Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

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Chapter 2

TRUE/FALSE.

1) There are 51 different court structures in the United States.
Answer: T
Objective: Distinguish among the different ways to classify American courts, such as by jurisdiction, by its dual nature, and by type of court.
Page number: 23
Level: Basic

2) The federal court system is made up of only the U.S. Supreme Court.
Answer: F
Objective: Distinguish among the different ways to classify American courts, such as by jurisdiction, by its dual nature, and by type of court.
Page number: 24
Level: Basic

3) Subject matter jurisdiction refers to the types of cases courts hear.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Basic

4) Courts of limited jurisdiction have monetary limits for making awards.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Intermediate

5) Courts of general jurisdiction cannot hear civil cases.
Answer: F
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Intermediate

6) Subject matter jurisdiction has to do with the political boundaries where a crime has been committed.
Answer: F
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

Level: Basic

7) The value of stolen property determines which court has jurisdiction.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Basic

8) Geographical jurisdiction has to do with a court's geographical boundaries.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 25
Level: Basic

9) If a crime is committed in a national park, a state court will hear and decide the case.
Answer: F
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 25
Level: Intermediate

10) Some of the different court systems in the United States include: federal, state, juvenile, family, tribal, and lands courts.
Answer: T
Objective: Distinguish among the ways to classify American courts such as by jurisdiction, by its dual nature, and by the type of court.
Page number: 24
Level: Basic

11) The case of Morrissette v. United States pertained to the theft of government property from a military artillery range.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 25
Level: Intermediate

12) The difference between appellate courts and basic trial courts is hierarchical jurisdiction.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 26
Level: Basic

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

13) Trial courts are also referred to as courts of fact.
Answer: T
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 26
Level: Basic

14) Trial courts are not responsible for the sentencing of a defendant.
Answer: F
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 26
Level: Basic

15) Dual court organization refers to the difference between federal and state court organization.
Answer: T
Objective: Explain how the United States has two court structures, a federal structure, and a state structure.
Page number: 26
Level: Basic

16) Concurrent jurisdiction means that either state or federal courts may hear certain kinds of cases.
Answer: T
Objective: Explain how the United States has two court structures, a federal structure, and a state structure.
Page number: 27
Level: Intermediate

17) Appellate courts hear testimony and impose sentences.
Answer: F
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 26
Level: Basic

18) U.S. magistrates hear and decide major felony cases involving federal crimes.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

19) Federal judgeships are appointments for 10-year terms.
Answer: F

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

20) Federal judgeships are appointments made by the Congress.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

21) The President of the United States has no authority over who gets nominated to the U.S. Supreme Court.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 30
Level: Basic

22) There are mandatory retirement ages for federal judges.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

23) U.S. magistrates hear pretrial motions.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

24) U.S. magistrates are appointed by the district judge.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

25) Circuit courts no longer exist at either the state or federal level.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 29

Level: Basic

26) The court of last resort is the U.S. district court.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 30
Level: Basic

27) There were 13 federal circuit courts of appeal in 2001.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 29
Level: Basic

28) The U.S. district courts are the courts of original jurisdiction in the federal system.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Basic

29) Each U.S. Supreme Court term commences in October of each year.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Intermediate

30) A writ of certiorari is the equivalent of an amicus curiae brief.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

31) Cases reach the U.S. Supreme Court through writs of certiorari.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

32) An amicus curiae brief was filed on behalf of Gary Gilmore in Utah.
Answer: T

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 32
Level: Intermediate

33) If a U.S. Supreme Court judge wants the high court to hear a particular case, he/she merely has to order the case placed on the U.S. Supreme Court docket.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

34) The Rule of Fours means that four U.S. Supreme Court justices must agree in order for a case to be won by the appellant.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Intermediate

35) The chief justice of the U.S. Supreme Court writes all of the opinions for the court, regardless of his sentiments in the matter.
Answer: F
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

36) At least five justices must agree in order for a case to be "won" at the U.S. Supreme Court level.
Answer: T
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

39) Courts of general jurisdiction in the state system have hierarchical jurisdiction.
Answer: F
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 38
Level: Basic

40) Courts of record mean that a continuous transcript of all proceedings is maintained by a court reporter.

Answer: T
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 38
Level: Basic

MULTIPLE CHOICE. Choose the one alternative that best completes the statement or answers the question.

