- a. Partisan politics affects judicial appointments.
 - b. Presidents usually nominate judges and justices who share their ideological beliefs.
 - c. Members of the federal bench may time their retirement so that the president can choose compatible successors.
 - d. Presidents can always rely on their judicial appointees to vote the way the president wants them to vote.
35. Which of the following statements is FALSE?
- a. Republican judges are somewhat more conservative than Democratic judges are.
 - b. Judges who are former prosecutors are somewhat less sympathetic toward defendant rights.
 - c. Judges' ethnicity and gender strongly influence their judicial behavior.
 - d. The influence of background on judicial making is generally limited.
36. A *writ of certiorari* is a formal document that
- a. calls up a case for review by the Supreme Court.
 - b. is used to sentence convicted criminals.
 - c. initiates a civil law suit.
 - d. requires a witness to testify in federal court.

37. The solicitor general of the United States
- a. represents the United States before the Supreme Court.
 - b. is a presidential appointee.
 - c. typically has the confidence of the Supreme Court.
 - d. all of these.
38. A Supreme Court decision without explanation is known as
- a. a writ of *certiorari*.
 - b. a writ of *mandamus*.
 - c. a *per curiam* decision.
 - d. an *amicus curiae* brief.
39. Which of the following is NOT a characteristic of *amicus curiae* briefs?
- a. Parties who are formal litigants file them.
 - b. They are intended to influence court decisions.
 - c. Some are filed by the solicitor general on behalf of the government.
 - d. They raise additional points of view and information.
40. The written opinion in a Supreme Court case
- a. is irrelevant compared to the decision itself.
 - b. is a statement of the legal reasoning behind a decision.
 - c. is always prepared by the chief justice.
 - d. always represents the views of all nine justices.
41. Opinions written not only to support a majority decision but also to stress a different constitutional or legal basis are called
- a. majority opinions.
 - b. dissenting opinions.
 - c. opposing opinions.
 - d. concurring opinions.
42. The vast majority of cases reaching the courts are settled on the principle of *stare decisis*.
- True
 - False
43. When judicial precedents are clear, the Supreme Court tends to be divided in ideological terms.
- True
 - False

44. The idea of original intent refers to
- a. original jurisdiction.
 - b. the intent of the Constitution's framers.
 - c. the ideological positions of justices.
 - d. the views of a popular majority.
45. How and whether court decisions are translated into actual policy is called
- a. judicial activism.
 - b. judicial precedents.
 - c. judicial implementation.
 - d. judicial policymaking.
46. Which of the following is NOT among the key elements of judicial implementation according to Charles Johnson and Bradley Canon?
- a. interpreting population
 - b. implementing population
 - c. consumer population
 - d. general population
47. From 1938 to the present the Supreme Court has enlarged the scope of personal freedom and civil rights
- True
 - False
48. The case of *Marbury v. Madison* (1803) established the Supreme Court's
- a. power of judicial review.
 - b. use of writs of *certiorari*.
 - c. application of the principles of *stare decisis*.
 - d. power to expand its original jurisdiction.
49. During the New Deal era, President Roosevelt sought to create a more sympathetic Supreme Court by
- a. getting Congress to expand the court's size.
 - b. changing the chief justice.
 - c. removing unsympathetic justices.
 - d. directly influencing court decisions.
50. In the shift from the Warren Court to the Burger Court, the Supreme Court became more
- a. conservative.
 - b. liberal.
 - c. activist.
 - d. none of these.

51. Who said "It seems to me that there's nothing more antithetical to the idea of what a good judge should be than to think it has something to do with representative democracy"?
- a. Justice Potter Stewart
 - b. Chief Justice William Rehnquist
 - c. Justice Thurgood Marshall
 - d. Alexander Hamilton
52. It may be said that the courts are not a very democratic institution because
- a. federal judges are not elected.
 - b. it is almost impossible to remove judges.
 - c. the courts are dominated by elites.
 - d. all of these.
53. The Supreme Court is generally insulated from the normal forms of politics.
- True
 - False
54. Which of the following statements is FALSE?
- a. In some ways, courts are very undemocratic.
 - b. Supreme Court decisions are often in line with public opinion.
 - c. Few major policy decisions actually end up in court.
 - d. Agencies and businesses commonly find themselves ordered by different courts to do opposite things.
55. Which of the following is NOT a general characteristic of judicial restraint?
- a. deference to Congress
 - b. deference to state legislatures
 - c. a minimum policymaking role
 - d. achieving political ends through judicial means
56. The policy in which judges make bold policy decisions, even charting new constitutional ground, is called
- a. judicial restraint.
 - b. judicial activism.
 - c. judicial liberalism.
 - d. judicial conservatism.
57. Liberal members of the Supreme Court tend toward judicial activism whereas conservatives tend toward judicial restraint.
- True
 - False

58. The federal courts use the doctrine of “political questions”
- a. to settle disputes regarding the political parties.
 - b. to make bold policy decisions.
 - c. when the federal government is one of the litigants.
 - d. as a measure to avoid deciding some cases.
59. Congress can influence the Supreme Court and its decisions by
- a. beginning the process of amending the Constitution.
 - b. altering the structure of the courts.
 - c. passing legislation that clarifies existing laws and, in effect, overturns the courts.
 - d. all of these.