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| 1. American legal procedures involve a(n)\_\_\_\_\_\_\_\_\_\_\_\_ system of justice.   |  |  |  | | --- | --- | --- | |  | a. | inquisitorial | |  | b. | egalitarian | |  | c. | adversarial | |  | d. | authoritative |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:30 AM | | *DATE MODIFIED:* | 5/29/2023 4:31 AM | |

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| 2. Which of the following regarding the adversarial model is true?   |  |  |  | | --- | --- | --- | |  | a. | Jurors must choose between two versions of truth unknowingly as the witnesses often shade their testimony to favor their side. | |  | b. | Skillful lawyers can effectively impugn the credibility of hostile witnesses. | |  | c. | Criminal defendants rarely testify despite being the most important source of information about the events in question. | |  | d. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Thinking Critically | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:31 AM | | *DATE MODIFIED:* | 5/29/2023 4:33 AM | |

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| 3. The judge is doing most of the questioning of witnesses, rather than the lawyers. In fact, the court, and not the lawyers, has chosen which witnesses will testify. Where are you?   |  |  |  | | --- | --- | --- | |  | a. | A state court in the United States | |  | b. | England | |  | c. | A federal court in the United States | |  | d. | France |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:33 AM | | *DATE MODIFIED:* | 5/29/2023 4:34 AM | |

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| 4. Which of the following is a characteristic of the inquisitorial approach to justice?   |  |  |  | | --- | --- | --- | |  | a. | The presiding judge prepares the witness regarding both sides before the trial. | |  | b. | Each side calls their own witnesses. | |  | c. | The presiding judge questions witnesses. | |  | d. | The defense prepares the witnesses before the trial. |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:34 AM | | *DATE MODIFIED:* | 5/29/2023 4:35 AM | |

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| 5. According to the text, Thibaut and Walker (1972) found which of the following?   |  |  |  | | --- | --- | --- | |  | a. | The adversarial system led to more biased decisions. | |  | b. | The adversarial system led to decisions that were more likely to be perceived as fair by the litigants. | |  | c. | The inquisitorial system was perceived as more reliable by the litigants. | |  | d. | None of these is correct. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:35 AM | | *DATE MODIFIED:* | 5/29/2023 4:37 AM | |

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| 6. In which approach to trials does the research indicate that attorneys apparently try harder (especially when the weight of evidence favors the opponent)?   |  |  |  | | --- | --- | --- | |  | a. | Inquisitorial approach | |  | b. | Adversarial approach | |  | c. | Competitive approach | |  | d. | All of the above |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:39 AM | | *DATE MODIFIED:* | 5/29/2023 4:40 AM | |

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| 7. Lester Zygmanik was charged with murdering his brother George after George was severely injured in a motorcycle accident. George did not want to live his life as a quadriplegic and asked Lester to kill him; Lester did as his brother asked. If you were a juror in this case making decisions based on black-letter law, what would you decide about Lester?   |  |  |  | | --- | --- | --- | |  | a. | Lester is guilty. | |  | b. | Lester is not guilty. | |  | c. | Lester is not prepared to undergo a trial. | |  | d. | Lester should not have been arrested for murder. |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:40 AM | | *DATE MODIFIED:* | 5/29/2023 4:41 AM | |

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| 8. Lester Zygmanik, who admitted to shooting his brother in the head and killing him, was found which verdict?   |  |  |  | | --- | --- | --- | |  | a. | Lester was found guilty of first-degree murder. | |  | b. | Lester was found guilty of euthanasia. | |  | c. | Lester was found not guilty by reason of insanity. | |  | d. | Lester was found not guilty. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:41 AM | | *DATE MODIFIED:* | 5/29/2023 4:43 AM | |

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| 9. Which of the following is true of physician-assisted suicide?   |  |  |  | | --- | --- | --- | |  | a. | It is legal in District of Columbia and 10 states | |  | b. | It is illegal in all states of the United States of America | |  | c. | It is neither legal nor illegal but a medical matter | |  | d. | It is not supported by most persons in the United States |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:43 AM | | *DATE MODIFIED:* | 5/29/2023 4:45 AM | |

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| 10. Euthanasia, or mercy killings and physician-assisted suicide, highlights the conflict between which two?   |  |  |  | | --- | --- | --- | |  | a. | Legality and morality | |  | b. | Individual rights and public good | |  | c. | Criminal law and civil law | |  | d. | Personal choice and law enforcement |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:47 AM | | *DATE MODIFIED:* | 5/29/2023 4:48 AM | |

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| 11. How does the Model Penal Code assign punishment for crimes that were only attempted but were not completed?   |  |  |  | | --- | --- | --- | |  | a. | Attempted crimes deserve a lesser penalty than completed crimes. | |  | b. | Those who only attempt, but do not complete, a crime do not deserve to be punished at all. | |  | c. | Those who attempt crimes deserve the same penalty as those who complete crimes. | |  | d. | The Model Penal Code does not consider punishment of attempted versus completed crimes. |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:49 AM | | *DATE MODIFIED:* | 5/29/2023 4:51 AM | |

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| 12. Darley and his colleagues investigated how people’s general thoughts about punishment differed from the Model Penal Code and found which of the following?   |  |  |  | | --- | --- | --- | |  | a. | People did not feel that the intent to commit a crime was the same as actually committing the crime. | |  | b. | When a person had taken only preliminary action toward committing a crime, few people thought the prospective perpetrator was guilty of the crime. | |  | c. | When a person had taken action described as reaching “the point of dangerous proximity to the crime,” people thought that punishment should be less severe than that given to those who had completed the crime. | |  | d. | All of the above are correct. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 4:51 AM | | *DATE MODIFIED:* | 5/29/2023 4:52 AM | |

