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Chapter 02 Courts and Court Procedures

TRUEFALSE

1. Each state has a federal court system and a state court system.

(A) True

(B) False

Answer : (A)

2. The location where a case is to be tried is known as a venue.

(A) True

(B) False

Answer : (A)

3. The U.S. Supreme Court is the highest tribunal in the land, and its decisions are binding on all other courts.

(A) True

(B) False

Answer : (A)

4. Appellate courts include courts of appeals and supreme courts.

(A) True

(B) False

Answer : (A)

5. Probate courts handle divorce and child custody cases.

(A) True

(B) False

Answer : (B)

6. A chief officer is known as a judge in a state court of record as well as in a federal court.

(A) True

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(B) False

Answer : (A)

7. A summons is a way for parties to obtain unprivileged information from another party prior to trial.

(A) True

(B) False

Answer : (B)

8. It is simpler to file a suit in a court of record than in an inferior court.

(A) True

(B) False

Answer : (B)

9. In a small claims court, there is no jury and a judge tries the case.

(A) True

(B) False

Answer : (A)

MULTICHOICE

10. What is the chief function of the courts?

(A) They interpret and apply the law from whatever source to a given situation.

(B) They draft and pass legislation.

(C) They execute laws enacted by legislative bodies.

(D) They regulate particular matters through licensing and tariffs.

Answer : (A)

11. Which of the following is true of special federal courts?

(A) They have unlimited authority and command.

(B) They have jurisdiction limited by Congress.

(C) They are the largest class of federal courts.

(D) They are also known as courts of appeals.

Answer : (B)

12. Which of the following is true of appeals made to higher courts?

(A) The attorneys for each party put forth verbal arguments instead of filing written briefs.

(B) They make it mandatory for appellate courts to hear the testimony of witnesses.

(C) The decision of the appellate court is binding on lower courts.

(D) The complete transcript of trial court proceedings is offered by the defendant directly to the jury.

Answer : (C)

13. Which of the following statements is true of federal district courts?

(A) They are also known as special federal courts.

(B) They are the smallest class of federal courts.

(C) They lack jurisdiction over civil suits that arise under treaties.

(D) They hear all criminal cases that involve a violation of federal law.

Answer : (D)

14. Which of the following is true of the United States Supreme Court?

(A) It has original control in cases that are based on a federal law or a treaty.

(B) It has appellate jurisdiction in cases based on the U.S. Constitution.

(C) It has the sole power to establish inferior courts.

(D) It is mandatory for the Supreme Court to hear all appeals that come before it.

Answer : (B)

15. Which of the following is true of trial courts?

(A) They lack jurisdiction over criminal offenses against the state.

(B) They are the highest courts of authority in the United States.

(C) They are also known as inferior courts.

(D) They handle cases that are first instituted in them.

Answer : (D)

16. A person licensed to represent others in court is called a(n):

(A) attorney

(B) magistrate

(C) marshal

(D) sheriff

Answer : (A)

17. _____ laws are those that state how parties are to go forward with filing civil actions and how these actions are to be tried.

(A) Long-arm

(B) Substantive

(C) Case

(D) Procedural

Answer : (D)

18. A written request to a court to settle a dispute is called a(n):.

(A) complaint or petition

(B) discovery

(C) trial

(D) plaintiff

Answer : (A)

19. Which of the following is true of a jury trial procedure?

(A) The jury is selected before an opening statement is made by the attorney.

(B) The defendant's opening statement is presented before the plaintiff's.

(C) The jury has the sole power to determine the points of law.

(D) The responsibility of the jury is to prove facts to support the petition's allegations.

Answer : (A)

ESSAY

20. Describe the procedure for filing a suit in a small claims court.

Graders Info :

Filing and trying a suit in an inferior court starts with obtaining a form for the complaint from the court and filling it out by the plaintiff without help from a lawyer. The defendant is then served with the complaint. When the case is tried, the procedure is much more informal than in a court of record. A judge tries the case because there is no jury present. Neither party has to be represented by an attorney, and in some courts may not be so represented. Thus, the judge asks the parties to state their positions. Witnesses and evidence may be presented, but the questioning is more informal. The judge is likely to ask questions in order to assist in ascertaining the facts. The judge then renders the verdict and judgment of the court. Normally, either party may appeal the judgment to a court of record, in which case the matter is retried there.

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