CONSTITUTION 101
Module 1: Constitutional Conversations and Civil Dialogue
9.7 Test Your Knowledge

THE JUDICIAL SYSTEM AND CURRENT CASES

Complete the questions in the following quiz to test your knowledge of basic ideas and concepts covered in this module.

1. The power of the Supreme Court to review the constitutionality of acts of the national and state governments is known as __________.
   a. Executive orders
   b. Judicial orders
   c. Judicial review
   d. Line item vetoes

2. How many justices currently serve on the Supreme Court?
   a. 6
   b. 8
   c. 9
   d. 10

3. Which of the following is a formal constitutional requirement to be nominated as a justice of the Supreme Court?
   a. Must be at least 40 years old
   b. Must have participated in at least 100 cases
   c. Must be born in the United States
   d. None of the above

4. To become a justice of the Supreme Court, a person must be nominated by __________ and confirmed by __________.
   a. The president, the Senate
   b. Their home state, the president
   c. The president, the other justices
   d. Congress, direct popular vote

5. What does Article III say about what courts should exist in the United States?
   a. There must be a District Court, an Appellate Court, and a Supreme Court.
   b. There must be a Supreme Court but Congress can establish lower courts, as well.
   c. There can only be a Supreme Court; all other courts are illegal.
   d. The Supreme Court must consult with the president on important cases.
6. Article III of the Constitution says that judges of the Supreme Court will hold their offices for what period of time?
   a. For life, pending good behavior
   b. For two terms of four years each
   c. Until they turn 70 years of age
   d. As long as they keep winning reelection

7. *Federalist* No. 78, which focused on the judiciary department, was authored by which famous founder in 1788?
   a. John Marshall
   b. John Jay
   c. James Madison
   d. Alexander Hamilton

8. Why did Alexander Hamilton consider the judiciary to be “the least dangerous” branch in the government?
   a. The judiciary holds no influence over the ability to declare war (the sword).
   b. The judiciary holds no influence over the wealth of society (the purse).
   c. The judges were weak by nature and easily corruptible.
   d. Both A and B

9. According to *Federalist* No. 78, why could no legislative act that was contrary to the Constitution ever be valid?
   a. The Constitution allowed only the president to make the laws.
   b. The representatives of the people would then be superior to the people themselves.
   c. The judges could never keep track of which laws were unconstitutional.
   d. It would show that the Constitution was the supreme law of the land.

10. Which of the following statements is true of the Constitution, according to *Federalist* No. 78?
    a. The judicial power is superior to the legislative power.
    b. The legislative power is superior to the judicial power.
    c. The power of the people is superior to the legislative and judicial powers.
    d. Both the legislative and judicial powers are superior to the people.

11. The contested election of 1800 resulted in a tie between which two candidates?
    a. John Adams and Thomas Jefferson
    b. Thomas Jefferson and Aaron Burr
    c. John Adams and James Madison
    d. James Madison and William Marbury
12. Who served as chief justice of the United States during the landmark decision of *Marbury v. Madison*, that dealt with the notion of judicial review?
   a. John Marshall
   b. John Jay
   c. James Madison
   d. William Marbury

13. What was the Supreme Court’s ruling in the case of *Marbury v. Madison*?
   a. The Court said that Marbury was entitled to his commission.
   b. The Court admitted that it had no authority to order Madison to deliver the commission.
   c. The Court declared that the Judiciary Act was unconstitutional and strengthened the judicial review power of the Court.
   d. All of the above

14. Justices who disagree with the Court’s majority ruling can still submit their own opinions on the case. These are known as __________.
   a. Unanimous opinions
   b. Dissenting opinions
   c. Concurring opinions
   d. Inflated opinions

15. Which of these cases would likely be heard by the justices of the Supreme Court?
   a. A person who is on trial for a speeding ticket
   b. A person who is accused of robbing a bank
   c. A debate about the meaning of the Third Amendment
   d. A debate about using fireworks during a Fourth of July celebration

16. How many justices must agree to hear a case before it can be argued before the Supreme Court?
   a. All of the justices must agree to it
   b. At least four justices
   c. At least seven justices
   d. The justices do not get to decide what cases the court hears

17. What do the justices wear while the Supreme Court is in session?
   a. Elaborate red robes with powdered wigs
   b. Suits and ties
   c. Black robes
   d. Very casual attire
18. Who is the current chief justice of the United States?
   a. John Roberts
   b. John Marshall
   c. Judge Judy
   d. Sandra Day O’Connor

19. During the Civil War, the Supreme Court consisted of 10 justices. What would be a major problem with having an even number of justices on the court?
   a. The Constitution says there must be nine.
   b. There aren’t that many chairs in the courtroom.
   c. The court could be deadlocked on close decisions.
   d. All of the above

20. The first African American to serve on the Supreme Court was ____________.
   a. Frederick Douglass
   b. Thurgood Marshall
   c. Clarence Thomas
   d. Ketanji Brown-Jackson
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Answer Key
1. C
2. C
3. D
4. A
5. B
6. A
7. D
8. D
9. B
10. C
11. B
12. A
13. D
14. B
15. C
16. B
17. C
18. A
19. C
20. B