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| 13. Beth and Stacey are jurors for a case in which the defendant has been charged with robbery. Beth has a tendency to make internal, stable, and global attributions. Stacey has a tendency to make external, unstable, and specific attributions. Given this information, what are Beth and Stacey’s likely ideas about defendant responsibility?   |  |  |  | | --- | --- | --- | |  | a. | Beth will tend to see the offender as less responsible for their crime than Stacey. | |  | b. | Beth will tend to see the offender as more responsible for their crime than Stacey. | |  | c. | Beth and Stacey will tend to see the offender as equally responsible. | |  | d. | None of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 4:54 AM | | *DATE MODIFIED:* | 6/7/2023 6:12 AM | |

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| 14. According to attribution theory, when making inferences about what caused another person to commit a crime, we tend to attribute the cause to which factors?   |  |  |  | | --- | --- | --- | |  | a. | External, stable, and global factors | |  | b. | Internal, unstable, and global factors | |  | c. | Internal, stable, and global factors | |  | d. | It depends upon the situation and crime. |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 4:58 AM | | *DATE MODIFIED:* | 5/29/2023 4:59 AM | |

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| 15. When citizens’ concept of morality is inconsistent with the actual law, this may lead to what?   |  |  |  | | --- | --- | --- | |  | a. | Decreased compliance with the law | |  | b. | Citizens feeling alienated from authority | |  | c. | Jury nullification | |  | d. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 5:01 AM | | *DATE MODIFIED:* | 5/29/2023 5:02 AM | |

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| 16. In the Lester Zygmanik trial, the juror’s judgment was based on which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Lester’s grief, love, and selflessness toward his brother | |  | b. | Sense of morality over legality | |  | c. | Compassion for the situation of Lester and his brother | |  | d. | All of the above. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 5:02 AM | | *DATE MODIFIED:* | 5/29/2023 5:04 AM | |

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| 17. For almost two weeks, Anju has been negotiating her salary for her new job in market research. While her new manager could not provide as much pay as Anju wants, she made up for it in benefits (e.g., Anju received extra vacation time). Anju is very pleased with the way the salary issues were resolved. One could consider this salary dispute in terms of distributive justice, for it focuses on which factor?   |  |  |  | | --- | --- | --- | |  | a. | Amount of effort spent negotiating | |  | b. | Equity of salary | |  | c. | Procedure of the dispute resolution | |  | d. | Fairness of the outcome |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 5:04 AM | | *DATE MODIFIED:* | 5/29/2023 5:06 AM | |

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| 18. If individuals view the procedures of dispute resolution as fair, then they will see the outcome as just, regardless of whether the dispute was resolved in their favor or not. To what is this perspective referred as?   |  |  |  | | --- | --- | --- | |  | a. | Distributive justice | |  | b. | Commonsense justice | |  | c. | Equitable justice | |  | d. | None of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 5:13 AM | | *DATE MODIFIED:* | 5/29/2023 5:18 AM | |

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| 19. Individuals will perceive a decision-making process as fair if they have what of the following?   |  |  |  | | --- | --- | --- | |  | a. | Believe they have a voice in the process | |  | b. | Have a favorable outcome | |  | c. | Have a skillful lawyer | |  | d. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 5:18 AM | | *DATE MODIFIED:* | 5/29/2023 5:22 AM | |

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| 20. LaTonya has been in a dispute with an insurance company over an accident claim. She has called the insurance company every day and their staff has been very willing to hear her point of view. She has been pleased with how she has been treated during this process. Ultimately, her case went through the court system, and although the decision was not in her favor, LaTonya saw the decision-making process as a fair one. Which justice perspective would have predicted LaTonya’s attitude about this process?   |  |  |  | | --- | --- | --- | |  | a. | Distributive justice | |  | b. | Commonsense justice | |  | c. | Equitable justice | |  | d. | Procedural justice |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 5:24 AM | | *DATE MODIFIED:* | 5/29/2023 5:33 AM | |

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| 21. Which of the following represents differences between commonsense justice and black-letter law?   |  |  |  | | --- | --- | --- | |  | a. | People tend to consider a narrower context than the law. | |  | b. | As compared to the law, people tend to take a more subjective view of the actions of the defendant and victim. | |  | c. | People, when compared to the law, tend to take an inquisitorial approach to punishment. | |  | d. | All of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Commonsense Justice: Everyday Intuitions about Fairness | | *DATE CREATED:* | 5/29/2023 5:33 AM | | *DATE MODIFIED:* | 5/29/2023 5:35 AM | |

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| 22. Jury nullification refers to which of these?   |  |  |  | | --- | --- | --- | |  | a. | Excluding certain persons from a jury because of their personal beliefs | |  | b. | Choosing a bench trial (or trial by judge) over a jury trial | |  | c. | Commonsense justice in which a jury refuses to convict a defendant who is legally guilty of the crime charged | |  | d. | Excusing a juror during the trial for malfeasance |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | 2.3 What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | 2.3.2 Commonsense Justice: Everyday Intuitions about Fairness | | *DATE CREATED:* | 5/29/2023 5:35 AM | | *DATE MODIFIED:* | 5/29/2023 5:37 AM | |

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| 23. How many federal courts of appeal are there?   |  |  |  | | --- | --- | --- | |  | a. | 1 per state | |  | b. | Only the Supreme Court | |  | c. | 13 | |  | d. | 20 |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Federal Courts | | *DATE CREATED:* | 5/29/2023 5:38 AM | | *DATE MODIFIED:* | 5/29/2023 5:39 AM | |

