

## Chapter 02\_The\_Courts\_and\_Jurisdiction

True / False

1. Litigation usually begins in a trial court.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

2. A court of appellate jurisdiction is a court where the case begins and is tried.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

3. Pleadings are filed in a trial court.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

4. Within the federal court system, a separate appellate court district exists for each of the 50 states.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

5. The U.S. Supreme Court has original jurisdiction for some matters.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

6. Trial courts within state court systems are all referred to as district courts.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

7. Before proceeding with a case, the court must have either subject matter or personal jurisdiction.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

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8. For diversity purposes, a corporation's principle place of business is the state of incorporation, or its "nerve center," the place where corporate officers direct and control the corporation's activities.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

9. Rules of multijurisdictional litigation allow cases to be tried in any federal district court in which any party has filed a lawsuit.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

10. Venue is a type of jurisdiction.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

11. T or F Litigation usually begins in a trial court.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

12. T or F A court of appellate jurisdiction is a court where the case begins and is tried.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

13. T or F Pleadings are filed in a trial court.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

14. T or F Within the federal court system, a separate appellate court district exists for each of the 50 states.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

15. T or F The U.S. Supreme Court has original jurisdiction for some matters.

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- a. True
- b. False

ANSWER: True

POINTS: 1

16. T or F Trial courts within state court systems are all referred to as district courts.

- a. True
- b. False

ANSWER: False

POINTS: 1

17. T or F Before proceeding with a case, the court must have either subject matter or personal jurisdiction.

- a. True
- b. False

ANSWER: False

POINTS: 1

18. T or F For diversity purposes, a corporation's principle place of business is the state of incorporation or its "nerve center," the place where corporate officers direct and control the corporation's activities.

- a. True
- b. False

ANSWER: True

POINTS: 1

19. T or F Statutes allowing states to exercise jurisdiction over nonresident defendants are known as long-arm statutes.

- a. True
- b. False

ANSWER: True

POINTS: 1

20. T or F Venue is a type of jurisdiction.

- a. True
- b. False

ANSWER: False

POINTS: 1

*Stevens, a citizen of the state of Oklahoma, was involved in an automobile accident with Jackson, a citizen of the state of Alabama. Stevens is injured and wishes to sue.*

21. If the accident happened in Oklahoma, the state courts of Oklahoma could not exercise personal jurisdiction over Jackson because he is not a citizen of that state.

- a. True
- b. False

ANSWER: False

POINTS: 1

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22. If the accident happened in Alabama, the state courts of Oklahoma would have jurisdiction to hear the case.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

23. If the accident happened in Alabama, the state courts of Alabama would have jurisdiction, even though Stevens is not a citizen of that state.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

24. If the accident happened in Alabama, the state courts of Alabama and Oklahoma have concurrent jurisdiction.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

25. If the accident happened in Alabama, and Stevens's damages exceed \$75,000, the state courts of Alabama and the federal court have concurrent jurisdiction.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

26. T or F If the accident happened in Oklahoma, the state courts of Oklahoma could not exercise personal jurisdiction over Jackson because he is not a citizen of that state.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

27. T or F If the accident happened in Alabama, the state courts of Oklahoma would have jurisdiction to hear the case.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

28. T or F If the accident happened in Alabama, the state courts of Alabama would have jurisdiction, even though Stevens is not a citizen of that state.

- a. True
- b. False

*ANSWER:* True

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*POINTS:* 1

29. T or F If the accident happened in Alabama, the state courts of Alabama and Oklahoma have concurrent jurisdiction.

- a. True
- b. False

*ANSWER:* False

*POINTS:* 1

30. T or F If the accident happened in Alabama, and Stevens's damages exceed \$75,000, the state courts of Alabama and the federal court have concurrent jurisdiction.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

### Multiple Choice

31. Courts use the Internet \_\_\_\_\_.

- a. to allow filing of court documents
- b. to post tentative rulings in motions
- c. to make local rules of court available to attorneys
- d. All of these choices.

*ANSWER:* d

*POINTS:* 1

32. Factual disputes are generally resolved in a(n) \_\_\_\_\_ court.

- a. trial
- b. appellate
- c. supreme
- d. All of these choices.

