

## Unit VI Test Bureaucracy and the Judiciary Practice Test

1. The functions of the Supreme Court include each of the following EXCEPT
  - a) maintaining national supremacy in the law.
  - b) resolving conflicts among the states.
  - c) reviewing the evidence in cases involving crimes committed by public officials.
  - d) ensuring uniformity in the interpretation of national laws.
  - e) rule on cases accepted from lower courts.
  
2. Most criminal and civil cases
  - a) are appealed to a higher court.
  - b) are decided by jury trial in state courts.
  - c) eventually end up in the Supreme Court.
  - d) are decided by a judge in federal district court.
  - e) never reach trial, but are settled out of court.
  
3. Class action suits
  - a) are those which have to do with constitutional issues, thus broadening the standing to sue.
  - b) are filed by students seeking to force a school district to offer additional sections of perpetually over-enrolled courses.
  - c) permit a small number of people to sue on behalf of all other people similarly situated.
  - d) may only be filed if all of those with a standing to sue agree to participate.
  - e) are routinely filed by teachers' groups to prepare the way for legal strikes.
  
4. Several Supreme Court Justices have timed their retirement to:
  - a) increase their retirement benefits.
  - b) avoid being impeached and removed from office.
  - c) allow fresh ideas to be brought to the Court.
  - d) avoid ruling on cases in which they have a conflict of interest.
  - e) ensure a replacement by a president sharing their views.
  
5. Which of the following statements about independent regulatory commissions is FALSE?
  - a) Regulatory commission members may not be drawn from the ranks of present or former employees of the regulated industry.
  - b) It is very difficult for the president to fire regulatory commission members.
  - c) Regulatory commissions have quasi-legislative authority.
  - d) Regulatory commission members are appointed by the president and confirmed by the Senate.
  - e) Congress has created the independent regulatory commissions.

6. Andrew Jackson employed a spoils system in hiring government workers in order to
  - a) reward party loyalists with key federal posts.
  - b) ensure that upper-class, white males retained government positions
  - c) make federal agencies more responsible to Congress
  - d) decrease the rapid turnover in the federal service
  - e) provide for a more hierarchical organization of the bureaucracy
  
7. Sunset laws require:
  - a) bureaucrats to retire at age 65.
  - b) federal employees to refrain from political activity.
  - c) all requests for information to be handled within 10 days.
  - d) government meetings to be open to the public.
  - e) federal agencies to periodically justify their existence.
  
8. Which of the following statements about bureaucracies is FALSE?
  - a) Bureaucratic power extends to every corner of American economic and social life.
  - b) Bureaucracies are scarcely hinted at in the Constitution.
  - c) Nothing better illustrates the complexity of modern government than its massive bureaucracies.
  - d) Each bureaucratic agency is created by the president.
  - e) How to manage and control bureaucracies is a central problem of democratic government.
  
9. The Hatch Act, passed in 1940,
  - a) established the patronage system for federal employment.
  - b) prohibited the president from firing the heads of independent executive agencies.
  - c) prohibits federal civil service employees from active participation in partisan politics.
  - d) required the publication of the plum book.
  - e) established the federal civil service.
  
10. The vast majority of cases reaching the federal courts are settled on the principle of \_\_\_\_\_, meaning that an earlier ruling should hold for the case being considered.
  - a) historical authority
  - b) stare decisis
  - c) amicus curiae
  - d) per curiam decision
  - e) certiorari
  
11. What does the U.S. Constitution have to say about the size of the Supreme Court?
  - a) It specifically sets the number of justices at six, later amended to nine
  - b) It specifically sets the number of justices at nine
  - c) It suggests but does not mandate a Court of at most nine justices
  - d) It does not indicate how large the Court should be
  - e) It suggests but does not mandate a Court of least nine justices

