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OVERVIEW OF THE LEGAL SYSTEM

1. Which of the following refers to a court's power to hear and decide a given case?
- A. Venue
 - B. Res judicata
 - C. Jurisdiction
 - D. Political domain
2. Under a common law legal system, judges are not bound by precedent and are free to decide cases based on their interpretation of the matters at issue.
- A. True
 - B. False
3. Judges in civil law jurisdictions are not bound by previous court decisions, but in practice, many do use previous decisions to guide their interpretations of codes and statutes.
- A. True
 - B. False
4. Which of the following statements concerning judges and juries is MOST ACCURATE?
- A. Juries primarily decide issues of law in adversarial jurisdictions ✗
 - B. In a bench trial in adversarial jurisdictions, the judge only decides questions of law ✓
 - C. In serious cases, some inquisitorial jurisdictions use juries that include both judges and legal professionals. ✗
 - D. Inquisitorial judicial processes are those that do not use juries in fact finding role.
5. Which of the following types of law is/are created by legislatures?
- A. Common law
 - B. Case law
 - C. Statutory law
 - D. All of the above
6. Most common law jurisdictions feature an adversarial judicial process in which the parties primarily drive the evidence-gathering portion of judicial proceedings.
- A. True
 - B. False
7. In a federal system of government, a central government maintains all governing authority, but might delegate powers to agencies and regional governments.
- A. True
 - B. False
8. Which of the following best describes the primary source(s) of law in civil law jurisdictions?
- A. Judge-made law ✗
 - B. Codified principles or statutes ✓
 - C. A combination of judge-made law and codified principles or statutes. ✓
 - D. None of the above
9. A civil action is a legal proceeding brought by a private (non-government) party.
- A. True
 - B. False
10. Walters is the mayor of a mid-size town. Because he is well-known and liked in the town, the prosecutor wants to move the trial to another town in which Walters is not known. The prosecution believes that such a move will ensure a more unbiased verdict. If the prosecution wishes to move the trial to a different city, it must request which of the following?
- A. Change of jurisdiction ✗

~~B.~~ Change of venue

C. A new trial ✗

D. An appeal ✗

11. In a particular country, the judicial system involves courts applying laws from codified statutes to each case. The court is not required to consider previous similar court decisions when deciding legal issues. Which of the following best describes this judicial system?

A. Statutory law system ✗

B. Common law system ✗

C. Civil law system

D. Unitary law system ✓

12. The body of judge-made law that developed from England and is still used today in many jurisdictions is called:

A. Common law

B. Consensus law

C. Original law

D. Statutory law

13. _____ is comprised of the basic laws of rights and duties. When people refer to something that "against the law," they are usually referring to this type of law.

A. Procedural law ✗

B. Administrative law ✗

C. Natural law ✗

D. Substantive law ✓

14. If a party obtains a domestic judgment against a foreign defendant in a fraud case, the party will be able to enforce that judgment in any jurisdiction where the defendant resides.

A. True

B. False

15. Suppose that a party obtains a judgment against a foreign defendant in a domestic court. Which of the following accurately describes the effect of that judgment?

A. The judgment might be used to seize the defendant's assets in a foreign jurisdiction that has a treaty with the domestic jurisdiction for the enforcement of judgments ✓

B. The judgment may be used to seize the defendant's assets located in the domestic country ✓

C. The judgment might be used to seize the defendant's assets in a foreign jurisdiction whose internal law recognize the judgment

D. All of the above

16. In inquisitorial judicial processes, criminal defendants are generally required to provide testimony, if so directed by the court.

A. True ?

B. False

17. Suppose that a court is deciding a case involving a transaction between parties and assets located in different countries. Which of the following statements concerning how courts choose which jurisdiction's laws to apply most accurate?

A. Most courts always apply the substantive laws of foreign jurisdictions ✗

B. Most courts always apply the procedural laws of foreign jurisdictions ✗

C. Most courts always apply the procedural laws of their own jurisdictions ✗

D. Most courts apply both their own procedural and substantive laws to all cases. ✓

* 18. Which of the following statements concerning unitary systems of government is most accurate?

China

Unitary system -

- A. Unitary systems are those in which all laws are derived from a codified set of principles or statutes, as opposed to judge-made law
- ~~B.~~ Unitary systems are those that do not have state, provincial or local governments.
- C. Both semi-autonomous states/ provinces and a central government have governing authority in unitary systems.
- D. Most substantive laws relating to fraud are directly legislated by the central government in unitary systems.
19. In a particular country's judicial process, the judge oversees the investigation of a case, is primarily responsible for questioning witnesses, and generally plays a larger role in the evidence-gathering process than the parties' legal counsel. Which of the following best describes this type of judicial process?
- A. Substantive law process ✗
- B. Inquisitorial process
- C. Adversarial process ✗
- D. Common law process ✗
20. Which type of law sets forth the rules of the legal system?
- A. Procedural law *evidence act*
- B. Substantive law ✗
- C. Criminal law ✗
- D. None of the above ✗
21. Allan and Michael live in two different countries. Allan believes that he has been financially harmed by Michael and wants to bring a lawsuit against him. Which of the following courts would be the most likely to have jurisdiction to hear the case?
- A. Any court that hears cases involving the type of financial harm caused. ✗
- B. Whichever court in which Michael, the defendant, prefers the case to be brought ✗
- C. Whichever court in which Allan, the plaintiff, prefers the case to be brought ✓
- ~~D.~~ A court in the country where the harm was done
22. A statute that prohibits fraud involving the use of a jurisdiction's mail or telecommunication systems is most properly characterised as what type of law?
- A. Substantive ✗
- B. Procedural ✗
- C. Common law ✓
- ~~D.~~ None of the above
23. In adversarial judicial processes, which of the following parties typically gathers evidence for the case and conducts the questioning of witnesses at trial?
- A. The judge or magistrate ✗
- B. The jury *never questions*
- C. The court clerk ✗
- ~~D.~~ The parties or their legal counsel