*ANSWER:* a

*POINTS:* 1

33. The role of the appellate court includes \_\_\_\_\_.

- a. determining the credibility of witnesses at the trial level
- b. reevaluating the factual determinations made by the trial court
- c. determining if any legal errors occurred at the trial level
- d. hearing testimony from important witnesses

*ANSWER:* c

*POINTS:* 1

34. The U.S. Supreme Court can hear appeals from state courts \_\_\_\_\_.

- a. as long as a state supreme court has already heard the case
- b. if the state supreme court refuses to hear the case
- c. if a federal or constitutional issue exists
- d. All of these choices.

*ANSWER:* c

*POINTS:* 1

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35. In a federal case, trials generally occur in the \_\_\_\_\_.

- a. district court
- b. courts of appeal
- c. Supreme Court
- d. All of these choices.

ANSWER: a

POINTS: 1

36. A three-judge panel is usually found in \_\_\_\_\_.

- a. U.S. district courts
- b. U.S. courts of appeals
- c. U.S. Supreme Court
- d. All of these choices.

ANSWER: b

POINTS: 1

DIFFICULTY: 1

37. To request a hearing in the Supreme Court, a party generally files a \_\_\_\_\_.

- a. complaint
- b. brief
- c. petition for writ of certiorari
- d. memorandum of points and authorities

ANSWER: c

POINTS: 1

DIFFICULTY: 1

38. The authority that a court has to hear a particular type of case is known as \_\_\_\_\_ jurisdiction.

- a. subject matter
- b. personal
- c. in rem
- d. quasi in rem

ANSWER: a

POINTS: 1

39. A state always has jurisdiction over a defendant in a lawsuit if \_\_\_\_\_.

- a. the defendant is a U.S. citizen
- b. the defendant is a citizen of that state
- c. the plaintiff sustained injuries or damages within the state
- d. Both b and c.

ANSWER: b

POINTS: 1

40. Proper venue in a federal action based on diversity of citizenship can be determined by \_\_\_\_\_.

- a. either the defendant's residence or the place where the cause of action arose
- b. only the defendant's residence
- c. only the plaintiff's residence
- d. only where the cause of action arose

ANSWER: a

POINTS: 1

41. Courts use the Internet \_\_\_\_\_.

- a. to allow filing of court documents

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- b. to post tentative rulings in motions
- c. to make local rules of court available to attorneys
- d. all of the above

*ANSWER:* d

*POINTS:* 1

42. Factual disputes are generally resolved in \_\_\_\_\_ .
- a. a trial court
  - b. an appellate court
  - c. a supreme court
  - d. all of the above

*ANSWER:* a

*POINTS:* 1

43. The role of the appellate court includes \_\_\_\_\_ .
- a. determining the credibility of witnesses at the trial level
  - b. reevaluating the factual determinations made by the trial court
  - c. determining if any legal errors occurred at the trial level
  - d. hearing testimony from important witnesses

*ANSWER:* c

*POINTS:* 1

44. The U.S. Supreme Court can hear appeals from state courts \_\_\_\_\_ .
- a. as long as a state supreme court has already heard the case
  - b. if the state supreme court refuses to hear the case
  - c. if a federal or constitutional issue exists
  - d. all of the above

*ANSWER:* c

*POINTS:* 1

45. In a federal case, trials generally occur in \_\_\_\_\_ .
- a. the district court
  - b. the courts of appeal
  - c. the Supreme Court
  - d. all of the above

*ANSWER:* a

*POINTS:* 1

46. A three-judge panel is usually found in \_\_\_\_\_ .
- a. U.S. district courts
  - b. U.S. courts of appeals
  - c. U.S. Supreme Court
  - d. all of the above

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*ANSWER:* b

*POINTS:* 1

47. To request a hearing in the Supreme Court, a party generally files a \_\_\_\_\_ .

- a. complaint
- b. brief
- c. petition for writ of certiorari
- d. memorandum of points and authorities

*ANSWER:* c

*POINTS:* 1

48. The authority that a court has to hear a particular type of case is known as \_\_\_\_\_ .

- a. subject matter jurisdiction
- b. personal jurisdiction
- c. in rem jurisdiction
- d. quasi in rem jurisdiction

