

**ADMINISTRATION OF JUSTICE**  
**Homework Exam Review**

**THE PROCESS OF AMERICAN JUSTICE**

Name: \_\_\_\_\_ Period: \_\_\_\_\_ Row: \_\_\_\_\_

1. The criminal justice system has three major components: the \_\_\_\_\_, the various \_\_\_\_\_, and \_\_\_\_\_.

**Six major processes in the criminal justice system are:**

2. deciding what \_\_\_\_\_,
  3. detection of \_\_\_\_\_ and \_\_\_\_\_,
  4. determining whether \_\_\_\_\_,
  5. determining \_\_\_\_\_,
  6. deciding \_\_\_\_\_, and
  7. carrying \_\_\_\_\_ (punishment).
8. Guidelines for determining who and what behaviors are acceptable or unacceptable are established by \_\_\_\_\_.
9. The prosecuting attorney reviews the charges filed \_\_\_\_\_.
10. If the prosecutor does not believe there is sufficient evidence to justify the charges, he or she can \_\_\_\_\_.
11. If the prosecutor accepts the case, the defendant is \_\_\_\_\_.
12. Jurisdiction is the courts inherent right \_\_\_\_\_.
13. Venue is the \_\_\_\_\_.
14. When charges are filed that may result in a prison sentence, the judge \_\_\_\_\_.
15. The first appearance is concerned with \_\_\_\_\_ and securing the \_\_\_\_\_, and it may take only a \_\_\_\_\_.
16. Bail is a promise, usually backed by a \_\_\_\_\_, that the accused will return for \_\_\_\_\_.
17. If the identity of arrestees cannot reliably be established, the police are empowered to \_\_\_\_\_.
18. Following charges being filed against the person at the first appearance, a \_\_\_\_\_ (sometimes referred to as a " \_\_\_\_\_ " hearing) is held.

19. The charges against the defendant maybe changed from those charged at the first appearance, \_\_\_\_\_.
20. An alternative method of bringing a person to trial is the grand jury system, the only \_\_\_\_\_.

**The major difference between a grand jury and a trial is that:**

21. defendants are not \_\_\_\_\_,
22. defendants cannot have an \_\_\_\_\_, and
23. they may not even be informed that \_\_\_\_\_.
24. The grand jury will determine if there is probable \_\_\_\_\_.
25. An indictment is a formal, \_\_\_\_\_ forwarded to the court that:
26. asserts that probable cause exists to \_\_\_\_\_, and
27. authorizes the court to \_\_\_\_\_.
28. The arraignment is the last step in \_\_\_\_\_.
29. At the arraignment, the defendant appears before the court with their attorney to hear the \_\_\_\_\_.
30. At the arraignment, after charges are read, the judge \_\_\_\_\_.
31. A number of motions \_\_\_\_\_.
32. A motion is a formal request of the court by the \_\_\_\_\_.
33. If the defendant pleads not guilty or "stands \_\_\_\_\_" (refuses to enter a plea) at the \_\_\_\_\_, a \_\_\_\_\_ is set.
34. Most cases do not go to trial because they are \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.
35. In plea bargaining, the defendant agrees to plead guilty if the prosecution will change the charge \_\_\_\_\_, to one with \_\_\_\_\_, or in return for a \_\_\_\_\_.
36. Trials allow two or more parties to \_\_\_\_\_.
37. A court trial is presided over by a \_\_\_\_\_ with no jury. The judge decides \_\_\_\_\_ or \_\_\_\_\_.
38. A jury trial is presided over by a \_\_\_\_\_. The jury listens to \_\_\_\_\_ against the defendant during the trial and decides The outcome of the trial.

