

POL SCI 1200 DR Meagher R

John Marshall

- 1. Who is the most important chief justice in American legal history? John Marshall
- 2. While in criminal cases a person must be found guilty "beyond a reasonable doubt," in civil cases
  - a. Decisions are made using suspicion as the standard
  - b. The evidentiary standard is higher than in criminal cases
  - c. Decisions are made based on a "preponderance of evidence."
  - d. None of the above
- 3. Judicial review is a power rarely used by the Federal courts. True or  False
- 4. Nine justices appointed for life serve on the US Supreme Court, and in today's Supreme Court decisions are often decided by one justice who is sometimes conservative, other times liberal and accordingly is referred to as Decider (what is he called?)
- 5. In Marbury v. Madison (1803), Chief Justice John Marshall had been threatened with being removed from office if he ruled against President Jefferson and his political party, which controlled Congress. He avoided this by
  - a. Refusing to hear the case
  - b. Ignoring the threats, doing what he thought right, and creating judicial review in the process
  - c. Establishing the power of judicial review by refusing to give William Marbury what he wanted, and ruling that Marbury's case cannot go ahead as he based it on a law that was unconstitutional.
  - d. None of the above

6-7. Supreme Court decision rulings have changed the nation greatly. Name two cases---either the name of the case or what a decision did.

- 6. Roe v. Wade
- 7. Engle v. Vitale

8. On average, 350,000 cases are filed in the courts of the fifty states each year. True or  False

9. Before Abraham Lincoln became president in March 1861, Southern states were leaving the Union, and President James Buchanan did little to stop this. Traditionally, historians have cited his lack of initiative as proof that he was a weak leader; however, the article "Two Bad Kings and two Bad presidents" suggests that he had another, sinister goal in mind---he wanted to help the North to win.

True or  False

10. According to an article in the New York Times, this region, the source of much of the world's petroleum, might become uninhabitable by 2100 as a result of global warming. What region \_\_\_\_\_ (provide name)

Mid East

11. Stare decisis means, "let the decision stand." True or  False

12. In order to reach the Federal courts, a case must address the "federal question" about how does it influence the nation as a whole. Identify an issue that might need to be decided at the national level instead of at the state court level. FAVORABLE (name an issue)

13. Federal judges serve 20 year appointments. True or False

14. In a 1967 decision, the Supreme Court ruled that interracial couples have a right to marriage. \_\_\_\_\_ (provide name) LOVING V. VIRGINIA

15. According to the NYTimes, Russian submarines have been behaving aggressively around cables in the ocean carrying internet traffic. True or False

16. The largest state in the nation has stopped its prison policy of placing inmates in solitary confinement (often for years) because the US Supreme Court ruled that it constituted "cruel and unusual" punishment. True or False

17. When a politician wants to mention an idea to measure the amount of support he might have if he sought the presidency, then we would call this a \_\_\_\_\_ (provide name) TRIAL BALLOON

18. Since very few cases will reach the Supreme Court, the US Courts of Appeals hear important matters that also establish standards and that become applicable to the legal standard of stare decisis (let the decision stand) (T or F) T

19. An intellectual and widely regarded as the "Father of the Constitution," he was also involved in the Marbury v. Madison case as secretary of state. \_\_\_\_\_ (provide name) JAMES MADISON

20-21. The Marbury case developed from a presidential election. Name the two men involved in the 1800 campaign.

20 Adams  
21 Jefferson

22. It does not matter what jurisdiction one faces charges in, for all judges and counties have the same attitudes and policies. True or False

23. Although one may be found innocent of the crime of involuntary manslaughter, the person could still receive punishment in a civil matter. True or False

24-25 What is your name, and your major?

24. \_\_\_\_\_

25. \_\_\_\_\_