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| 24. State cases will come under the jurisdiction of the federal courts in which instance?   |  |  |  | | --- | --- | --- | |  | a. | If the plaintiff and defendant in the case are from different states | |  | b. | If the plaintiff and defendant are from the same state but choose to have their case heard in a federal court | |  | c. | When the federal courts choose certain cases to hear at their discretion | |  | d. | When the state courts send the case to the federal courts |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Federal Courts | | *DATE CREATED:* | 5/29/2023 5:39 AM | | *DATE MODIFIED:* | 5/29/2023 5:40 AM | |

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| 25. Like state courts, the opinions of the federal courts are published in bound volumes called Reporters after which of the following?   |  |  |  | | --- | --- | --- | |  | a. | The opinion is dismissed by the state court and one of the judges is designated to write it up. | |  | b. | One of the judges writes the opinion without the consent of the co-judges. | |  | c. | A panel of jurors votes for the majority needed to achieve a verdict and the court recorder writes it up. | |  | d. | All of the judges on the relevant court of appeals hear the case and agree on the opinion written up. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Federal Courts | | *DATE CREATED:* | 5/29/2023 5:41 AM | | *DATE MODIFIED:* | 5/29/2023 5:42 AM | |

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| 26. The number of federal judges sitting in each district and appellate court is which of the following?   |  |  |  | | --- | --- | --- | |  | a. | It depends on the population of the county in which district exists. | |  | b. | It is based on the total number of elected judges for the county. | |  | c. | It depends on the district judicial budget for each calendar year. | |  | d. | None of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Federal Courts | | *DATE CREATED:* | 5/29/2023 5:42 AM | | *DATE MODIFIED:* | 5/29/2023 5:44 AM | |

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| 27. The Supreme Court has the authority to review which of the following?   |  |  |  | | --- | --- | --- | |  | a. | All cases decided by the federal appellate courts | |  | b. | Any state court decisions based on the U.S. Constitution or on laws of the United States | |  | c. | Any state court decisions they decide rises to their level of intervention | |  | d. | Both A and B |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | The U.S. Supreme Court | | *DATE CREATED:* | 5/29/2023 5:45 AM | | *DATE MODIFIED:* | 5/29/2023 5:47 AM | |

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| 28. *Raising a federal question* refers to which?   |  |  |  | | --- | --- | --- | |  | a. | A published court opinion in a federal case | |  | b. | A request that all judges from the pertinent Court of Appeals sit in on a federal case | |  | c. | The authority to review state court decisions that involve constitutional or federal law issues | |  | d. | Questions allowed in oral arguments in federal court |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Thinking Critically | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | The U.S. Supreme Court | | *DATE CREATED:* | 5/29/2023 5:47 AM | | *DATE MODIFIED:* | 5/29/2023 5:48 AM | |

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| 29. Disputes that reach the legal system are often, not always, resolved in court. **Diversion** to an alternative system may occur upon which?   |  |  |  | | --- | --- | --- | |  | a. | One’s first encounter with a police officer | |  | b. | One’s encounter with a psychologist | |  | c. | A plea bargain entered by one’s lawyer | |  | d. | A repeated minor offense or drug charge |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Thinking Critically | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 5:53 AM | | *DATE MODIFIED:* | 5/29/2023 5:54 AM | |

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| 30. Problem-solving courts such as veterans’ courts, drug courts, and mental health courts could all be considered forms of which?   |  |  |  | | --- | --- | --- | |  | a. | Specialty courts | |  | b. | Alternative courts | |  | c. | Minor courts | |  | d. | Family courts |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understanding | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 5:54 AM | | *DATE MODIFIED:* | 5/29/2023 5:55 AM | |

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| 31. Former Supreme Court Justice Sandra Day O’Connor condemned the practice of electing judges due to a concern that the election process can lead to the election of judges who are which?   |  |  |  | | --- | --- | --- | |  | a. | Only interested in notoriety | |  | b. | Not impartial and unbiased | |  | c. | Overly punitive | |  | d. | Subject to re-election |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Are Judges Selected? | | *DATE CREATED:* | 5/29/2023 5:56 AM | | *DATE MODIFIED:* | 5/29/2023 5:57 AM | |

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| 32. According to research presented in the text, judges have been found to become which of the following as election time draws near?   |  |  |  | | --- | --- | --- | |  | a. | Tougher on lawyers | |  | b. | More punitive | |  | c. | Less harsh | |  | d. | More thorough |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Are Judges Selected? | | *DATE CREATED:* | 5/29/2023 5:57 AM | | *DATE MODIFIED:* | 5/29/2023 5:59 AM | |

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| 33. Appellate judges must do which?   |  |  |  | | --- | --- | --- | |  | a. | Assess the credibility of certain witnesses | |  | b. | Decide if the law was properly applied in a previous decision | |  | c. | Render a verdict without considering prior cases | |  | d. | Both B and C |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Judges Decide? | | *DATE CREATED:* | 5/29/2023 6:00 AM | | *DATE MODIFIED:* | 5/29/2023 6:01 AM | |

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| 34. What are the two distinguished process models of decision-making proposed by cognitive psychologists to the judges?   |  |  |  | | --- | --- | --- | |  | a. | Intuitive model of decision-making and attitudinal model of human judgment | |  | b. | Attitudinal model of decision-making and deliberative model of decision-making | |  | c. | Equitable model of decision-making and intuitive model of decision-making | |  | d. | Intuitive process and deliberative process models of decision-making |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Judges Decide? | | *DATE CREATED:* | 5/29/2023 6:01 AM | | *DATE MODIFIED:* | 5/29/2023 6:02 AM | |