1) Courts which are restricted concerning the types of cases they will hear are classified according to:
A) subject matter jurisdiction. B) the Rule of Fours.
C) common law. D) procedural law.
Answer: A
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Basic

2) Petty offenses are heard in courts of:
A) limited jurisdiction. B) last resort.
C) appeal. D) general jurisdiction.
Answer: A
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Basic

3) This congressional act provided for three levels of courts.

A) amicus curiae. B) Evarts Act.
C) Judiciary Act of 1789. D) Rule of four.
Answer: C
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 26
Level: Basic

4) The case of Morrissette v. United States had to do with:
A) theft of artillery shells from a military reservation.
B) counterfeiting.
C) armed robbery of a U.S. post office.
D) murder on an Indian reservation.
Answer: A
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 25

Level: Basic

5) Speeding in Sequoia National Park is an offense which is likely to be heard by:
A) a federal district court judge.
B) a U.S. magistrate.
C) an intermediate court of appeals.
D) the U.S. Supreme Court.
Answer: B
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 25
Level: Basic

6) Hierarchical jurisdiction refers to:
A) the Rule of Fours.
B) the dual court system.
C) the difference between appellate and trial courts.
D) All of the above.
Answer: C
Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 26
Level: Basic

7) The dual court system refers to:
A) subject matter jurisdiction and hierarchical jurisdiction.
B) civil and criminal courts.
C) a practice which is no longer permitted.
D) the difference between federal and state courts.
Answer: D
Objective: Explain how the United States has two court structures, a federal structure and a state structure.
Page number: 26
Level: Basic

8) The general trial court for the federal system is the:
A) U.S. district court. B) U.S. Supreme Court.
C) Circuit court of appeal. D) U.S. magistrate.
Answer: A
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Intermediate

9) U.S. district courts hear:
A) appeals from the U.S. Supreme Court.

B) both civil and criminal cases.
C) criminal cases only.
D) civil cases only.
Answer: B
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 28
Level: Intermediate

10) The right of judicial review in this case established the power of the U.S. Supreme Court to review and determine the constitutionality of acts of Congress and the executive branch:

A) Morissette v. United States.
B) Marbury v. Madison.
C) Gilmore v. United States.
D) Furman v. Georgia.
Answer: B
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Intermediate

11) State appellate courts are authorized to do which of the following?
A) Retry cases by allowing the introduction of new evidence.
B) Review the procedures of the case to determine if a judicial error was made.
C) Reevaluate the search and seizure techniques of the arresting officer.
D) Reconsider the original grand jury indictment.
Answer: B
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 40
Level: Difficult

12) How many justices are there on the U.S. Supreme Court?
A) 9. B) 5. C) 7. D) 12.
Answer: A
Objective: Compare and Contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

13) The person over whom a court has power and the subject matter over which a court can make legally binding decisions referred to as its:
A) district. B) limits.
C) jurisdiction. D) interpretation.
Answer: C

Objective: Recognize the different types of jurisdiction like subject matter, geographic and hierarchical.
Page number: 24
Level: Basic

14) Names for courts of general jurisdiction include:
A) court of common pleas. B) superior court.
C) circuit court. D) All of the above.
Answer: D
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 38
Level: Basic

15) When a case is appealed from a U.S. district court, it is appealed next to the:
A) state supreme court where the federal district court is located.
B) state intermediate court of appeal.
C) circuit court of appeal.
D) U.S. Supreme Court.
Answer: C
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 29
Level: Intermediate

16) When four or more U.S. Supreme Court judges agree to hear a case, this is called:
A) hierarchical jurisdiction. B) subject matter jurisdiction.
C) limited jurisdiction. D) the Rule of Four.
Answer: D
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

17) When persons file petitions on behalf of others, these petitions are known as:
A) amicus curiae briefs. B) habeas corpus petitions.
C) writs of certiorari. D) None of the above.
Answer: A
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 32
Level: Basic

18) All state courts have:
A) the same names for their court systems.
B) the same hierarchy of courts.

