

## AP Style Multiple Choice Questions

1. Which statement best defines the concept of original jurisdiction?
  - a. the power of a higher court to review decisions made by lower courts
  - b. the authority of a court to hear a case for the first time\*
  - c. the jurisdiction to hear cases from other courts
  - d. the final decision-making authority of the Supreme Court
  
2. How did the Supreme Court derive its power of judicial review?
  - a. The Constitution explicitly gives this authority to the court.
  - b. The Court assumed this power through its own interpretations.\*
  - c. Congress provided this power to the Court with numerous laws.
  - d. The power is derived from the executive branch through its nomination powers.
  
3. Which option best describes the role of substantive due process in U.S. law?
  - a. It outlines procedural requirements for law enforcement agencies.
  - b. It guarantees the right to a speedy and public trial.
  - c. It ensures that laws and government actions are fair and reasonable.\*
  - d. It mandates all laws to be reviewed every 20 years.
  
4. Which option summarizes the main argument presented in *Federalist #78* by Alexander Hamilton?
  - a. advocating a strong executive branch to maintain judicial independence
  - b. arguing for a unicameral legislative system that would tightly constrain judicial power
  - c. supporting the establishment of a federal court system with judicial review powers\*
  - d. claiming term limits for judicial positions would support the principle of separation of powers

5. What did Hamilton mean when he said the courts had “neither force nor will, but merely judgment” in *Federalist* #78?
- Judgments can be overturned by Congress.
  - Judgments must always be impartial.
  - Judgments cannot be applied by the courts.\*
  - Judgments of the court are equal to laws.
6. What does it mean that United States Courts of Appeals have appellate jurisdiction only?
- They can only hear cases that were not decided by lower courts.
  - They can only review and change decisions made by lower courts.\*
  - They have the authority to hear both original and appellate cases.
  - They exclusively handle cases on conflicts between state and federal law.
7. How does the Supreme Court’s decision in *United States v. Lopez* (1995) represent a departure from its previous decisions?
- It expanded the federal government’s power to regulate interstate business.
  - It limited the scope of Congress’s authority under the Commerce Clause.\*
  - It affirmed the constitutionality of federal gun control legislation.
  - It upheld the federal government’s authority to regulate education policy.
8. What is the primary purpose of an amicus curiae brief?
- to serve as a formal complaint filed by the plaintiff in a civil case
  - to provide additional evidence or testimony in a criminal trial
  - to offer expertise or perspective to assist the court in its decision-making\*
  - to initiate a lawsuit on behalf of a group of individuals with similar grievances
9. Which precedent did the U.S. Supreme Court establish in its decision in *Schenck v. United States* (1919)?
- Free speech protection is not absolute.\*
  - Distributing anti-war literature is protected speech.
  - First Amendment protections for political dissent were expanded.
  - The Espionage Act of 1917 is unconstitutional.

10. Which option describes the principle of judicial review?
- the power of the courts to assess laws or actions to determine their constitutionality\*
  - the authority of the executive branch to veto legislation passed by the legislative branch
  - the ability of the legislature to impeach and remove judges from office
  - the process by which citizens can petition the courts for a review of administrative decisions
11. Which U.S. Supreme Court decision incorporated protections for criminal defendants?
- Gideon v. Wainwright* (1963)\*
  - Wisconsin v. Yoder* (1972)
  - McDonald v. Chicago* (2010)
  - Baker v. Carr* (1962)
12. Which is an enumerated power of the Supreme Court?
- the authority to veto legislation passed by Congress
  - the ability to declare war on foreign nations
  - the power to resolve conflicts between states\*
  - the capacity to appoint federal judges and justices
13. How did the U.S. Supreme Court apply the Free Exercise Clause in *Wisconsin v. Yoder* (1972)?
- by upholding a state law that sponsored prayer in public schools
  - by ruling against a law that conflicted with Amish religious beliefs\*
  - by allowing a state law that prohibited the sale of alcohol on Sundays
  - by supporting a state law that mandated vaccination for school enrollment
14. What conclusion did the Court reach on the use of prior restraint in *New York Times v. United States* (1971)?
- The Court upheld prior restraint for national security.
  - The Court allowed restraint only for explicit threats.
  - The Court found the government did not use justified restraint.\*
  - The Court permitted the states to evaluate prior restraint.

