

Pre Test: Landmark Cases

Name: _____

Directions: Read each of the questions or statements below, then choose the correct answer from those provided.

1. The American legal system is a ____ system, which means that judges base their decisions on previous court rulings in similar cases.
 - a. common law
 - b. landmark law
 - c. equal law
 - d. traditional law

2. For the most part, courts will try to stay consistent in deciding similar issues. This is called ____.
 - a. judicial review
 - b. tradition
 - c. equal treatment
 - d. stare decisis

3. ____ means that decisions of the U.S. Supreme Court must be followed by the federal trial and appellate courts.
 - a. statutory law
 - b. precedent
 - c. equality
 - d. judicial review

4. TRUE OR FALSE: Decisions of the U.S. Supreme Court are binding, and become part of the law.

5. Which of the following is not protected by the 1st Amendment to the U.S. Constitution?
 - a. freedom of speech
 - b. freedom of religion
 - c. threatening or obscene speech
 - d. political speech

6. The purpose of free speech is to protect the ____ viewpoint from being overpowered by the ____, or by the government.
 - a. public / private
 - b. majority / minority
 - c. minority / majority
 - d. free / restricted

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7. TRUE OR FALSE: The 1st Amendment protects public school students engaging in non-disruptive, symbolic speech (such as wearing an arm-band or symbol).
8. TRUE OR FALSE: The 1st Amendment protects public school students engaging in lewd, vulgar, and indecent speech.
9. TRUE OR FALSE: Public school officials can regulate the content of official student newspapers and other student publications.
10. TRUE OR FALSE: A public school student cannot be punished for speech that contradicts the schools anti-drug policy.
11. The 4th Amendment to the U.S. Constitution protects against unreasonable ____ and seizure.
 - a. speech
 - b. punishment
 - c. search
 - d. statute
12. In order to obtain a warrant from a judge, there must be enough evidence produced that would lead a reasonable person to believe a crime was committed. This is called ____.
 - a. common law
 - b. equal protection
 - c. exclusionary rule
 - d. probable cause
13. TRUE OR FALSE: The right to privacy is specifically mentioned in the 4th Amendment.
14. TRUE OR FALSE: Evidence collected illegally, without probable cause or a warrant, cannot normally be used in a trial.
15. TRUE OR FALSE: Public school officials need probable cause and a warrant to search students' belongings.
16. TRUE OR FALSE: The 4th Amendment protects public school students from being drug tested by their school, in any situation.
17. TRUE OR FALSE: A public school official can strip search a student, no matter what the reason.
18. Which of the following is one of the purposes of the 14th Amendment to the U.S. Constitution?
 - a. To protect free speech.
 - b. To secure rights and protections to all citizens equally.
 - c. To protect against unreasonable search and seizure.
 - d. To protect against cruel and inhuman punishment.
19. When was the 14th amendment added to the constitution?
 - a. When the Bill of Rights went into effect in 1791.
 - b. When the Constitution went into effect in 1789.
 - c. When the Declaration of Independence was written in 1776.
 - d. After the American Civil War in 1868.

20. Equal protection of the laws means equal treatment according to ____ .
- race
 - national origin
 - religion
 - all of the above
21. Name the famous case that made public school segregation illegal.
- Marbury v. Madison*
 - Brown v. Board of Education*
 - Dred Scott v. Sandford*
 - Loving v. Virginia*
22. TRUE OR FALSE: It is a violation of the 14th Amendment to restrict the sale of a home based on the race of the purchasing party.
23. TRUE OR FALSE: A state law making it illegal for people of two different races to get married does not violate the 14th Amendment.
24. TRUE OR FALSE: The United States Courts review all federal laws before they become official.
25. TRUE OR FALSE: The United States Courts review laws that are brought before them through civil and criminal law suits.
26. The power of the judicial branch to review the actions of the other two branches of government, and possibly declare these actions unconstitutional, is called ____.
- statutory law
 - precedent
 - equality
 - judicial review
27. Name the famous case that established this power.
- Marbury v. Madison*
 - Brown v. Board of Education*
 - Dred Scott v. Sandford*
 - Loving v. Virginia*
28. What is the supreme law of the land?
- The U.S. Constitution
 - All state constitutions combined
 - The 14th Amendment
 - Common Law
29. TRUE OR FALSE: The U.S. Supreme Court has declared that a law banning political yard signs is unconstitutional.
30. TRUE OR FALSE: The U.S. Supreme Court has declared that a state election law requiring voters to pay a tax before voting is unconstitutional.

Dear Teachers:

Each of the pre/post-tests covers one of the main sections from the Judicial Learning Center’s Student Center. The tests can be given in full, or you can use them as a test bank from which to select questions.

It is recommended to give the same test before and after the unit of study to check progress.

Landmark Cases – Pre/Post Test KEY

1. A
2. D
3. B
4. TRUE
5. C

6. C
7. TRUE
8. FALSE
9. TRUE
10. FALSE

11. C
12. D
13. FALSE
14. TRUE
15. FALSE

16. FALSE
17. FALSE
18. B
19. D
20. D

21. B
22. TRUE
23. FALSE
24. FALSE
25. TRUE

26. D
27. A
28. A
29. TRUE
30. TRUE