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| 35. The idea that decisions by federal judges appointed by Democratic presidents differ from those of judges appointed by Republican presidents suggests which of the following?   |  |  |  | | --- | --- | --- | |  | a. | An attributional model of decision-making is at work. | |  | b. | Judges do not view their cases in light of their political attitudes. | |  | c. | Both A and B are correct. | |  | d. | None of these are correct. |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Thinking Critically | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Judges Decide? | | *DATE CREATED:* | 5/29/2023 6:03 AM | | *DATE MODIFIED:* | 5/29/2023 6:08 AM | |

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| 36. Wistrich and colleagues (2015) exposed 500 judges to a hypothetical case involving illegal immigration, to demonstrate which of these?   |  |  |  | | --- | --- | --- | |  | a. | The influence of political clout | |  | b. | The effect of emotions on judicial decisions | |  | c. | The effect of facts, evidence, and legal rules | |  | d. | Situational influences on morality |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Judges Decide? | | *DATE CREATED:* | 5/29/2023 6:08 AM | | *DATE MODIFIED:* | 5/29/2023 6:09 AM | |

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| 37. The decision in which case overturned a previous rule, *Betts v. Brady*, on the matter of whether poor defendants should be provided a court-appointed attorney?   |  |  |  | | --- | --- | --- | |  | a. | *Mapp v. Wrightman* | |  | b. | *Gideon v. Wainwright* | |  | c. | *Escobedo v. Illinois* | |  | d. | *None of the above* |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Lawyers’ Work Settings | | *DATE CREATED:* | 5/29/2023 6:09 AM | | *DATE MODIFIED:* | 5/29/2023 6:10 AM | |

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| 38. In *Gideon v. Wainwright* (1963), the Supreme Court ruled which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Gideon should be released as his confession was coerced. | |  | b. | Gideon had the right to be represented by an attorney, even if he could not afford one. | |  | c. | The evidence admitted at Gideon’s trial was obtained through an illegal search and seizure. | |  | d. | Gideon could legally represent himself at trial. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Lawyers’ Work Settings | | *DATE CREATED:* | 5/29/2023 6:15 AM | | *DATE MODIFIED:* | 5/29/2023 6:17 AM | |

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| 39. In the 18th and 19th centuries, American lawyers became lawyers by which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Attending college for one year | |  | b. | Being accepted by the American Bar Association | |  | c. | First being apprentices | |  | d. | Passing an oral examination |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Law Schools and Legal Education | | *DATE CREATED:* | 5/29/2023 6:18 AM | | *DATE MODIFIED:* | 5/29/2023 6:19 AM | |

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| 40. Hines is feeling increasingly depressed during his first year of law school. Which would likely explain his depression, by suggesting that he is no longer intrinsically motivated to pursue his goal of being a lawyer? All his motivations are now extrinsic.   |  |  |  | | --- | --- | --- | |  | a. | Self-determination theory of optimal motivation | |  | b. | Intuitive model of internal motivation | |  | c. | Intrinsic/extrinsic theory of motivation | |  | d. | Deliberative model of external motivation |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Law Schools and Legal Education | | *DATE CREATED:* | 5/29/2023 6:20 AM | | *DATE MODIFIED:* | 5/29/2023 6:22 AM | |

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| 41. According to one study, when lawyers discussed their cases with other lawyers, their predictions about the case outcome were which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Just as accurate as in an individual assessment | |  | b. | Often too low | |  | c. | Often too high | |  | d. | None of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Law Schools and Legal Education | | *DATE CREATED:* | 5/29/2023 6:22 AM | | *DATE MODIFIED:* | 5/29/2023 6:25 AM | |

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| 42. The judicial system in which the judge has more control of the proceedings is called what type of system?   |  |  |  | | --- | --- | --- | |  | a. | Inquisitorial | |  | b. | Attributional | |  | c. | Adversarial | |  | d. | Equitable |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 6:25 AM | | *DATE MODIFIED:* | 5/29/2023 6:27 AM | |

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| 43. The law set down by the founding fathers in the U.S. Constitution, written by legislators, and interpreted by judges is called what?   |  |  |  | | --- | --- | --- | |  | a. | Legal codex | |  | b. | Model Penal Code | |  | c. | Black-letter law | |  | d. | Commonsense law |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 6:29 AM | | *DATE MODIFIED:* | 5/29/2023 6:34 AM | |

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| 44. Which of the following considers the accomplice get-away driver as culpable as the triggerman who murdered someone in a crime?   |  |  |  | | --- | --- | --- | |  | a. | Accomplice equality doctrine | |  | b. | Felony-murder doctrine | |  | c. | Distributional doctrine | |  | d. | Distributive justice |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 6:34 AM | | *DATE MODIFIED:* | 5/29/2023 6:35 AM | |

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| 45. Name the school of thought wherein the judges’ decisions are influenced by a variety of psychological, social, and political factors, and they care about the real-world ramifications of their decisions.   |  |  |  | | --- | --- | --- | |  | a. | Legal formalism | |  | b. | Legal realism | |  | c. | Commonsense justice | |  | d. | Attributional justice |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | Influences on Judicial Judgments | | *DATE CREATED:* | 5/29/2023 6:35 AM | | *DATE MODIFIED:* | 5/29/2023 6:40 AM | |