C) the same court organization as the federal court system.
D) different court organizations.
Answer: D
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 33
Level: Intermediate

19) When the U.S. Supreme Court hears a case and votes 4-4, this means that:
A) those bringing the suit prevailed.
B) a vacancy on the U.S. Supreme Court may exist.
C) one judge didn't vote.
D) All of the above.
Answer: B
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 32
Level: Intermediate

20) What does it mean for a case to be heard en banc in a circuit court?
A) The entire aggregate of judges in the circuit will hear the case.
B) No judges will hear the case.
C) A jury will hear the case.
D) Only one judge hears the case.
Answer: A
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 29
Level: Basic

21) In the case of North v. Russell, this case pertained to:
A) judicial competence. B) aggravated assault.
C) robbery. D) burglary.
Answer: A
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 36
Level: Intermediate

22) Which court is mentioned in Article III, section 1 of the US Constitution?
A) The US Supreme court.
B) The United States district courts.
C) The DC circuit court.
D) the magistrates courts.
Answer: A

Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 30
Level: Basic

23) The ABBS means:
A) Appellate Bulletin Board System.
B) Alternative Bar and Bench System.
C) Army of Blue Blooded Soldiers.
D) Absolute Bulletin Board Scheduling.
Answer: A
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 38
Level: Basic

24) Courts where a record is kept of the proceedings and what is said by all parties is called a:
A) court of limited jurisdiction. B) justice of the peace court.
C) a magistrate court. D) court of record.
Answer: D
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 38
Level: Basic

25) U.S. Supreme Court justices are nominated for terms of how many years?
A) 20 years.
B) 30 years.
C) 10 years.
D) All appointments are lifetime appointments.
Answer: D
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 30
Level: Basic

26) Compared with past years, criminal courts have been processing cases:
A) with about the same speed.
B) more quickly.
C) more slowly.
D) with about the same frequency.
Answer: B
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 39
Level: Intermediate

27) Intermediate courts of appeal became necessary during which period?
A) 1900. B) 1950. C) 1820. D) 1793.
Answer: A
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 39
Level: Basic

28) The US Supreme Court receives approximately how many cases annually?
A) 750. B) 5000. C) 200. D) 7000.
Answer: D
Objective: Describe the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 27
Level: Basic

29) How many minutes are attorneys granted to present their case in front of the Supreme Court?
A) 10 minutes. B) 60 minutes.
C) 50 minutes. D) 30 minutes.
Answer: D
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 31
Level: Basic

30) Which justice assigns the writing of the dissenting opinion?
A) The senior justice in the majority opinion the judge volunteers to write the opinion.
B) The senior justice voicing the minority opinion.
C) The chief justice.
D) None of the above.
Answer: B
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 32
Level: Intermediate

31) How many states do not required judges in courts of limited jurisdiction to be educated in the law?
A) 24. B) 36. C) 12. D) 18.
Answer: B
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 36
Level: Intermediate

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

32) The program PACER allows patrons to accomplish the following?
A) Access information about bankruptcy court cases.
B) Submit a pleading to the court.
C) Acquire information on judicial opinions.
D) Get information about court dates.
Answer: A
Objective: Compare and contrast the federal court structure including U.S. Magistrate Courts, U.S. District Courts, U.S. Circuit Courts of Appeal, and the U.S. Supreme Court.
Page number: 38
Level: Basic

33) Which courts in the state system have the greatest caseloads?
A) Courts of last resort.
B) Courts of general jurisdiction.
C) Courts of limited jurisdiction.
D) Intermediate courts of appeal.
Answer: C
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 37
Level: Intermediate

34) Which of the following states does not have a court of limited jurisdiction?
A) South Dakota. B) Hawaii.
C) Arizona. D) Texas.
Answer: A
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 37
Level: Basic

35) Which of the following is not a name for courts of limited jurisdiction?
A) Municipal courts. B) City courts.
C) Peace courts. D) County courts.
Answer: C
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 37
Level: Basic

36) Which types of cases represent the largest percentage of cases in courts of limited jurisdiction?
A) Arson offenses. B) Theft offenses.
C) Sex offenses. D) Traffic offenses.
Answer: D

Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 37
Level: Basic

37) What percentage of cases are plea bargained in courts of general jurisdiction?
A) 70. B) 60. C) 90. D) 80.
Answer: C
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 39
Level: Basic

38) Judges at the Intermediate courts of appeal in the state system are:
A) nominated. B) appointed by the governor.
C) elected. D) appointed by the legislature.
Answer: B
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 39
Level: Intermediate

39) Which state has the highest paid intermediate court of appeals judges?
A) New Mexico. B) California.
C) New York. D) Texas.
Answer: B
Objective: Summarize the state court structure including Courts of Limited Jurisdiction, Courts of General Jurisdiction, Intermediate Courts of Appeal, and Courts of Last Resort.
Page number: 39
Level: Basic

CCRITICAL THINKING EXERCISES (Also in the textbook at the end of the chapter).

