1. Federal judges and justices can be removed from office only by
   a. the president
   b. the chief justice of the Supreme Court
   c. senatorial courtesy
   d. impeachment
   e. the Senate Judiciary Committee

2. Which of the following is true of nominees for federal judgeships?
   a. They are recruited from the current pool of U.S. attorneys
   b. They are nominated by the Senate and approved by the House of Representatives
   c. They are elected in popular elections in individual states
   d. They must receive the approval of the American Bar Association
   e. They are appointed for life by the President with the advice and consent of the Senate

3. Agreement among four justices on the Supreme Court is always sufficient to
   a. decide the outcome of a case
   b. write a majority opinion
   c. set a precedent
   d. overturn a lower court’s opinion
   e. accept a case for consideration

4. Which of the following is empowered to create new federal courts and specify the number of judges who sit
   on them?
   a. The Supreme Court
   b. Congress
   c. The President
   d. The Department of Justice
   e. The Attorney-General

5. All of the following represent effective checks on judicial power EXCEPT:
   a. public opinion
   b. lack of court power to execute decisions of the Supreme Court
   c. the threat of impeachment
   d. the power of Congress to alter the number of judges
   e. the power of Congress and the executive branch to overturn Supreme Court decisions

6. In a judicial case involving a dispute between two state governments, the case can be heard
   a. only in the federal circuit court of appeals
   b. within either state’s court system
   c. in a federal district court
   d. only in a special legislative court
   e. only in the Supreme Court

7. The doctrine that provides that the courts decide cases largely on the basis of earlier court decisions is
   a. stare decisis
   b. original jurisdiction
   c. certiorari
   d. mandamus
   e. judicial restraint
8. Court cases decided in the highest state courts
   a. cannot be appealed
   b. require at least one of the parties in the suit to be a state
   c. can be appealed only to the U.S. Supreme Court
   d. can be appealed to Federal District Courts
   e. have original jurisdiction in most criminal cases.

9. The policy of judicial restraint may also be referred to as
   a. intervention
   b. liberalism
   c. strict constructionist
   d. statutory construction
   e. justiciable disputes

10. Which of the following best defines the term “judicial activism”?
    a. The demands on judges to hear large numbers of cases
    b. The efforts of judges to lobby Congress for funds
    c. The attempts by judges to influence election outcomes
    d. The willingness of judges to remove themselves from cases in which they have a personal interest
    e. The tendency of judges to interpret the Constitution according to their own views.

11. Which of the following best describes the relationship between the Supreme Court and public opinion?
    a. The Court assesses public opinion on a controversial issue and then tries to follow it
    b. Court prestige is so high that its decisions become public consensus
    c. The existence of a public consensus on an issue limits the extent to which the Court will render decisions contrary to that consensus
    d. Public opinion has no bearing on the effective implementation of the Court’s decisions
    e. There is no relationship between public opinion and the Court’s decisions.

12. The Supreme Court controls its own case load through
    a. the process of stare decisis
    b. writs of certiorari
    c. seriatim
    d. original jurisdiction
    e. appellate jurisdiction

13. The selection of federal judges is
    a. a very political process
    b. a hot bed of interest group activity
    c. done by the president and confirmed by the Senate
    d. all of these
    e. none of these

14. In Chisolm v. Georgia (1793), the Supreme Court ruled that
    a. citizens of one state could sue another state
    b. the citizens could not sue a state
    c. in this case, a citizen had standing to sue the state of Georgia
    d. the Court had no jurisdiction to hear the case
    e. Georgia could sue citizens

15. The first time the Supreme Court evaluated an act of Congress for constitutionality was in
    a. Marbury v. Madison
    b. McCulloch v. Maryland
    c. Chisolm v. Georgia
    d. Hermann v. U.S.
    e. U.S. E. Hylton v. U.S.
16. The Framers thought that compared to the other two branches of government, the judiciary
   a. posed little threat of tyranny
   b. was extremely important to the federal balance of powers
   c. played but a small role in the balance of powers
   d. was unimportant
   e. posed a greater threat to democracy than the legislative branch

17. Article III of the Constitution
   a. established the Supreme Court
   b. gave Congress the power to establish lower courts
   c. gave life tenure for good behavior to judges
   d. all of these
   e. none of these