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| 46. What term describes the process wherein a person’s reasoning is typically outside of the person’s awareness but functions as a powerful determinant of how people evaluate information and reach conclusions about the law?   |  |  |  | | --- | --- | --- | |  | a. | Intuitive reasoning | |  | b. | Motivated reasoning | |  | c. | Logical reasoning | |  | d. | Attributional reasoning |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Judges Decide | | *DATE CREATED:* | 5/29/2023 6:40 AM | | *DATE MODIFIED:* | 5/29/2023 6:48 AM | |

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| 47. What is the phenomenon where lawyers often rely on intuitive cognitive mechanisms rather than deliberative processes to evaluate cases?   |  |  |  | | --- | --- | --- | |  | a. | Self-serving bias | |  | b. | Overconfidence bias | |  | c. | Confirmation bias | |  | d. | Fundamental attribution error |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *TOPICS:* | How Do Lawyers Make Professional Decisions | | *DATE CREATED:* | 5/29/2023 6:53 AM | | *DATE MODIFIED:* | 5/29/2023 6:55 AM | |

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| 48. If a plaintiff and a defendant are from different states, then the state the crime was committed in has jurisdiction.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 6:56 AM | | *DATE MODIFIED:* | 5/29/2023 6:57 AM | |

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| 49. The panel in an appeals court must decide the case by a unanimous vote.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | Federal Courts | | *DATE CREATED:* | 5/29/2023 6:57 AM | | *DATE MODIFIED:* | 5/29/2023 6:58 AM | |

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| 50. State court systems typically include lower courts, trial courts, one or more courts of appeal, and a state supreme court.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | State Courts | | *DATE CREATED:* | 5/29/2023 6:59 AM | | *DATE MODIFIED:* | 5/29/2023 7:02 AM | |

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| 51. Most state cases are settled by having a juried trial in front of a judge.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | State Courts | | *DATE CREATED:* | 5/29/2023 7:03 AM | | *DATE MODIFIED:* | 5/29/2023 7:04 AM | |

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| 52. Most state court judges face elections rather than just being appointed for their term.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | How Are Judges Selected? | | *DATE CREATED:* | 5/29/2023 7:04 AM | | *DATE MODIFIED:* | 5/29/2023 7:05 AM | |

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| 53. More than a dozen state courts have retention elections.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Players in the Legal System: Judges | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | How Are Judges Selected? | | *DATE CREATED:* | 5/29/2023 7:06 AM | | *DATE MODIFIED:* | 5/29/2023 7:06 AM | |

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| 54. After the case of *Gideon v Wainwright*, defendants who cannot afford to hire a lawyer are represented by public defenders.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Players in the Legal System: Lawyers | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | Lawyers’ Work Settings | | *DATE CREATED:* | 5/29/2023 7:06 AM | | *DATE MODIFIED:* | 5/29/2023 7:07 AM | |

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| 55. Studies show that attending law school tends to undermine students’ values, motivation, and mental health.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Players in the Legal System | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | Professional Satisfaction among Lawyers | | *DATE CREATED:* | 5/29/2023 7:07 AM | | *DATE MODIFIED:* | 6/7/2023 6:25 AM | |

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| 56. When making inferences about another person’s negative behaviors, we tend to attribute the cause to stable factors that are internal to the person, in other words, to their disposition.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 7:14 AM | | *DATE MODIFIED:* | 5/29/2023 7:14 AM | |

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| 57. Individual perceptions about procedural fairness and trustworthiness of the system impact acceptance of legal outcomes.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 7:14 AM | | *DATE MODIFIED:* | 5/29/2023 7:16 AM | |

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| 58. More recently, public opinion on the culpability and punishment of juvenile offenders has shifted from more rehabilitative to more punitive.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *REFERENCES:* | Courts | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *TOPICS:* | State Courts | | *DATE CREATED:* | 5/29/2023 7:16 AM | | *DATE MODIFIED:* | 5/29/2023 7:17 AM | |

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| 59. Explain the inquisitorial and adversarial approaches, then compare and contrast the approaches.   |  |  | | --- | --- | | *ANSWER:* | Answers may vary.  In an adversarial system of justice, the choice of what evidence to present during a trial is within the discretion of those involved in the litigation and their attorneys. Judges rarely call witnesses or introduce evidence on their own. The adversarial system is derived from English common law. This approach contrasts with the inquisitorial system used in Europe (but not in Great Britain), in which the judge has more control over the proceedings. The presiding judge conducts almost all the questioning of witnesses. When interrogating the disputing parties and witnesses, the judge often refers to a dossier prepared by a court official who investigated the case. The presentation of evidence and arguments is tightly controlled by the judge even in the presence of partisan attorneys representing the parties during the trial. In the inquisitorial system, the two sides do not have separate witnesses; the witnesses testify for the court, and the opposing parties are not allowed to prepare the witnesses before the trial. During a trial in the adversarial model, jurors may have to choose between two versions of the truth, neither of which is completely accurate, because witnesses often shade their testimony to favor their “side.” In addition, skillful lawyers can effectively impugn the credibility of hostile witnesses, and criminal defendants rarely testify, despite being the most important source of information about the events in question. Research suggests that the adversarial system led to less-biased decisions that were more likely to be seen as fair by the parties in dispute. Because the adversarial system permits the litigants to “call the shots,” it seems optimized to produce fair and just outcomes. Some note that inquisitorial procedures seem optimized to produce truthful outcomes because they involve a neutral third party who gathers the relevant evidence without influence from the parties who have a stake in the dispute. People’s perceptions of justice and truth apparently do depend on the legal procedures to which they are exposed. | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | The Adversarial System | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:17 AM | | *DATE MODIFIED:* | 6/7/2023 6:26 AM | |