12. All of the following statistics accurately reflect characteristics of federal civilian employees EXCEPT:
- a) nearly half are women
  - b) more than 25% are minority.
  - c) about one-third are employed by the Defense Department.
  - d) only about 11% work in the Washington area.
  - e) federal civilian employees more closely replicate the characteristics of the American public than do members of Congress.
13. Court-packing refers to the practice of
- a) taking away the Supreme Court's appellate jurisdiction
  - b) appointing only justices who agree with the president's political philosophy
  - c) appointing only justices who agree with Congress's political philosophy
  - d) appointing only justices who can be categorized as strict constructionists
  - e) appointing only justices who practice judicial activism
14. The most common way for the Supreme Court to put a case on its docket is by issuing a(n):
- a) amicus curiae brief
  - b) per curiam decision
  - c) stare decisis
  - d) writ of certiorari
  - e) writ of mandamus
15. Principal reasons for the Court's choosing to hear a case would include each of the following EXCEPT
- a) conflict between different lower courts on the interpretation of federal law.
  - b) cases that involve major issues, like civil liberties.
  - c) disagreement between a majority of the Supreme Court and lower court decisions.
  - d) politically hot and divisive cases.
  - e) the justices' law clerks recommend doing so.
16. Standing to sue is determined by
- a) grand juries.
  - b) a court-appointed jury.
  - c) the Solicitor General's office.
  - d) whether or not the party has sustained some sort of "injury."
  - e) the judiciary committee of Congress.
17. Patronage is a hiring and promotion system based on
- a) knowing the right people.
  - b) civil service exams.
  - c) talent and skill.
  - d) the Pendleton Act.
  - e) the merit principle.

18. As a whole, the permanent bureaucracy is
  - a) a reflection of participatory politics, since most government workers are hired through the patronage system.
  - b) overwhelmingly African American, female, and not so well-paid.
  - c) more broadly representative of the American people than legislators, judges, or presidential appointees.
  - d) better paid than are similar jobs in the private sector.
  - e) nearly all white, male, and well-paid.
  
19. The National Security Council
  - a) was established by President Roosevelt to manage foreign and domestic intelligence operations.
  - b) links the president's key foreign and military policy advisors.
  - c) helps the president make policy on such matters as inflation and unemployment.
  - d) is composed of the heads of the three branches of the armed services and makes recommendations to the president on combat strategy.
  - e) is a congressional check on presidential power.
  
20. An "iron triangle" consists of
  - a) those favoring regulation X, those opposing regulation X, and the regulatory agency in charge of overseeing X.
  - b) the metal stamp used to certify that the president has approved a new regulation and it now takes legal effect.
  - c) the president, the head of a relevant congressional committee, and the head of any regulatory agency.
  - d) a bureaucratic agency, an interest group, and a congressional committee or subcommittee.
  - e) representatives of the executive, legislative, and judicial branches of the government.
  
21. All of the following are characteristic of the U.S. government bureaucracy EXCEPT:
  - a) Federal agencies are responsible to both Congress and officials in the executive branch.
  - b) federal agencies share responsibilities with organizations at state and local levels of government.
  - c) Government agencies in the U.S. operate under closer public scrutiny than agencies in most other countries
  - d) U.S. government agencies regulate privately owned enterprises, rather than operate publicly owned ones.
  - e) All U.S. government agencies are part of the fifteen cabinet departments.
  
22. The Supreme Court
  - a) has original jurisdiction in cases involving states and ambassadors.
  - b) has appellate jurisdiction only.
  - c) has original jurisdiction only.
  - d) is required to hear cases that come from state supreme courts
  - e) is required to hear cases from Circuit Courts.

23. The Founders expected that judicial review would be relatively passive because
- judges would merely find and apply the existing law
  - judges would be constrained by the legislature
  - cases would involve only direct disputes between individuals
  - judges would be empowered to award monetary damages only
  - judges would be checked by the executive office
24. Which of the following most accurately describes the growth of the bureaucracy since the end of World War II?
- The number of federal bureaucrats has increased dramatically over the past fifty years.
  - The number of federal employees has remained a relatively constant percentage of all civilian jobs.
  - Whereas the number of federal employees has grown slightly, state and local government jobs have actually decreased.
  - Due to government cutbacks, the number of federal, state, and local government jobs has decreased significantly
  - The federal bureaucracy that tends to foreign affairs has grown significantly, but domestic agencies have all but disappeared.
25. An example of a government corporation is
- the Securities and Exchange Commission
  - the Social Security Administration
  - the U.S. Postal Service
  - General Services Administration
  - the National Aeronautics and Space Administration
26. Lower federal courts of general jurisdiction were established by
- President George Washington.
  - the Judiciary Act of 1789.
  - the Eleventh Amendment.
  - the Constitution.
  - the Supreme Court.
27. The function of the U.S. solicitor general is to
- approve every case the federal government presents to the Supreme Court
  - enforce the decisions of the Supreme Court
  - serve as the principal legal adviser, or counsel, to members of the Supreme Court
  - maintain order in the Supreme Court's courtroom
  - read amicus curiae briefs for the Supreme Court
28. A written opinion in a Supreme Court case is a
- way of establishing the Court's agenda.
  - form of press release written by the chief justice.
  - formality handled by the chief justice's law clerks.
  - legal argument submitted by an attorney in a case seeking to sway a justice's decision.
  - statement of the legal reasoning behind a decision.
29. A judicial activist is a judge who holds
- that courts should make as well as interpret the law
  - a liberal ideology
  - that courts should make but not interpret the law
  - a conservative ideology
  - the courts should apply the law

