



Civil Law.d

- 1 Which of the following refers to a set of rules and procedures usually intended to regulate some aspect of society?
- 2 Which of the following refers to a legal system based primarily on written constitutions and written laws or codes?
- 3 Which of the following refers to a body of law developed through the courts?
- 4 Which of the following refers to an example set by the decision of an earlier court for similar cases or similar legal questions that arise in later cases?
- 5 Which of the following refers to the study of the philosophy of law?
- 6 Which of the following refers to a philosophical theory holding that law reflects the moral and unchangeable laws of nature?
- 7 Which of the following refers to a philosophical theory holding that the validity of law is not related to morality?
- 8 Which of the following refers to a philosophical theory that laws are created by judges and therefore subject to individual beliefs and prejudices?
- 9 Which of the following refers to a non-contractual civil wrong?
- 10 Which of the following define the rights and duties of parties and establish the legal bases for any lawsuit?
- 11 Which of the following relate to the enforcement of the substantive rights and duties?
- 12 Which of the following refers to the amount of proof necessary for most civil cases?
- 13 Which of the following refers to the amount of proof necessary for conviction in a criminal case?
- 14 Which of the following refers to a finding of responsibility in a civil case?
- 15 Which of the following refers to a finding of not guilty in a criminal case?
- 16 Which of the following refers to a summary of a Supreme Court case written by the reporter of decisions?





- 17) Which of the following refers to powers given to Congress that are spelled out in the Constitution?
- 18) Which of the following refers to the power that Congress has to regulate that is derived from the express powers?
- 19) Which of the following refers to a section of the U.S. Constitution found in Article 1, Section 8, giving the U.S. Congress the right to regulate foreign and interstate commerce?
- 20) Which of the following refers to a doctrine giving the right of the federal government to be the exclusive lawmaker in certain areas?
- 21) Which of the following refers to laws that impose criminal responsibility for acts that were not crimes at the time the acts occurred?
- 22) Which of the following refers to the power or authority to act in a certain situation; the power of a court to hear cases and render judgment
- 23) Which of the following refers to the sole power or authority to act in a certain situation?
- 24) Which of the following refers to a term that describes situations where more than one entity has the power to regulate or act?
- 25) Which of the following provides for the establishment of a Supreme Court and such inferior courts as Congress may establish?
- 26) Which of the following refers to the power to hear and determine cases first?
- 27) Which of the following refers to a term that describes the entire panel of judges on a court hearing a case?
- 28) Which of the following refers to the power of a court to review what happened in a lower court?
- 29) Which of the following refers to documentation of proceedings at trial used for an appeal?
- 30) Which of the following refers to a written document containing factual and legal contentions; prepared by attorneys dealing with an appeal in a case?
- 31) Which of the following refers to the directions read to the jury by the judge?
- 32) Which of the following refers to judicial officers who are appointed by judges of federal district courts and have some of the powers of a judge?





- 33) Which of the following refers to a court employee who assists the court and the judge by filing documents, marking and safeguarding evidence, reviewing documents that are submitted to the judge, and performing other similar tasks?
- 34) Which of the following refers to an informal interoffice document written to communicate the results of legal research and the resulting legal analysis?
- 35) Which of the following refers to a special bank account maintained by an attorney into which funds belonging to clients are kept?
- 36) Which of the following refers to a type of trust account in which held until some condition occurs?
- 37) Which of the following is not an example of a primary legal resource?
- 38) Which of the following is not an example of a secondary legal resource?
- 39) Which of the following refers to resources that provide the actual law?
- 40) Which of the following refers to tools used to understand the law?
- 41) Which of the following is not one of the categories of facts?
- 42) Which of the following refers to a collection of legal information?
- 43) Which of the following refers to a brief summary of a statute or a case?
- 44) Which of the following refers to a legal resource filled with sample forms and explanations on how and when to use the forms?
- 45) Which of the following refers to a publication containing articles written by judges, professors, and attorneys; it also contains case summaries written by law school students?
- 46) Which of the following refers to a book that reviews a special field of law; a summary of the law on a particular subject; often called a hornbook?
- 47) Which of the following refers to an index to reported cases, arranged by subject; a short summary of the case is provided?
- 48) Which of the following is not a fee-based computer-assisted legal research service?
- 49) Which of the following refers to legal principles that are applied to the facts; generally derived from statutes, case law, and the Constitution?