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| 60. What does the Model Penal Code say about attempted as opposed to completed crimes?   |  |  | | --- | --- | | *ANSWER:* | Answers may vary.  According to the Model Penal Code, an offender who tries but fails is just as culpable as an offender who tries and succeeds. People’s intuitions differed in predictable ways from the position of the Model Penal Code. In situations where the person depicted in the scenario had taken only preliminary action, few people thought he was guilty. Yet, according to the Model Penal Code, this person is just as guilty as one who actually completed the burglary. Apparently, people do not accept the view that intent to commit an act is the moral equivalent of actually doing it. Their notions about criminality and the need for punishment are more nuanced and less “black and white” than what the Model Penal Code prescribed. | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 7:30 AM | | *DATE MODIFIED:* | 6/7/2023 6:27 AM | |

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| 61. Discuss how justice has been viewed by religious institutions.   |  |  | | --- | --- | | *ANSWER:* | Answers may vary.  Sample Answer: The development of Christianity and Islam accentuated a conception of justice within religious traditions of morality. As a result, people began to see matters of social injustice (e.g., the suffering of the poor and the oppressed) as issues of concern, along with offenses against one person or one’s family (Solomon, 1990). | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | What Is Justice? | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *TOPICS:* | Distributive and Procedural Justice | | *DATE CREATED:* | 5/29/2023 7:33 AM | | *DATE MODIFIED:* | 6/7/2023 6:27 AM | |

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| 62. Describe how attribution theory (from social psychology) explains other’s intentions and behavior/actions, including the three dimensions and how they vary.   |  |  | | --- | --- | | *ANSWER:* | Answers may vary.  A well-established theory in social psychology, attribution theory, focuses on how people explain others’ intentions. According to the theory, attributions tend to vary along three dimensions: internality—whether we explain the cause of an event as due to something internal to a person or to something that exists in the environment; stability—whether we see the cause of a behavior as enduring or merely temporary; and globalness—whether we see the cause as specific to a limited situation or applicable to all situations. An individual who makes internal, stable, global attributions about an act of misconduct (“He is so evil that he doesn’t care what anyone thinks or feels about him”) will see an offender as more culpable and more deserving of punishment than a person who offers external, unstable, specific explanations for the same act (“As a result of hanging out with a rough crowd, she was in the wrong place at the wrong time.”). | | *POINTS:* | 1 | | *DIFFICULTY:* | Think Critically | | *REFERENCES:* | Legality versus Morality | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *TOPICS:* | Citizens’ Sense of Legality and Morality | | *DATE CREATED:* | 5/29/2023 7:35 AM | | *DATE MODIFIED:* | 6/7/2023 6:28 AM | |

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| 63. According to research by Darley et al. (e.g., 1996), how does the position of the Model Penal Code differ from citizens’ general views?   |  |  | | --- | --- | | *ANSWER:* | Psychologist John Darley and his colleagues asked respondents to read short scenarios that described people who had taken one or more steps toward committing either robbery or murder and to assign punishment to those people. They found that people’s intuitions differed in predictable ways from the position of the Model Penal Code. In situations where the person depicted in the scenario had taken only preliminary action (e.g., examining the store he planned to burgle or telling a friend about his plan), few people thought he was guilty. | | *POINTS:* | 1 | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:40 AM | | *DATE MODIFIED:* | 6/7/2023 6:28 AM | |

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| 64. Explain the case of *Gideon v Wainwright* and how it changed how our justice system works at trial.   |  |  | | --- | --- | | *ANSWER:* | Because many people accused of crime cannot afford to hire a lawyer, criminal defendants are typically represented by public defenders who are also government employees. The history of public defenders dates from the 1963 case of *Gideon v. Wainwright*, in which the Supreme Court held that the State of Florida was obligated to pay for a lawyer for Clarence Earl Gideon. States responded to the *Gideon* case by appointing and paying lawyers to represent indigent defendants on a case- by-case basis and by establishing public defender programs, with lawyers hired by the state to represent those who cannot afford to hire them. Public defenders know the law, the system, and the other players in the system (the judge, the prosecutor, the probation officer), and though they have large caseloads, they often obtain excellent results for their clients*.* | | *POINTS:* | 1 | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:41 AM | | *DATE MODIFIED:* | 6/7/2023 6:29 AM | |

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| 65. Explain the case of Kyle Rittenhouse and how it represents the following statement: “People who hold divergent views about acceptable behavior in a democratic society will find little common ground in the legal arena.”   |  |  | | --- | --- | | *ANSWER:* | What to some people seem like reasonable laws—those that regulate behavior “appropriately”—will be rejected as fundamentally unjust and illegitimate by others. So, while there was once general agreement that violent speech and acts, for example, should be condemned and punished, a sizeable faction of the American populace now endorse those tactics as legitimate political tools (Lerer & Herndon, 2021). This partisan divide is at the core of different views on the events of August 25, 2020, when 17-year-old Kyle Rittenhouse drove from his home in Antioch, Illinois, to Kenosha, Wisconsin. There, Rittenhouse fatally shot two men and wounded a third who were protesting a police shooting they believed to be racially motivated. | | *POINTS:* | 1 | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:42 AM | | *DATE MODIFIED:* | 6/7/2023 6:29 AM | |

