

CJ 330 – Court - Nelson

1. A crime punishable by a fine of less than \$1000 and a prison term for less than a year is a

- a. crime of lesser resort.
- b. misdemeanor.
- c. felony.

2. American federalism is a direct cause of

- a. the civil - criminal law split.
- b. the dual court system.
- c. the common law system.

3. An end to a civil lawsuit in which the parties typically agree that the defendant will pay the plaintiff a sum of money in return for the plaintiff's promise to end the lawsuit is known as

- a. a settlement.
- b. a plea bargain.
- c. a default judgment.

4. Case-law is also known as

- a. code law.
- b. judge-made law.
- c. rex lexis.

5. The first task in beginning a civil lawsuit is to prepare and file

- a. a Notice of Filing.
- b. a Writ of Civil Process
- c. a Complaint.

6. The judicial selection process that uses a combined appointive-elective mechanism is known as the

- a. Merit Plan.
- b. Retention Plan.
- c. Montana Plan.

7. An injunction is

- a. a court order that requires a person to come to court before taking certain action.
- b. a court order that requires a person to refrain from taking certain action.

c. a court order rejecting a lower court ruling.

8. Interrogatories are

- a. written questions submitted to a party in civil litigation as part of the fact gathering process.
- b. formal court documents filed with trial judge.
- c. investigatory results from the proceedings in the inquisitorial system.

9. A judicial opinion that involves all of the judges of an appellate court instead of a panel of judges is known as

- a. a opinion en grupo.
- b. a plurality opinion.
- c. an en banc opinion.

10. The questioning of a pool of potential juries in order to reduce it to the number of persons required for trial is known as

- a. judicial examination.
- b. catechizment.
- c. voir dire.

11. The idea that no person is beyond the power of the courts is part of the concept of

- a. the supremacy of law.
- b. the adversary system.
- c. laissez faire legalism.

12. The election of judges is generally believed to support the goal of

- a. judicial independence.
- b. judicial accountability.
- c. judicial diversity.

13. The written transcript of a trial and the motions and memoranda of law that the parties submitted during the trial are known as the

- a. case court file.
- b. docket.
- c. record of trial.

14. When a law enforcement officer encourages a person to commit a crime and thereby influences one to break the law who would otherwise have obeyed it, the officer's actions raise the defense of

- a. selective prosecution.
- b. wrongful intent.
- c. entrapment.

15. A no bill is

- a. an act of Congress sent to the President for signature that is subsequently vetoed.
- b. a vote by a grand jury not to indict.
- c. a vote by a petit jury against conviction.

16. A motion for an early resolution to a civil action that claims that the law favors one side and that there are no material facts in dispute is known as a motion for

- a. summary judgment.
- b. directed verdict.
- c. verdict notwithstanding the judgment.

17. A trial before a single judge who applies law to the facts without a jury's input is known as

- a. a judge trial.
- b. a bench trial.
- c. a special trial.

18. The place or location where a case is properly brought to trial refers to its

- a. venue.
- b. jurisdiction.
- c. domain.

19. Supporters of judicial restraint fear

- a. judicial tyranny.
- b. judicial accountability.
- c. judicial textualism.

20. The claim that a prospective juror cannot be impartial for a particular reason is the basis for a

- a. peremptory challenge.
- b. challenge for cause.
- c. voluntary removal.

21. The party challenging a loss at a lower court by appealing to a higher court is known as the

- a. appellant.
- b. appellee.
- c. solicitor.

22. Individual characteristics or factors that define a particular crime are known as

- a. the substance of the crime.
- b. the actus reus.
- c. the elements of the crime.

23. The burden of proof that is based on a standard requiring proof by a majority of the evidence is known as

- a. the reasonableness standard.
- b. the majority rule standard.
- c. the preponderance of evidence standard.

24. The most significant part of the American civil justice system is the fact finding process known as

- a. veneration.
- b. discovery.
- c. direct examination.

25. The primary task for appellate courts is to

- a. review governmental agency actions for constitutionality.
- b. review trial court decisions for errors of law.
- c. review jury decisions for fairness.