



**OPENER- USE YOUR  
NOTES TO ANSWER  
THESE REVIEW Q's**

# **The Courts: Structure and Participants**

**Appellate jurisdiction means the court may hear the case from the beginning until judgment.**

1. Correct
2. Wrong

**In a trial both sides want to win and are pitted against each other using procedural rules set out by statute or tradition. This creates what kind of process between the defense attorney and prosecution?**

1. Argumentative
2. Adversarial
3. Appellate
4. Special

**A defendant has a right to an automatic appeal of the verdict in their state case to a lower court.**

1. Correct
2. Wrong

**When there is new evidence of innocence, the federal court will step in and require the state court to conduct a new trial.**

1. Correct
2. Wrong

**A writ of certiorari is used to require a higher court to release its records for a particular case for censure.**

1. Correct
2. Wrong

# The defense attorney has the burden of proof in a trial.

1. Correct
2. Wrong

**An attorney that represents a defendant for a fee that has their own practice or is part of a law firm is called?**

1. Public Defender
2. Private Attorney
3. Court-Assigned Counsel
4. State Defender



# A character witness -----.

1. Is a lay witness with direct knowledge of the defendant
2. Is an expert witness with a professional opinion of the defendant
3. Is an eye witness for the state



# Pretrial Activities and the Criminal Trial

# **What impacts the court's decision to release a defendant before a trial?**

1. Is the defendant a flight risk?
2. Will the defendant no show for court?
3. Is the defendant a danger to the public if released?
4. All the above impact this decision

# The defendant hears charges and enters a plea at which type of hearing?

1. Bail hearing
2. Grand Jury
3. Arraignment
4. Preliminary hearing

# What does the Constitution mean by an impartial jury?

1. Free of bias and preconceived ideas about the guilt or innocence of the defendant.
2. Free of opinions and you must not have read or heard anything about the case in the media.
3. There is no such thing as an impartial jury.

**Gruesome pictures of the crime scene might be prejudicial or inflammatory by upsetting the jury. Who decides whether this type of evidence is appropriate to the case?**

1. The defendant and defense attorney
2. The Judge
3. The prosecutor and jury foreman

# Facts that do not need to be interpreted such as photographs are considered which type of evidence?

1. Forensic
2. Direct
3. Circumstantial
4. Prejudicial

# What do you call a jury that can not reach a verdict?

1. Unprofessional Jury
2. Sequestered Jury
3. Jury Nullification
4. Hung Jury





# Sentencing

**General deterrence is focused on those that have already committed a crime, and specific deterrence is aimed at those in society that might be inclined to commit a crime in the future.**

1. Correct
2. Wrong

**If an offender tortured a victim with a deadly weapon, this would be considered an aggravating circumstance that would do what to the sentence.**

1. Lessen the sentence
2. Increase the sentence
3. The sentence would stay the same according to the guidelines

# Which of the following represents unfairness in sentencing?

1. The judge can use his/her discretion or even bias
2. The characteristics of the offender may be given too much consideration
3. For the same offense one offender receives the maximum sentence and another receives the minimum
4. All of the above

# The three strikes law means?

1. You are *out* of the criminal justice system and can not be re tried
2. You are eligible for the death penalty for any additional felony
3. You will receive a mandatory sentence upon your third felony conviction