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| 66. Explain, compare, and contrast legal realism and legal formalism.   |  |  | | --- | --- | | *ANSWER:* | There are at least two schools of thought about whether judges’ rulings are influenced solely by the facts of a case and the applicable laws or whether extralegal factors play a role. Legal formalism is the perspective that judges apply legal rulings to the facts of a case in a careful, rational, mechanical way and pay little heed to political or social influences on, or implications of, their judgments. This perspective is exemplified by Supreme Court Justice Clarence Thomas’s assertion that “There are right and wrong answers to legal questions” (Thomas, 1996). In contrast, legal realism holds that judges’ decisions are influenced by a variety of psychological, social, and political factors and that judges indeed are concerned about the real-world ramifications of their decisions. | | *POINTS:* | 1 | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:43 AM | | *DATE MODIFIED:* | 6/7/2023 6:29 AM | |

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| 67. Explain motivated reasoning and how it is related to intuitive and deliberative processes   |  |  | | --- | --- | | *ANSWER:* | When people, including judges, have opinions about desired outcomes, those goals direct how they seek out and weigh empirical evidence. Information congruent with a particular goal is disproportionately attended to and valued, while incongruent evidence is dis- missed. This process, called motivated reasoning, is typically outside of one’s awareness but functions as a powerful determinant of how people evaluate information and reach conclusions about the law. Also relevant to judges’ decision-making, cognitive psychologists have proposed various two-process models of human judgment. Though the details vary, all the models distinguish between intuitive processes that occur spontaneously, often without careful thought or effort, and deliberative processes that involve mental effort, concentration, motivation, and the application of learned rules. | | *POINTS:* | 1 | | *QUESTION TYPE:* | Essay | | *HAS VARIABLES:* | False | | *STUDENT ENTRY MODE:* | Basic | | *DATE CREATED:* | 5/29/2023 7:43 AM | | *DATE MODIFIED:* | 6/7/2023 6:30 AM | |

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| 68. Intuitive processes occur spontaneously, often without careful thought or effort.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:44 AM | | *DATE MODIFIED:* | 6/7/2023 6:30 AM | |

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| 69. Judges’ rulings are influenced solely by the facts of a case and the applicable laws, not extralegal factors at play.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:47 AM | | *DATE MODIFIED:* | 6/7/2023 6:31 AM | |

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| 70. The Supreme Court considers cases of Constitutional importance.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:49 AM | | *DATE MODIFIED:* | 6/7/2023 6:31 AM | |

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| 71. The Supreme Court is composed of 10 members, 5 from each major political party.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:52 AM | | *DATE MODIFIED:* | 5/29/2023 7:53 AM | |

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| 72. *Gideon v Wainwright* was about illegal search and seizure.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:53 AM | | *DATE MODIFIED:* | 5/29/2023 7:54 AM | |

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| 73. A law school education can take a negative toll on a student’s well-being   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:54 AM | | *DATE MODIFIED:* | 6/7/2023 6:32 AM | |

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| 74. Intrinsic motivation is about outside rewards given for engaging in a task or activity.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | True / False | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 7:57 AM | | *DATE MODIFIED:* | 6/7/2023 6:32 AM | |

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| 75. Shakarta is making a decision where the correct answer cannot yet be known, so she is most likely using which of these?   |  |  |  | | --- | --- | --- | |  | a. | Future estimates | |  | b. | Educated estimates | |  | c. | Probabilistic estimates | |  | d. | Problematic estimates |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 8:02 AM | | *DATE MODIFIED:* | 5/29/2023 8:03 AM | |

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| 76. What is it called when judges take chances on trials that are not worth taking, seek information that supports their misguided choices, and avoid information that would be useful?   |  |  |  | | --- | --- | --- | |  | a. | Self-serving bias | |  | b. | Confirmation bias | |  | c. | Sunk cost fallacy | |  | d. | Attributional bias |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 8:04 AM | | *DATE MODIFIED:* | 5/29/2023 8:05 AM | |

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| 77. When Javon continues to invest resources even when it would be advantageous to cut his losses, that is an example of which of these?   |  |  |  | | --- | --- | --- | |  | a. | Fundamental attribution error | |  | b. | Self-serving bias | |  | c. | Confirmation bias | |  | d. | Sunk cost fallacy |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 8:06 AM | | *DATE MODIFIED:* | 5/29/2023 8:08 AM | |

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| 78. As a judge, Devi is influenced by her personal experiences, psychological factors, social factors, and political factors. She is an example of which of these?   |  |  |  | | --- | --- | --- | |  | a. | Legal formalism | |  | b. | Legal politicism | |  | c. | Legal realism | |  | d. | None of the above |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/29/2023 8:08 AM | | *DATE MODIFIED:* | 5/29/2023 8:11 AM | |

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| 79. Rico chose his profession because it gets him a lot of money and recognition, but he really doesn’t enjoy it. Rico has what type of motivation?   |  |  |  | | --- | --- | --- | |  | a. | Intrinsic motivation | |  | b. | Attributional motivation | |  | c. | Extrinsic motivation | |  | d. | Financial motivation |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:04 AM | | *DATE MODIFIED:* | 5/30/2023 6:06 AM | |

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| 80. Tatiana follows the law as set down by our founding fathers in the Constitution, as written by legislators, and as inter- preted by judges. This interpretation of the law is called what?   |  |  |  | | --- | --- | --- | |  | a. | Black-letter law | |  | b. | Formal law | |  | c. | Penal code | |  | d. | Constitutional law |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Apply | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:06 AM | | *DATE MODIFIED:* | 5/30/2023 6:08 AM | |

