

Pre Test: The Role of the Federal Courts

Name: _____

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

1. A rule that binds people living in a community, or helps to protect the general safety and the rights of people living in a society.
 - a. Rule
 - b. Law
 - c. Treaty
 - d. Treatise

2. Laws that are created by the legislative branch, such as by the Congress of the United States.
 - a. Common law
 - b. Statutory law
 - c. Rule of law
 - d. Jurisdiction

3. Laws that are derived from the judicial branch, when the courts interpret the law and apply it to new situations.
 - a. Common law
 - b. Statutory law
 - c. Rule of law
 - d. Jurisdiction

4. A term that means that judges base their decisions on previous court rulings in similar cases. In Latin, it means "let the decision stand."
 - a. Amicus curiae
 - b. En banc
 - c. Certiorari
 - d. Stare decisis

5. Rule of Law is defined as _____.
 - a. The idea that we have a Constitution in the United States.
 - b. The idea that we have a government of loosely organized independent states.
 - c. The idea that every citizen is governed by the same laws.
 - d. The idea that power is shared between the national and state governments.

6. Before the U.S. Constitution, there was a government of loosely organized independent states established by the ____
 - a. Declaration of Independence
 - b. Articles of Confederation
 - c. Missouri Constitution
 - d. Magna Carta

7. Which of the following was NOT one of the major problems with the Articles of Confederation?
 - a. No executive branch
 - b. No legislative branch
 - c. No judicial branch
 - d. No power to levy taxes

8. In 1787, delegates met in Philadelphia at what has become known as the ____.
 - a. The Constitutional Convention
 - b. The First Continental Congress
 - c. The Second Continental Congress
 - d. The Massachusetts Convention

9. The U.S. Constitution created the three branches of government. Which article of the Constitution established the executive branch?
 - a. Article I
 - b. Article II
 - c. Article III
 - d. Article IV

10. The U.S. Constitution created the three branches of government. Which article of the Constitution established the legislative branch?
 - a. Article I
 - b. Article II
 - c. Article III
 - d. Article IV

11. What is the formal process by which a certain number of states must agree to adopt the Constitution?
 - a. Federalist
 - b. Anti-Federalist
 - c. Jurisdiction
 - d. Ratification

12. Name the group in favor of adopting the U.S. Constitution, and a new national government.
 - a. Federalist
 - b. Anti-Federalist
 - c. Jurisdiction
 - d. Ratification

13. Name the group opposed to the adoption of the U.S. Constitution, for fear it would lead to a new government with too much power.
- Federalist
 - Anti-Federalist
 - Jurisdiction
 - Ratification
14. What is it called when each branch of government is able to limit, or check, the power of the other two branches, so that none can become too powerful?
- Limited Government
 - Separation of Powers
 - Checks and Balances
 - Federalism
15. What is it called when power is divided between one national government, and several state governments?
- Limited Government
 - Separation of Powers
 - Checks and Balances
 - Federalism
16. The U.S. Constitution created the three branches of government. Which article of the Constitution established the judicial branch?
- Article I
 - Article II
 - Article III
 - Article IV
17. Which court was the only court specifically named and established in the U.S. Constitution?
- Courts of Appeals
 - Supreme Court
 - District Courts
 - Inferior Courts
18. How did the Constitution allow for other courts to be created from time to time (as needed)?
- “and in such inferior Courts as the Congress may...ordain and establish.”
 - “The Judges...shall hold their Offices during good Behaviour.”
 - “The Judges...shall receive...a Compensation which shall not be diminished.”
19. The power of a court to hear a case or a certain type of case is called ____.
- Federalist
 - Anti-Federalist
 - Jurisdiction
 - Ratification

20. The crime of ____ is defined in Article III of the Constitution as levying war against the United States, or in giving aid and comfort to its enemies.
- Admiralty
 - Treason
 - Maritime
 - Jurisdiction
21. The first ten amendments to the U.S. Constitution are known collectively as the ____.
- Preamble
 - Articles
 - Bill of Rights
 - Conclusion
22. The 1st Amendment outlines many of our most fundamental rights. Which of the following is NOT in the 1st Amendment?
- Privacy
 - Press
 - Speech
 - Assembly
23. The 4th Amendment states that the government can search our property or person only with ____ and a ____.
- Probable Cause, and a Search Warrant
 - Probable Cause, and an Oath
 - Papers & Effects, and a Search Warrant
 - Evidence, and Probable Cause
24. In the federal judicial system, this jury is made up of 23 citizens. They determine if there is enough evidence in the case to charge the defendant with a crime.
- Impartial Jury
 - Grand Jury
 - Indictment Jury
 - Petit Jury
25. Any power not given to the federal government, and not prohibited to the states, is then reserved for the states according to the __ Amendment.
- 1st
 - 9th
 - 10th
 - 14th

Judicial Learning Center – Pre Test – The Role of the Federal Courts

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.

The Role of the Federal Courts – Pre/Post Test KEY

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

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

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

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

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