

Pre Test: How Courts Work

Name: _____

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

1. What type of case does the government bring against one or more defendants accused of breaking the law?
 - a. Diversity
 - b. Civil
 - c. Criminal
 - d. Pro bono

2. What is another name for the attorney representing the government in a criminal case?
 - a. Plaintiff
 - b. Defendant
 - c. Prosecutor
 - d. Defender

3. What is another name for the accused person in a criminal case?
 - a. Plaintiff
 - b. Defendant
 - c. Prosecutor
 - d. Defender

4. In what type of case does one party sue another for loss or damages?
 - a. Bankruptcy
 - b. Civil
 - c. Criminal
 - d. Pro bono

5. What is it called when a party in a law suit acts as their own attorney?
 - a. Pro bono
 - b. En banc
 - c. In limine
 - d. Pro se

6. In a civil case, the party bringing the lawsuit is called the ____ .
 - a. Plaintiff
 - b. Defendant
 - c. Prosecutor
 - d. Defender

7. The person who makes sure everything in the courtroom is in place and that the trial flows smoothly is called the ____.
 - a. Courtroom Deputy
 - b. Court Interpreter
 - c. Court Reporter
 - d. United States Marshal

8. The person who makes an accurate record of everything that is said during the course of a trial is called the ____.
 - a. Courtroom Deputy
 - b. Court Interpreter
 - c. Court Reporter
 - d. United States Marshal

9. The people who prepare reports for the judge about bond and sentencing are called the ____.
 - a. United States Marshals
 - b. United States Pretrial and Probation Officers
 - c. Courtroom Deputy Clerks
 - d. District Attorneys

10. This agency is in charge of judicial security.
 - a. United States Marshals
 - b. United States Pretrial and Probation Officers
 - c. Courtroom Deputy Clerks
 - d. District Attorneys

11. Which of the following is a duty of a federal judge?
 - a. Instruct the jury on the related laws in the case.
 - b. Tell the jury what the facts are, and what the verdict should be.
 - c. Decide if there is enough evidence to issue an indictment.
 - d. Represent the defendant during the trial.

12. Name the group of citizens that decides whether or not there is enough evidence to charge someone with a crime.
 - a. Petit Jury
 - b. Prosecutors
 - c. Probation Officers
 - d. Grand Jury

13. Name the group of citizens that decides the facts of the case, and renders a verdict in the trial.
 - a. Petit Jury
 - b. Prosecutors
 - c. Probation Officers
 - d. Grand Jury

14. Which phrase is used to refer to the process of selecting a jury for a trial?
 - a. Bench trial
 - b. Voir dire
 - c. Pro bono
 - d. Pro se

15. The judge and the attorneys for both sides are allowed to remove potential jurors from the jury pool. The purpose of this is to select a jury that will be ____ .
- a. Unbiased
 - b. Quick
 - c. Obedient
 - d. Argumentative
16. In a civil case, the judge may refer the parties to ____, where they may reach a settlement without the need for a trial.
- a. Mediation
 - b. Plea bargain
 - c. Pretrial motions
 - d. Discovery
17. What is the process by which both parties gather all the information and evidence they will present in court?
- a. Mediation
 - b. Plea bargain
 - c. Pretrial motions
 - d. Discovery
18. Which word refers to the formal charges that are issued if the grand jury agrees there is enough evidence in a criminal prosecution?
- a. Arraignment
 - b. Sentencing
 - c. Indictment
 - d. Discovery
19. Which word refers to negotiations between the prosecutor, the defendant, and the defense attorney, during which the defendant may accept responsibility for the crime, to avoid a trial?
- a. Mediation
 - b. Plea bargain
 - c. Pretrial motions
 - d. Discovery
20. In the course of a lawsuit, both sides can file ____, seeking rulings from the judge before the trial begins.
- a. Mediation
 - b. Plea bargain
 - c. Pretrial motions
 - d. Discovery
21. At the beginning of the trial, both sides get the opportunity to give the jury an overview of the case they intend to present. This is called ____ .
- a. Closing arguments
 - b. Evidence
 - c. Objections
 - d. Opening statements
22. One side presents their witnesses by ____ examination. Then, the other side gets to question those witnesses by ____ examination.
- a. Direct/Cross
 - b. Opening/Closing
 - c. Hearsay/Irrelevant
 - d. Plaintiff/Defendant

23. Evidence is used by parties to prove or disprove issues in the case. Which of the following is NOT evidence?
- a. Testimony of a witness who has personal knowledge
 - b. Testimony of an expert such as a doctor or a police officer
 - c. A witness relaying the words of someone else who is not present
 - d. Documents and photographs
24. In federal court, all jury verdicts must be ____ .
- a. Fifty/fifty
 - b. Simple majority
 - c. 2 or more
 - d. Unanimous
25. If a defendant is found guilty in federal court, the judge issues the sentence at a later date. Which of the following does the judge use to decide on the appropriate punishment?
- a. Sentencing Guidelines
 - b. Pre-sentence Report
 - c. Alternative Dispute Resolution Report
 - d. Both A and B are correct
26. When the losing party in a lawsuit asks a higher court to review the decision, it is called a/an ____.
- a. Opinion
 - b. Appeal
 - c. Brief
 - d. Argument
27. In an appeal, attorneys for both sides may be allowed to present their issues to the court. This is called ____ .
- a. Oral argument
 - b. Motion in limine
 - c. Plea bargain
 - d. Mediation
28. Normally, an appeal is heard by a panel of ____ judges.
- a. Twelve
 - b. Six
 - c. Three
 - d. One
29. The written decision of an appellate court is also called a/an ____ .
- a. Opinion
 - b. Appeal
 - c. Brief
 - d. Argument
30. The opinion of the appellate court may do which of the following?
- a. Affirm, reverse, or remand
 - b. Prosecute and indict
 - c. Ask for more evidence
 - d. Appeal, impose, or justify

Judicial Learning Center – Pre Test – How Courts Work

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.

How Courts Work – Pre/Post Test KEY

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

6. A
7. A
8. C
9. B
10. A

11. A
12. D
13. A
14. B
15. A

16. A
17. D
18. C
19. B
20. C

21. D
22. A
23. C
24. D
25. D

26. B
27. A
28. C
29. A
30. A