- 50 Which of the following refers to the legal principle to be taken from the court's decision?
- 51 Which of the following refers to a set of published volumes of cases by courts in specific regions of the United States?
- 52 Which of the following refers to a written document that might contain a summary of the facts, issues, rules, and analysis used by a court and a comparison with a client's facts?
- 53 Which of the following refers to a legislatively created law; a written enactment?
- 54 Which of the following refers to a removable supplement to a volume of statutory law; includes all changes or additions to the material contained in the hardbound volume?
- 55 Which of the following refers to a legal protection for authors of "original works of authorship" such as literary, dramatic, musical, artistic, and certain other works?
- 56 Which of the following refers to the process of comparing and contrasting facts and legal issues?
- 57 Which of the following is considered the writer's initial tool and expresses the main idea of the paragraph and is usually the first sentence in a paragraph?
- 58 Which of the following should always be used when engaged in legal writing?
- 59 Which of the following can be a simple list of the headings you plan to use?
- 60 Which of the following is described as a grouping of related sentences that flow logically and address one idea?
- 61 Which of the following provides a short overview of the internal organization of the argument section of a trial brief or the discussion section of a memorandum?
- 62 Which of the following refers to a short summary of a case?
- 63 Which of the following is not a component of a case brief?
- 64 Which of the following refers to a statement of the legal issue presented to the court for resolution?
- 65 Which of the following means "to resolve"?





- 66 Which of the following refers to a separate opinion written by one or more justices in a case; this opinion agrees with the ultimate decision of the majority of the court, but with a reasoning that differs from the reasoning of the majority of the court?
- 67 Which of the following refers to a separate opinion written by one or more justices in a case; this opinion disagrees with the decision of the majority of the court?
- 68 Which of the following refers to the clause in the Constitution that makes the Constitution the supreme law of the land?
- 69 Which of the following refers to the power of the courts to review statutory law to determine if the law is constitutional?
- 70 Which of the following refers to an order from one court to an agency or lower court directing that it do something or refrain from doing something?
- 71 Which of the following refers to the doctrine that specific rights expressed in the Bill of Rights are included in the concept of due process under the Fourteenth Amendment and thereby made applicable to the states?
- 72 Which of the following refers to the clause in the First Amendment that prohibits government from enacting any law that results in the establishment of a religion?
- 73 Which of the following refers to the clause in the First Amendment that prohibits government from enacting any law that interferes with any person's right to freely practice a religion?
- 74 Which of the following Amendments to the U.S. Constitution provides for the freedom of speech?
- 75 Which of the following refers to an untrue statement that injures another's reputation?
- 76 Which of the following refers to the acting with ill will toward a person?
- 77 Which of the following refers to the term given to sexual material that appeals to prurient interest and has no socially redeeming value?
- 78 Which of the following refers to transactions that take place between two or more states that have an economic impact?
- 79 Which of the following refers to a policy that gives special consideration to members of groups that have historically suffered discrimination?
- 80 Which of the following refers to a major consideration?





- 81 Which of the following refers to a requirement of the Fifth and Fourteenth Amendments that, unless special circumstances exist, governments not deprive a person of life, liberty, or property without notice and the opportunity for a fair hearing?
- 82 Which of the following refers to a requirement of the Fifth and Fourteenth Amendments that governments not enact laws that deprive a person of life, liberty, or property unless the laws serve a legitimate purpose and are either related to or necessary to achieving that purpose?
- 83 Which of the following refers to a test used by the courts when examining the constitutionality of a law; requires that the law have a reasonable connection to a legitimate state purpose?
- 84 Which of the following was used in recent years to uphold the Patient Protectional and Affordable Health Care Act?
- 85 Which of the following refers to a person who commits a tort?
- 86 Which of the following refers to a court order directing the defendant to stop some type of conduct?
- 87 Which of the following refers to the basis upon which a lawsuit may be brought to the court?
- 88 Which of the following refers to a tort that is wilful and meant to cause harm?
- 89 Which of the following refers to the legal concept that when an individual intends to harm a specific person, but inadvertently harms another, the intent is transferred, satisfying the intent requirement for tort liability?
- 90 Which of the following refers to the right of a merchant to make reasonable detention of a patron where there is probable cause to believe that shoplifting occurred?
- 91 Which of the following is not an element of libel?
- 92 Which of the following is not an element of slander?
- 93 Which of the following refers to the result of one's thoughts, ideas, or inventions; includes patents, copyrights, and trademarks?
- 94 Which of the following refers to the negligence of a plaintiff that contributes to the injury; a doctrine that is a defense to negligence?