1) The U.S. Supreme Court receives about 7,000 appeals every year, the majority of which are disposed of when the U.S. Supreme Court decides not to hear the case because of the subject matter, or if it is not significant enough to merit court review. The decision to hear a case is made when the justices meet to review all cases. In order for all of the justices to hear a particular appeal, the case must pass a screening, which is known as the Rule of Four**.** This means that at least four of the nine justices must agree that the case has constitutional merit or national importance and that it should be heard by the entire court. If a case receives four or more votes from the justices, it is placed on the docket and scheduled to be heard. Annually, only about 100 or so cases pass the Rule of Four and are placed on the docket for an opinion. Should this rule be changed? Should the SCOTUS hear more cases considering that they receive almost 7,000 appeals every year? Perhaps a Rule of Two, or even if just one of the justices agrees that a case is important, the court should hear the arguments in the case. Should the highest court in the land weigh in to ensure justice is served in more cases than they currently do?

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

2) Attorney–client privilege affords defense counsel with considerable protection about the information that a defendant has shared with them. If you were an attorney and your client confessed to you that they were fully or partly involved in the crime, what would you do? Would you vigorously fight the prosecution's case, encourage your client to seek a fair plea bargain, or decide you don't really care what happens to the defendant and not put forth any effort in the case? Would this depend on the type of crime the defendant admitted to?

CASE STUDY DECISION-MAKIGN EXERCISE (Also in the textbook at the end of the chapter).

1) Supreme Court Justice Antonin Scalia was found dead in his sleep on a ranch in Texas, in early 2016. Immediately, President Obama announced he would nominate someone to fill the vacancy. Senate Republicans, however, knowing that Obama was in his last year in office, vowed not to confirm anyone until a new president was elected. This vacancy had an effect on the outcomes of several cases that were set to be decided by the court in its term. For example, in the case of *United States v. Texas*, the question was whether an executive action by President Obama toward immigration reform that would stop the deportation of unauthorized immigrants through his Deferred Action of Parents of Americans (DAPA) program was constitutional. Having only eight justices on the court resulted in a 4–4 tie, which meant that the U.S. Court of Appeals decision to block the executive action would stand. In another case, *Friedrichs v. California Teachers Association*, a 4–4 vote was a win for organized labor because it meant that the Ninth Circuit Court of Appeals decision would be affirmed. The case involved a group of California teachers who argued that having to affirmatively opt out of the union each year or pay their fees for collective bargaining is a violation of their First Amendment rights. The U.S. Court of Appeals agreed with the district court that precedent allowed the teacher's union to engage in this practice, so those choosing not to join would have to opt out annually or pay the union dues. Without a ninth justice, the 4–4 tie affirmed the lower court's decision that favored the union. Should the rules be changed so that if there is a vacancy at the SCOTUS it must be filled in a timely manner so that there are no 4–4 tie decisions that an odd-numbered justice court was set up to avoid? Did these individuals waste their time appealing to the U.S. Supreme Court and did their cases get denied fair appellate review because the court had a vacancy and the Senate refused to confirm a new justice? Should the court stop making decisions on cases until the Senate ensures they are fully staffed?

ESSAY QUESTIONS (some of these are in the textbook at the end of the chapter).

1) What is meant by the dual court system? Discuss briefly
2) What is the general nature of federal judgeships? Who makes the appointments of federal district court judges and what are their terms of office?
3) Describe briefly the functions of the U.S. Supreme Court and the Rule of Four.
4) What is a writ of *certiorari*? What is it used for?
5) What is an *amicus curiae* brief? What are the purposes of such briefs?
6) What are courts of general jurisdiction? Give some examples and describe their functions.
7) What are courts of last resort? Why are they called courts of last resort?
8) Differentiate between courts of limited and general jurisdiction.

Criminal Courts Structure Process and Issues 4th edition Hartley Test Bank

9) What is meant by geographic jurisdiction? What is the power of courts with geographic jurisdiction?
10) Describe the U.S. magistrate and their duties.
11) When a defendant in a U.S. District Court case is found guilty of a crime, where is the appeal directed? What are the jurisdictional limits of the appellate court you have indicated?
12) What are courts of limited jurisdiction? What are some of the functions of courts of limited jurisdiction?
13) Describe intermediate courts of appeal. Are these courts the same in all states? Why or why not?
14) What is meant when a case is heard en banc?
15) What is meant by jurisdiction?
16) Distinguish between general and hierarchical jurisdiction.
17) Distinguish between trial courts and appellate courts.

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