*ANSWER:* a

*POINTS:* 1

49. A state always has jurisdiction over a defendant in a lawsuit if \_\_\_\_\_ .

- a. the defendant is a U.S. citizen
- b. the defendant is a citizen of that state
- c. the plaintiff sustained injuries or damages within the state
- d. both b and c

*ANSWER:* b

*POINTS:* 1

50. Proper venue in a federal action based on diversity of citizenship can be determined by \_\_\_\_\_ .

- a. either the defendant's residence or the place where the cause of action arose
- b. only the defendant's residence
- c. only the plaintiff's residence
- d. only where the cause of action arose

*ANSWER:* a

*POINTS:* 1

### Completion

51. A court where a case begins and is tried is a court of \_\_\_\_\_ jurisdiction.

*ANSWER:* original

*POINTS:* 1

52. When an appellate court reverses the lower court's decision and then sends it back to the trial court, it \_\_\_\_\_ the case.

*ANSWER:* remands



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*POINTS:* 1

53. An appellate court's role is to determine if any \_\_\_\_\_ errors occurred in the trial court.

*ANSWER:* legal

*POINTS:* 1

54. Trial courts in the federal system are known as \_\_\_\_\_ courts.

*ANSWER:* district

*POINTS:* 1

55. The power that a court has to hear a particular case is known as \_\_\_\_\_ jurisdiction.

*ANSWER:* subject matter

*POINTS:* 1

56. In rem jurisdiction is based on the fact that \_\_\_\_\_ located within a state is the subject of the lawsuit.

*ANSWER:* property

*POINTS:* 1

57. Jurisdiction based on diversity of citizenship requires that if money damages are requested, the amount in dispute must exceed \_\_\_\_\_.

*ANSWER:* \$75,000

*POINTS:* 1

58. Another term for supplemental jurisdiction of the federal courts is \_\_\_\_\_ jurisdiction.

*ANSWER:* pendent or ancillary

*POINTS:* 1

59. When an appellate court agrees with a lower court's decision, the court \_\_\_\_\_ the case.

*ANSWER:* affirms

*POINTS:* 1

60. In order to invoke quasi in rem jurisdiction, the defendant's property must be brought before the court in a(n) \_\_\_\_\_ proceeding.

*ANSWER:* attachment

*POINTS:* 1

61. A court where a case begins and is tried is a court of \_\_\_\_\_ jurisdiction.

*ANSWER:* original

*POINTS:* 1

62. When an appellate court reverses the lower court decision and then sends it back to the trial court, it \_\_\_ the case.

*ANSWER:* remands

*POINTS:* 1

63. An appellate court's role is to determine if any \_\_\_\_\_ errors occurred in the trial court.

*ANSWER:* legal

Name: \_\_\_\_\_ Class: \_\_\_\_\_ Date: \_\_\_\_\_

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*POINTS:* 1

64. Trial courts in the federal system are known as \_\_\_\_\_ courts.

*ANSWER:* *district*

*POINTS:* 1

65. The power that a court has to hear a particular case is known as \_\_\_\_\_ jurisdiction.

*ANSWER:* *subject matter*

*POINTS:* 1

66. In rem jurisdiction is based on the fact that \_\_\_\_\_ located within a state is the subject of the lawsuit.

*ANSWER:* *property*

*POINTS:* 1

67. Jurisdiction based on diversity of citizenship requires that if money damages are requested, the amount in dispute must exceed \_\_\_\_\_.

*ANSWER:* *\$75,000*

*POINTS:* 1

68. Another term for supplemental jurisdiction of the federal courts is \_\_\_\_\_ jurisdiction.

*ANSWER:* *pendent or ancillary*

*POINTS:* 1

69. When an appellate court agrees with a lower court's decision, the court \_\_\_\_\_ the case.

*ANSWER:* *affirms*

*POINTS:* 1

70. In order to invoke quasi in rem jurisdiction, the defendant's property must be brought before the court in a/an \_\_\_\_\_ proceeding.

*ANSWER:* *attachment*

*POINTS:* 1