

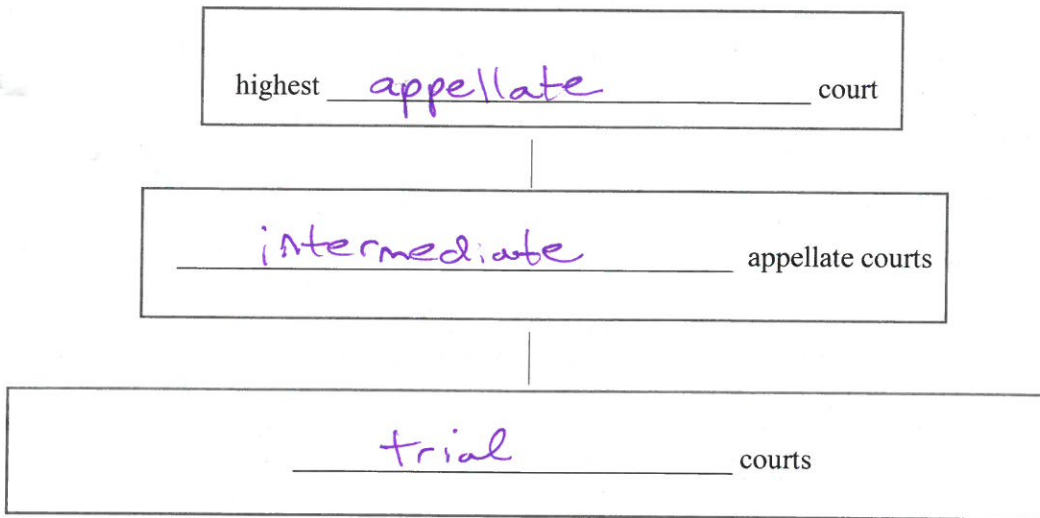
Name: ANSWER KEY!!

Date: FEB. 25, 2019 Score: 40 / 40

+2 =
(42) 😊

QUIZ 1: Intro to Civil Procedure and Structure of the Courts (C&W chs. 1 & 2)
Each response is worth 2 points. Spelling counts!!

Basic court structure! Each box contains a description of the type of court at each of the three levels. Fill in the word that best fit the blank space in each box.



Fill-in! In the spaces at the left (1-3), write the word(s) that best fit the blank in each sentence.

- plaintiff 1. The party in a civil matter who believes she/he has been wronged, and initiates a case to seek a remedy from the court, is called the ____.
- defendant 2. The party in a civil matter who is the alleged wrongdoer, against whom a case is brought, is called the ____.
- preponderance of evidence 3. The standard of proof required to prevail in a civil case is ____.

Matching! In the spaces at the left (4-6), write the CAPITAL letter of the corresponding term from the right hand column (A-C).

- | | |
|---|-----------------------|
| <u>B</u> 4. New York Gov. Andrew Cuomo | A. judicial branch |
| <u>C</u> 5. U.S. Congress (Senate and House of Representatives) | B. executive branch |
| <u>A</u> 6. New York Court of Appeals | C. legislative branch |

Multiple choice! In the spaces at the left (7-16), write the CAPITAL letter of the best answer to each question.

- A 7. This type of court has "original jurisdiction." (A) trial court (B) intermediate appellate (C) highest appellate
- C 8. This type of court is a "court of last resort." (A) trial court (B) intermediate appellate (C) highest appellate

- B 9. A divorce case between a Staten Island couple would be decided by: (A) N.Y. Family Court, Richmond County (B) N.Y. Supreme Court, Richmond County (C) N.Y. Supreme Court, Kings County (D) U.S. Supreme Court
- C 10. Your client slipped and fell at City Tech, which is controlled by the State of New York. She wants to sue the State for \$100,000 damages. The court that has original jurisdiction is: (A) New York Supreme Court (B) New York Surrogate's Court (C) New York Court of Claims (D) New York Court of Appeals
- B 11. An appeal of a decision by N.Y.C. Civil Court, Bronx County, would be decided by: (A) Appellate Division, First Department (B) Appellate Term, First Department (C) Appellate Term, Third Dep't (D) NY Supreme Court
- A 12. An appeal of the trial court's decision in a child custody dispute in Nassau County would be decided by:
(A) Appellate Division, Second Department (C) Appellate Term, Second Department
(B) Appellate Division, First Department (D) New York Court of Appeals
- C 13. An appeal of a decision by the Appellate Division, Fourth Department, would be decided by:
(A) Appellate Division, First Department (C) New York Court of Appeals
(B) Appellate Term, Fourth Department (D) US Court of Appeals
- C 14. The federal trial court in Brooklyn (across the street from City Tech!) is the U.S. District Court for the ____ District of N.Y. (A) Northern (B) Southern (C) Eastern (D) Western
- B 15. An appeal of a decision by U.S. District Court for the Southern District of New York would be decided by U.S. Court of Appeals for the ____ Circuit. (A) First (B) Second (C) Third (D) Fourth
- D 16. An appeal of a decision by U.S. Court of Appeals for the Tenth Circuit would be decided by:
(A) U.S. Court of Appeals for the Eleventh Circuit (C) N.Y. Court of Appeals
(B) U.S. Court of Appeals for the Second Circuit (D) U.S. Supreme Court

BONUS! (1 point for each response – ONLY if you answer all other questions!!). What are the names of:

- (a) the current Chief Judge of the New York Court of Appeals? Janet Di Fiore
- (b) the current Chief Justice of the U.S. Supreme Court? John G. Roberts