15. What was the practical outcome of the application of “one person, one vote” from *Baker v. Carr* (1962)?

- a. States were required to redraw legislative districts based on race.
- b. Equal representation was mandated in all local elections.
- c. Legislative districts were reshaped to reflect population changes.\*
- d. The voting age was lowered to 18 for federal elections.

16. If a Supreme Court decision were widely unpopular among the people, state governments, and Congress, which of the following courses of action could be taken to offset or limit the impact of the Supreme Court decision?

- a. ratification of constitutional amendment\*
- b. election of new Supreme Court justices
- c. impeachment of the enforcing president
- d. default to enforcing more popular precedents

Use the graphic to answer questions 17 and 18 that follow.

Nominee	To Replace	Nominated*	Vote**	Result & Date***	
<b>President Biden, Joseph R., Jr.</b>					
Jackson, Kentanji Brown	Breyer	Feb 28, 2022	53–47 No. 134	C	Apr 7, 2002
<b>President Trump, Donald</b>					
Barrett, Amy Coney	Ginsburg	Sep 29, 2020	52–48 No. 224	C	Oct 26, 2020
Kavanaugh, Brett	Kennedy	Jul 10, 2018	50–48 No. 223	C	Oct 6, 2018
Gorsuch, Neil M.	Scalia	Feb 1, 2017	54–45 No. 111	C	Apr 7, 2017
<b>President Obama, Barack</b>					
Garland, Merrick B.	Scalia	Mar 16, 2016		N	
Kagan, Elena	Stevens	May 10, 2010	63–37 No. 229	C	Aug 5, 2010
Sotomayor, Sonia	Souter	Jun 1, 2009	68–31 No. 262	C	Aug 6, 2009
<b>President Bush, George W.</b>					
Alito, Samuel A., Jr.	O’Connor	Nov 10, 2005	59–42 No. 2	C	Jan 31, 2006
Miers, Harriet	O’Connor	Oct 7, 2005		W	Oct 28, 2005
Roberts, John G., Jr.	Rehnquist	Sep 6, 2005	78–22 No. 245	C	Sep 29, 2005
Roberts, John G., Jr.	O’Connor	Jul 29, 2005		W	Sep 6, 2005

**\*\*\* Result Key:**

C - Confirmed and served (121)  
D - Declined (7)  
N - No Action (10)  
P - Postponed (3)  
R - Rejected (12)  
W - Withdrawn (12)

**Source:**

<https://www.senate.gov/legislative/nominations/SupremeCourtNominations1789present.htm>

17. The information provided on this graph demonstrates which important principle?
- limited government
  - federalism
  - rule of law
  - checks and balances\*
18. Which president on the graph has the most Supreme Court nominees confirmed?
- President George W. Bush
  - President Barack Obama
  - President Donald Trump\*
  - President Joseph Biden

### Short Answer

- Explain the role of the judiciary in the changing balance of power between the national and state governments over time. In your answer, use both the *McCulloch v. Maryland* (1819) and *United States v. Lopez* (1995) decisions.
- Explain the importance of both judicial activism and judicial restraint. In your answer, reference at least two of the following Supreme Court cases: *Brown v. Board of Education* (1954), *Wisconsin v. Yoder* (1972), and *Gideon v. Wainwright* (1963).
- What did the Supreme Court decide in *Marbury v. Madison* (1803)? How did this decision affect the role of the Supreme Court? Reference specific cases in your answer.
- What did Hamilton mean when he described the judiciary as the “least dangerous” branch of government in *Federalist #78*?