39. The accused right to have a jury trial is found in the \_\_\_\_\_.
40. Potential jurors are called and are questioned first by the court and then by the attorneys. This process is called "\_\_\_\_\_."
41. Both attorneys are then given a limited number of "\_\_\_\_\_ challenges" (no \_\_\_\_\_ or \_\_\_\_\_ need be given) which they may use in order to achieve the \_\_\_\_\_.
42. The age qualification for jury service is they must be \_\_\_\_\_ years of age.
43. An employer \_\_\_\_\_ an employee time off for jury duty.
44. Employers cannot \_\_\_\_\_ an employee called for jury service as long as the employee gives reasonable notice \_\_\_\_\_.
45. Employers are not \_\_\_\_\_ to pay employees on jury service.
46. Many union \_\_\_\_\_ required the employer to pay the difference between the jury \_\_\_\_\_ and their \_\_\_\_\_.
47. The judge will decide what \_\_\_\_\_ to allow as questions arise over \_\_\_\_\_.
48. The district attorney assigned to the case is a \_\_\_\_\_ who represents the \_\_\_\_\_ during the proceedings.
49. The defense attorney needs only to raise a \_\_\_\_\_ doubt that the defendant is \_\_\_\_\_.
50. The court reporter makes a record of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**List the 4 responsibilities of the bailiff:**

51. \_\_\_\_\_
52. \_\_\_\_\_
53. \_\_\_\_\_
54. \_\_\_\_\_
55. The Clerk of the court maintains records of \_\_\_\_\_
56. Court Interpreters are hired by the court to help translate \_\_\_\_\_ and to aid \_\_\_\_\_.
57. The purpose of a trial is to determine the \_\_\_\_\_.
58. Opening Statements -  
After jury \_\_\_\_\_, both attorneys are permitted to make opening statements.
59. The purpose of these statements is to inform the \_\_\_\_\_ which will be presented by \_\_\_\_\_.
60. The defense attorney often waits until the completion of the state's " \_\_\_\_\_ " before giving his \_\_\_\_\_.

61. The State's Case case-in-chief is presented after \_\_\_\_\_.
62. Direct Examination - questioning the witness by the side \_\_\_\_\_.  
(First step in the state's case).
63. A subpoena is the legal document which \_\_\_\_\_.
64. On direct examination attorneys may not ask "leading" questions, (ones asked in a way which \_\_\_\_\_).

**Objections to witness questions posed by the attorneys:**

65. If \_\_\_\_\_ they do not have to answer.
66. If not \_\_\_\_\_ they do have to answer.
67. Explain the purpose of cross-examination:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
68. Redirect Examination - after cross-examination, the prosecutor is permitted to again question the witness in order to "\_\_\_\_\_" any problems created by defense \_\_\_\_\_.
69. After the prosecutor has completed ("\_\_\_\_\_") his case, the defense attorney may call witnesses \_\_\_\_\_.
70. Instructions to the jury from the judge - the judge will instruct the jury on its duties. The judge will tell the jury what law \_\_\_\_\_.
71. The Verdict: reaching a \_\_\_\_\_.
72. A verdict - may take a few hours or \_\_\_\_\_.
73. After discussing the case, the jury returns a verdict of guilty (\_\_\_\_\_), not guilty (\_\_\_\_\_), or "hung" (all \_\_\_\_\_).
74. Sometimes one of the parties will ask that the jury be \_\_\_\_\_. This means that the clerk will ask each juror \_\_\_\_\_ if this is his or her \_\_\_\_\_.
75. If there is a hung jury, the \_\_\_\_\_ must decide whether or not to \_\_\_\_\_ the defendant.
76. If the defendant is found not guilty at the trial he will be \_\_\_\_\_ and \_\_\_\_\_. If the defendant is found guilty, a \_\_\_\_\_.
77. It is the responsibility of the judge to determine \_\_\_\_\_.
78. Each offense has a prescribed \_\_\_\_\_ and, often with a broad \_\_\_\_\_.

79. The judge is guided by the law and information received from a presentence investigation report when \_\_\_\_\_.
80. The law provides such guidelines as the \_\_\_\_\_ and \_\_\_\_\_ length of imprisonment and the maximum \_\_\_\_\_.

**Presentence investigation reports include:**

81. previous \_\_\_\_\_,
82. the defendant's \_\_\_\_\_,
83. family \_\_\_\_\_,
84. financial \_\_\_\_\_, and
85. contributions \_\_\_\_\_.
86. A defendant convicted in a state court can appeal as high as the state supreme court and in some cases as \_\_\_\_\_.
87. An appeal must be made on a claim that \_\_\_\_\_.
88. The defendant cannot appeal on the \_\_\_\_\_.
89. The purpose of having an appeal process is to \_\_\_\_\_.