|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. A constitution is not an example of enacted law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2. Administrative law is usually more specific than statutory law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 3. Decisions of the highest court in a state are examples of common law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 4. The term *case law* does not encompass a broader range of law than the term *common law*.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 5. Personal jurisdiction is the extent of a court’s authority to hear and resolve specific disputes.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 6. The United States District Courts are the main trial courts in the federal system.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 7. A court of appeals may review new evidence when considering a matter on appeal.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 8. The doctrine of stare decisis requires lower courts to follow the decision of a higher court in a jurisdiction in cases involving similar issues and facts.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 9. If times have changed and there is good reason not to follow a prior decision of a higher court, then a lower court may choose not to follow the precedent of a higher court in the same jurisdiction.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 10. Because of the doctrines of stare decisis and precedent, courts can be relied on to reach the same decision on an issue as earlier courts did when the cases are sufficiently similar.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 11. The United States Supreme Court may declare laws enacted by state legislatures unconstitutional.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Hierarchy of the Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-3 - Understand the hierarchy of the various sources of law. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 12. Mandatory authority is a nonlaw source that a court may rely on when reaching a decision.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 13. There is no uniform method for citations.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Introduction to Legal Citation" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 14. The *Restatements of Law* is restricted to discussion of a single legal topic.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 15. The *American Law Reports* (ALR) is a series of books that contain the text of selected court opinions, along with scholarly commentaries on the opinions.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 16. Legal dictionaries include definitions of legal terms and commentaries on the definitions.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 17. Law reviews are usually published by law schools.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 18. Secondary authority cannot be mandatory authority.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 19. Not all primary authority is mandatory authority.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 20. For a court opinion to be mandatory authority, it must be on point and it must be written by a higher court in the jurisdiction.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 21. As used in the text, enacted law includes:   |  |  |  | | --- | --- | --- | |  | a. | Regulations adopted by administrative bodies | |  | b. | Opinions of the United States Supreme Court | |  | c. | Statutes | |  | d. | Ordinances | |  | e. | All of the above | |  | f. | Answers a, b, and c above | |  | g. | Answers a, c, and d above |  |  |  | | --- | --- | | *ANSWER:* | g | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 22. Constitutions:   |  |  |  | | --- | --- | --- | |  | a. | Define the powers of the government | |  | b. | Establish the structure of the government | |  | c. | Define the rights of the people | |  | d. | All of the above | |  | e. | Answers a and c above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-1 - Understand the main sources and types of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 23. In regard to subject matter jurisdiction, the basic types of courts are courts of:   |  |  |  | | --- | --- | --- | |  | a. | Limited jurisdiction | |  | b. | Personal jurisdiction | |  | c. | Concurrent jurisdiction | |  | d. | General jurisdiction | |  | e. | All of the above | |  | f. | Answers a, c, and d above | |  | g. | Answers a and d above |  |  |  | | --- | --- | | *ANSWER:* | g | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 24. Which of the following are courts of limited jurisdiction?   |  |  |  | | --- | --- | --- | |  | a. | United States Tax Court | |  | b. | United States District Court | |  | c. | State small claims court | |  | d. | All of the above | |  | e. | Answers a and b above | |  | f. | Answers a and c above |  |  |  | | --- | --- | | *ANSWER:* | f | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 25. A court of appeals may:   |  |  |  | | --- | --- | --- | |  | a. | Hear new testimony | |  | b. | Retry the case | |  | c. | Take new evidence | |  | d. | Review the record of the trial court | |  | e. | All of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 26. The basic principle that requires a court to follow a previous decision of a higher court, when the current decision involves issues and facts similar to those involved in the previous decision, is the doctrine of:   |  |  |  | | --- | --- | --- | |  | a. | Precedent | |  | b. | Concurrent jurisdiction | |  | c. | Subject matter jurisdiction | |  | d. | Stare decisis | |  | e. | None of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Sources of Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-2 - Understand the basic structure of the state and federal court systems. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 27. The highest legal authority in a jurisdiction is the:   |  |  |  | | --- | --- | --- | |  | a. | Decision of the state supreme court | |  | b. | Decision of the United States Supreme Court | |  | c. | Laws of the United States Congress | |  | d. | Constitution |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Hierarchy of the Law" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-3 - Understand the hierarchy of the various sources of law. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 28. Primary authority is:   |  |  |  | | --- | --- | --- | |  | a. | A nonlaw source that a court may rely on when deciding an issue | |  | b. | Authority that a court must rely on when deciding an issue | |  | c. | Authority that a court may rely on when deciding an issue | |  | d. | The law itself | |  | e. | Answers a, b, and c above | |  | f. | Answers a and c above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 29. Examples of primary authority are:   |  |  |  | | --- | --- | --- | |  | a. | *American Law Reports* | |  | b. | Ordinances | |  | c. | Court opinions | |  | d. | Treatises | |  | e. | All of the above | |  | f. | Answers a, b, and c above | |  | g. | Answers b and c above |  |  |  | | --- | --- | | *ANSWER:* | g | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 30. Which of the following is used to obtain a summary of the law?   |  |  |  | | --- | --- | --- | |  | a. | *Restatements of the Law* | |  | b. | A legal encyclopedia | |  | c. | A law review article | |  | d. | *ALR* |  |  |  | | --- | --- | | *ANSWER:* | b | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-4 - Understand the types of legal authority. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 31. When looking for a review of selected court opinions on specific topics and scholarly commentaries on the opinions which option would be used?   |  |  |  | | --- | --- | --- | |  | a. | A legal encyclopedia | |  | b. | *Restatements of the Law* | |  | c. | A treatise | |  | d. | *ALR* | |  | e. | All of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Easy | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Remembering | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 32. When a court in state A looks to a decision of a court in state B when deciding an issue, the decision in state B is:   |  |  |  | | --- | --- | --- | |  | a. | Mandatory authority | |  | b. | Concurrent jurisdiction | |  | c. | Secondary authority | |  | d. | Persuasive authority | |  | e. | None of the above |  |  |  | | --- | --- | | *ANSWER:* | d | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 33. When the highest court in state A defines the term *malice,* all of the courts in state A are bound to follow the highest court’s definition of the term. The state A definition is:   |  |  |  | | --- | --- | --- | |  | a. | Primary authority | |  | b. | Persuasive authority | |  | c. | Secondary authority | |  | d. | Mandatory authority | |  | e. | All of the above | |  | f. | Answers a and d above | |  | g. | Answers b and d above |  |  |  | | --- | --- | | *ANSWER:* | f | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 34. The highest court in state B defines the term *malice.* The highest court in state A looks to the state B definition when defining the term. The state B definition is:   |  |  |  | | --- | --- | --- | |  | a. | Primary authority | |  | b. | Persuasive authority | |  | c. | Secondary authority | |  | d. | Mandatory authority | |  | e. | All of the above | |  | f. | Answers a and d above | |  | g. | Answers a and b above |  |  |  | | --- | --- | | *ANSWER:* | g | | *RATIONALE:* | Se "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 35. The highest court in state A decides to adopt the *Restatements of the Law* definition of *malice.* Once adopted, the adopted definition is:   |  |  |  | | --- | --- | --- | |  | a. | Secondary authority | |  | b. | Persuasive authority | |  | c. | Mandatory authority | |  | d. | All of the above | |  | e. | Answers a and b above | |  | f. | Answers a and c above |  |  |  | | --- | --- | | *ANSWER:* | c | | *RATIONALE:* | See "Authority" | | *POINTS:* | 1 | | *DIFFICULTY:* | Medium | | *LEARNING OBJECTIVES:* | LRAW.PUTM.18.1-5 - Understand when and how legal authority applies. | | *OTHER:* | Bloom's: Understanding | |