18. The federal judicial system is structured
   a. much like the British court system
   b. in three tiers: federal district courts, circuit courts, and the Supreme Court
   c. in two tiers: federal and state courts
   d. to hear only cases on appeal
   e. in a single tier: all courts having equal jurisdiction

19. In the case of *Marbury v. Madison* (1803), the Supreme Court
   a. asserted the power of judicial review
   b. reviewed a congressional act for the first time
   c. ruled that a citizen could not sue the president
   d. rule that a citizen could sue the secretary of state
   e. reduced its own power by making too broad a ruling

20. The Supreme Court’s decision making process is carried out
   a. openly in public hearings and conferences
   b. in utmost secrecy
   c. on MSNBC
   d. according to a constitutionally mandated process
   e. in a partially open fashion

21. The appellate jurisdiction of the Court
   a. is spelled out in Article III
   b. can be changed by Congress
   c. is automatic coming up from the Courts of Appeals
   d. is limited to constitutional questions
   e. is rarely used

22. The Supreme Court tends to take cases in which
   a. the petitioner is indigent
   b. there are large amounts of money at stake
   c. there is conflict on the issue among the lower courts
   d. all of these
   e. none of these

23. Interest group participation in a particular case
   a. makes it less likely that the Court will hear the case
   b. makes it more likely that the Court will hear the case
   c. doom’s the case’s chances for a hearing
   d. has no effect on the case at all
   e. guarantees the case’s chances for a hearing
24. Judicial restraintists and activists differ in  
a. their interpretation of the Constitution  
b. how strictly to interpret what is written in the Constitution  
c. how they view the “intent” of the Framers  
d. all of these  
e. A & C only  

25. In Korematsu v. U.S. (1944), the Supreme Court  
a. ruled that public opinion did not affect Court decisions  
b. was not affected by wartime public opinion  
c. followed the sway of wartime public opinion  
d. did not rule because of virulent public opinion  
e. hurt their prestige by supporting the unconstitutional internment of Japanese Americans  

26. Interest groups who wish to influence the Supreme Court’s decision on a case would file a  
a. writ of certiorari  
b. write of habeas corpus  
c. amicus curiae  
d. petition of interest  
e. bill of attainder  

27. The Constitution originally  
a. called for 4 justices of the Supreme Court  
b. called for 6 justices of the Supreme Court  
c. called for 9 justices of the Supreme Court  
d. called for Congress to set the number of justices on the Supreme Court  
e. was silent concerning the number of justices on the Supreme Court  

28. Qualifications to be a justice on the Supreme Court are  
a. 40 years old, citizenship, and legal training  
b. 35 years old and legal training  
c. 40 years old and government experience  
d. 35 years old, citizenship and prior experience as a judge  
e. the Constitution is silent on qualifications  

29. Who would be more likely to file an in forma pauperis request?  
a. An interest group  
b. A judge from a lower court  
c. The Solicitor General  
d. The Chief Justice of the Supreme Court  
e. A prisoner appealing his case  

30. Which of the following is NOT a difference between criminal and civil law?  
a. The extent to which someone must be proven guilty  
b. The type of punishment that can be administered  
c. Who is considered the victim of the crime  
d. Civil cases are only heard in state courts  

31. “But the ultimate question must be, ‘what do the words of the text mean in our time?’ For the genius of the Constitution rests not in any static meaning it might have in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs.” Justice William Brennan  

The above passage reflects the philosophy of  
a. judicial activism  
b. judicial restraint  
c. judicial activism in some areas but judicial restraint in others  
d. conservatism  
e. liberalism
“To allow the Court to govern simply by what it views at the time as fair and decent, is a scheme of government no longer popular; the idea of democracy has suffered. The permanence of the Constitution has been weakened. A Constitution that is viewed as only what judges say it is, is no longer a Constitution in the true sense.

"Those who framed the Constitution chose their words carefully; They debated at great length the most minute points. The language they chose meant something. It is incumbent upon the Court to determine what that meaning was.” Attorney General Edwin Meese

The above passage reflects the philosophy of
a. judicial activism
b. judicial restraint
c. judicial activism in some areas but judicial restraint in others
d. conservatism
e. liberalism