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| 81. Mercy killings and assisted suicides are examples of which?   |  |  |  | | --- | --- | --- | |  | a. | Actuarial manslaughter | |  | b. | Euphemism | |  | c. | Euthanasia | |  | d. | Compassion |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:08 AM | | *DATE MODIFIED:* | 5/30/2023 6:09 AM | |

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| 82. The offender showing that they not only thought about the crime but actually tried to accomplish it is called what?   |  |  |  | | --- | --- | --- | |  | a. | Attention | |  | b. | Motivation | |  | c. | Intention | |  | d. | Intrinsic motivation |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:10 AM | | *DATE MODIFIED:* | 5/30/2023 6:11 AM | |

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| 83. According to which concept is an offender who tries but fails just as culpable as an offender who tries and succeeds?   |  |  |  | | --- | --- | --- | |  | a. | Modern Penal Code | |  | b. | Commonsense Law | |  | c. | Black Code Law | |  | d. | Federal Penal Code |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:11 AM | | *DATE MODIFIED:* | 5/30/2023 6:13 AM | |

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| 84. In the 18th and 19th centuries, American lawyers became lawyers by which of the following?   |  |  |  | | --- | --- | --- | |  | a. | Attending college for one year | |  | b. | Being accepted by the Bar Association | |  | c. | First being apprentices | |  | d. | Passing an oral examination |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:13 AM | | *DATE MODIFIED:* | 5/30/2023 6:14 AM | |

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| 85. Which of the following allows us to understand how people explain others’ behavior, including their intentions?   |  |  |  | | --- | --- | --- | |  | a. | Dispositional theory | |  | b. | Motivation theory | |  | c. | Attribution theory | |  | d. | Behavioral theory |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:15 AM | | *DATE MODIFIED:* | 5/30/2023 6:16 AM | |

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| 86. In modern times, American lawyers became lawyers by   |  |  |  | | --- | --- | --- | |  | a. | attending college for one year. | |  | b. | being accepted by the Bar Association. | |  | c. | first being apprentices. | |  | d. | passing an oral examination. |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:16 AM | | *DATE MODIFIED:* | 5/30/2023 6:17 AM | |

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| 87. Which of the following concepts is represented by the statement, “They are so evil that they don’t care what anyone thinks or feels about them”?   |  |  |  | | --- | --- | --- | |  | a. | Internal, stable, specific attributions | |  | b. | Internal, unstable, global attributions | |  | c. | External, stable, global attributions | |  | d. | Internal, stable, global attributions |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:18 AM | | *DATE MODIFIED:* | 5/30/2023 6:19 AM | |

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| 88. Which of the following concepts is represented by the statement, “As a result of hanging out with a rough crowd, they were in the wrong place at the wrong time”?   |  |  |  | | --- | --- | --- | |  | a. | Internal, stable, specific attributions | |  | b. | Internal, unstable, global attributions | |  | c. | External, unstable, specific attributions | |  | d. | Internal, stable, global attributions |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:19 AM | | *DATE MODIFIED:* | 5/30/2023 6:21 AM | |

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| 89. Which of the following models suggests that if individuals view the procedures of dispute resolution or decision-making as fair, then they will view the outcome as just, regardless of whether it favors them or not?   |  |  |  | | --- | --- | --- | |  | a. | Equitable justice | |  | b. | Attributed justice | |  | c. | Procedural justice | |  | d. | Distributive justice |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:22 AM | | *DATE MODIFIED:* | 5/30/2023 6:26 AM | |

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| 90. Which of the following models suggests a person will be more accepting of decisions and more likely to believe that disputes have been resolved appropriately if the outcomes seem just?   |  |  |  | | --- | --- | --- | |  | a. | Procedural justice | |  | b. | Attributional justice | |  | c. | Attributive justice | |  | d. | Distributive justice |  |  |  | | --- | --- | | *ANSWER:* | d | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:26 AM | | *DATE MODIFIED:* | 5/30/2023 6:28 AM | |

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| 91. Which of the following types of justice has a context typically wider than the law’s context?   |  |  |  | | --- | --- | --- | |  | a. | Attributional justice | |  | b. | Procedural justice | |  | c. | Commonsense justice | |  | d. | Distributive justice |  |  |  | | --- | --- | | *ANSWER:* | c | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:29 AM | | *DATE MODIFIED:* | 5/30/2023 6:30 AM | |

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| 92. New community-based alternatives to standard prosecutions are called which?   |  |  |  | | --- | --- | --- | |  | a. | Rehabilitation | |  | b. | Diversion | |  | c. | Commonsense justice | |  | d. | Equitable justice |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:30 AM | | *DATE MODIFIED:* | 5/30/2023 6:31 AM | |

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| 93. Decisions made in previous cases that serve as authority for subsequent cases involving similar facts are called which?   |  |  |  | | --- | --- | --- | |  | a. | Precedents | |  | b. | Commonsense justice | |  | c. | Provisional | |  | d. | Case law |  |  |  | | --- | --- | | *ANSWER:* | a | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:31 AM | | *DATE MODIFIED:* | 5/30/2023 6:32 AM | |

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| 94. What was the outcome of the Kyle Rittenhouse case?   |  |  |  | | --- | --- | --- | |  | a. | Conviction | |  | b. | Acquittal | |  | c. | Mistrial | |  | d. | Jury nullification |  |  |  | | --- | --- | | *ANSWER:* | b | | *POINTS:* | 1 | | *DIFFICULTY:* | Understand | | *QUESTION TYPE:* | Multiple Choice | | *HAS VARIABLES:* | False | | *DATE CREATED:* | 5/30/2023 6:33 AM | | *DATE MODIFIED:* | 5/30/2023 6:33 AM | |