

CHAPTER 1 ANSWERS

- 1) This refers to a collection of different institutions and individuals who are typically involved in the processing of criminal cases.
 - a. Court System
 - *b. Criminal Justice System
 - c. Police Department
 - d. Law Firms
- 2) What is a rule of conduct promulgated and enforced by the government?
 - a. Bail
 - b. Jurisdiction
 - *c. Law
 - d. Jury Decision
- 3) What defines offenses against the community at large, regulates how suspects are investigated, charged and tried, and establishes punishments for convicted offenders?
 - a. Civil Law
 - b. Court Jurisdiction
 - c. Due Process
 - *d. Criminal Law
- 4) Name the parties to a criminal law case.
 - *a. Government and Defendant
 - b. Plaintiff and Defendant
 - c. Individual and Individual
 - d. Government and State
- 5) Name the party that initiates a civil lawsuit.
 - a. Accuser
 - b. District Attorney
 - c. Government
 - *d. Plaintiff
- 6) What is the standard of proof needed in a criminal law case?
 - a. Preponderance of the Evidence
 - b. Sufficient Proof
 - *c. Beyond a Reasonable Doubt
 - d. Flawless Evidence
- 7) What are the protections provided to people by law when they are involved in legal disputes with the government?
 - a. Civil Rights
 - *b. Due Process
 - c. *Miranda* Rights
 - d. Appeals
- 8) What is the underlying presumption in a case under the Due Process Model?
 - *a. Presumption of Innocence
 - b. Presumption of Guilt
 - c. Presumption of Facts
 - d. No presumption is made

- 9) Which branch of government is responsible for the creation of most of U.S. criminal law?
- *a. Legislative
 - b. Executive
 - c. Judicial
 - d. Administrative
- 10) What types of tasks do criminal paralegals typically perform?
- a. Appearing in court for initial plea
 - *b. Review witness statements, respond to discovery, and organize trial documents
 - c. Set fees for representation of a defendant
 - d. Pleas bargain with the other side
- 11) How do attorneys become federal judges?
- a. Election at the local level
 - b. Election at the federal level
 - *c. Appointment by the President with approval of the U.S. Senate
 - d. Presidential appointment
- 12) The victim impact statement is given at which stage of the criminal justice process?
- a. Arraignment
 - b. Preliminary Hearing
 - c. Closing Statements
 - *d. Sentencing Hearing
- 13) Law enforcement personnel are required to inform criminal suspects of their right to be represented by an attorney and to remain silent if they are in custody due to the case of *Miranda v. _____*?
- a. Ohio
 - b. Virginia
 - c. Arkansas
 - *d. Arizona
- 14) What is the key in the relationship between a paralegal and an attorney?
- a. Time Management
 - *b. Supervision
 - c. Reliability
 - d. Honesty
- 15) In a bench trial, who determines whether the defendant is guilty or not guilty?
- a. Jury
 - b. Panel of 3 judges
 - c. Vote by peers
 - *d. 1 judge
- 1) The criminal justice system refers to a collection of different institutions and individuals who are typically involved in the processing of criminal cases.
- *a. True
 - b. False
- 2) Jurisdiction is a rule of conduct promulgated and enforced by the government.
- a. True
 - *b. False

- 3) Laws can apply to the conduct of individuals as well as to the conduct of governments.
*a. True
b. False
- 4) Civil Law is defined as an offense against the community at large.
a. True
*b. False
- 5) The plaintiff and a defendant are the parties involved in a criminal law case.
a. True
*b. False
- 6) The plaintiff is the party that initiates a civil lawsuit.
*a. True
b. False
- 7) Preponderance of the evidence is needed to win a criminal law case.
a. True
*b. False
- 8) Guilty criminal defendants are ordered to pay damages to the person they harmed.
a. True
*b. False
- 9) The purpose of the criminal law is to make the injured person whole.
a. True
*b. False
- 10) Due process is a general description of the protections provided to people by law when they are involved in legal disputes with the government.
*a. True
b. False
- 11) The underlying presumption in a case under the Crime Control Model is the presumption of innocence.
a. True
*b. False
- 12) Once a criminal defendant is found not guilty, he cannot be sued in a civil case for the same offense.
a. True
*b. False
- 13) Even though an individual may be harmed during the commission of a crime, the victim in a criminal prosecution is society as whole.
*a. True
b. False
- 14) The victim impact statement is given during the sentencing hearing.
*a. True
b. False
- 15) Law enforcement personnel are required to inform criminal suspects of their right to be represented by an attorney and to remain silent if they are in custody due to the case of *Miranda v. Ohio*.
a. True
*b. False
- 16) A Court decides what constitutes the practice of law based on a case-by-case basis.

*a. True

b. False

17) Supervision is the key factor in the relationship between a paralegal and an attorney.

*a. True

b. False

18) A criminal paralegal may assist the supervising lawyer in evaluating potential jurors.

*a. True

b. False

19) In a bench trial, a jury decides whether a defendant is guilty or not.

a. True

*b. False

20) The Fifth Amendment to the U.S. Constitution creates a right to a public trial by an impartial jury in federal criminal cases.

a. True

*b. False

Type: E

1) What is considered the most important function of government?

a. The development and enforcement of laws.

Type: E

2) What is the difference in the type of harm caused by criminal law versus civil law?

a. Criminal law causes harm to the society; civil law causes harm to individual interests.

Type: E

3) Explain the difference between “beyond a reasonable doubt” and “preponderance of the evidence.”

a. “Beyond a reasonable doubt” is explained as the degree of doubt that causes a reasonable person to refrain from acting. “Preponderance of the evidence” means that the facts asserted are more likely to be true than not.

Type: E

4) Explain examples of sanctions that could be given in a criminal law case versus civil law cases.

a. Criminal law examples include: fines, incarceration, and death. Civil law examples include: damages, injunctions.

Type: E

5) Explain the differences in the purposes of the Crime Control Model and the Due Process Model, and each of their problems with this logic.

a. The Crime Control Model believes in repressing criminal conduct in the most efficient way possible, but this could lead to more innocent people being mistreated by the system. The Due Process Model believes in focusing on the protection of innocent people from being falsely convicted, but this means that it may become more difficult to convict the guilty.

Type: E

6) Most criminal laws are made by whom?

a. The legislature.

Type: E

7) Describe the “typical” defendant.

- a. The typical defendant is a young male with little or no income. They are disproportionately from racial or ethnic minority groups.

Type: E

8) List at least three tasks criminal paralegals may be directed to perform.

- a. Paralegal duties in a criminal practice may include the following: reviewing police reports and statements of witnesses, drafting documents such as discovery requests and motions, interviewing potential witnesses, researching legal issues, arranging for expert witnesses, helping to evaluate potential jurors, organizing documents for trial, helping to prepare witnesses, keeping witnesses informed as to when they will be called to testify, and taking notes during the trial.

Type: E

9) Explain how the role of appellate judges differs from trial judges.

- a. Appellate judges review the proceedings conducted by trial courts.

Type: E

10) What functions do trial judges carry out in criminal cases?

- a. They issue search warrants, determine the terms of any pre-trial release, arraign defendants on charges brought by the prosecutor's office, rule on pre-trial motions, preside at criminal trials, empanel and instruct juries, and sentence convicted defendants.