30. The civil service system is based upon:
- political connections.
  - patronage.
  - the plum book.
  - the Hatch Act.
  - the merit principle.
31. Which of the following cabinet departments was created LAST?
- Department of State
  - Department of Justice
  - Department of Homeland Security
  - Department of Agriculture
  - Department of Commerce
32. Independent regulatory agencies have
- complete independence from the president, but their policymakers are appointed by Congress.
  - powerful rule-making, dispute-settling, and enforcement authority.
  - no real enforcement power any more, and remain today as part of the federal government only in a ceremonial role.
  - no formal ties to either the president or the Congress.
  - governing commissions composed of long-time federal Civil Service employees.
33. Once a policy decision has been made, such as by passing a legislative act or issuing an executive order, the bureaucracy is responsible for
- its deregulation.
  - its implementation.
  - its ratification.
  - judging its merits.
  - funding it.
34. Congress can check the power of the federal judiciary in all of the following ways except
- by confirming or not confirming nominees
  - by changing the number of judges
  - by initiating amendments of the U.S. Constitution
  - by interpreting laws themselves
  - by impeaching federal judges
35. The Federal Trade Commission, the National Labor Relations Board, the Federal Reserve Board, and the Securities and Exchange Commission are all examples of
- cabinet departments
  - independent regulatory agencies
  - independent executive agencies
  - government corporations
  - agencies within the Department of Commerce
36. The chief judicial weapon in the government's system of checks and balances is known as
- judicial activism
  - judicial interpretivism
  - judicial review
  - judicial standing
  - judicial committee
37. In order for the Supreme Court to hear oral arguments or decide a case on the written record,
- only the chief justice must agree to take the case.
  - the case must first be sent to it by the president.
  - four justices must agree to take the case.
  - a majority of the justices must agree to take the case.
  - all justices must agree to take the case.

38. Which of the following principles did the Pendleton Act reinforce?
- hierarchical authority structure
  - task specialization
  - extensive rules
  - the merit principle
  - impersonality
39. Which of the following is NOT a method a president can use to control the bureaucracy?
- firing agency heads
  - issuing executive orders
  - appointing people to head an agency who share the president's goals and strategies
  - firing civil service workers
  - threatening to propose cuts in agency funding
40. Before the president submits her budget to Congress, the Office of Management and Budget (OMB) coordinates the requests of
- the governors.
  - federal agencies.
  - the opposition party.
  - interest groups.
  - select committees of Congress.
41. Usually more than 90 percent of presidents' judicial nominations are members of
- law school faculties.
  - their own party.
  - state legislatures.
  - the Department of Justice.
  - Congress.
42. All of these court actions are clear examples of judicial activism EXCEPT:
- declaring a state death penalty law to be unconstitutional
  - refusing to hear a case involving accusations of jury bias
  - declaring state sponsored prayer in public school to be unconstitutional
  - requiring that states provide attorneys for poor criminal suspects.
  - overturning the Gun Free School Zones Act.
43. Senators have dominated the selection of judges for the federal district courts through
- their control of the budget.
  - their power over court jurisdictions.
  - the influence of the Senate Judiciary Committee.
  - the custom of senatorial courtesy.
  - all of the above
44. The authority of administrative actors to select among various responses to a given problem is called
- policy implementation.
  - selective management.
  - the merit principle.
  - the definition of alternatives.
  - administrative discretion.

45. In *McCulloch v Maryland*, the Supreme Court held that
- a) states could tax a federal bank
  - b) state militia were subservient to the federal armed services
  - c) the federal government could pass any laws necessary and proper to the attainment of constitutional ends
  - d) the federal government had the power to regulate commerce that occurred among the states
  - e) states were allowed to separate but equal facilities
46. In its investigation of Supreme Court nominees, the Senate Judiciary Committee
- a) follows the custom of senatorial courtesy and confirms nominees approved by their home state senators.
  - b) limits its investigation to the nominee's judicial integrity and experience.
  - c) is basically a rubber stamp for the president's nomination.
  - d) may probe a nominee's judicial philosophy in great detail.
  - e) none of the above
47. Among the types of written opinions issued by the Supreme Court are all of the following except
- a) majority
  - b) per curiam
  - c) concurring
  - d) dissenting
  - e) none of the above