

CRIMINAL QUIZ #1:

1. Superior Court judge sitting locally has trial jurisdiction only over:
 - a) Felonies.
 - b) Misdemeanors.
 - c) both.
 - d) neither.

2. Which of the following statements regarding indictments is false?
 - a) title of action must be specified.
 - b) name of court where filed must be indicated.
 - c) grand jury foreman must sign.
 - d) District Attorney must sign.

3. Unless the Statute of Limitation tolls, all of the following must be commenced by their associated time, except:
 - a) Petty Offense = 1 year.
 - b) Misdemeanor = 2 years.
 - c) Felony = 5 years.
 - d) all of the above are correct.

4. Regarding pleas:
 - a) natural defendant must plead by counsel.
 - b) natural defendant may in certain circumstances plead by counsel.
 - c) corporate defendant cannot plea by counsel.
 - d) corporate defendant may in certain circumstances plead without counsel.

5. Warrant of Arrest may be executed anywhere in the State without local endorsement when issued by any of the following courts, except:
 - a) City.
 - b) District.
 - c) Superior Court Judge sitting locally.
 - d) all of the above are correct.

6. Regarding waiver of indictment and consent to prosecution by Superior Court information, it is not effective unless all of the following are satisfied; except:
 - a) Defendant must sign in open court.
 - b) Defense counsel must co-sign.
 - c) District Attorney must endorse consent.
 - d) Court must approve waiver by written order.

7. When a defendant is committed to the Sheriff while awaiting trial on a top charge of misdemeanor carrying a possible sentence of incarceration greater than 3 months; motion to dismiss must generally be granted where People are not ready within ___ days.

- a) 90.
- b) 30.
- c) 15.
- d) 5.

8. Defendant may demand a Bill of Particulars within ___ days of arraignment.

- a) 20.
- b) 30.
- c) 45.
- d) 60.

9. Regarding jury trials upon indictments, which of the following statements is false?

- a) People may deliver opening address.
- b) Defendant may deliver opening address.
- c) Defendant may deliver closing address.
- d) People may deliver closing address.

10. Defendant must be fingerprinted upon arrest for any:

- a) felony.
- b) misdemeanor.
- c) either.
- d) neither.

11. In the context of grand jury proceedings, a "child witness" cannot be older than ___ years.

- a) 10.
- b) 12.
- c) 14.
- d) 16.

12. Which of the following is not a valid Criminal Court accusatory instrument?

- a) Indictment.
- b) Felony Complaint.
- c) District Attorney's Information.
- d) Simplified Parks Information.

13. Defendant may not plea to a traffic offense which resulted in either death or serious physical injury until ___ days from arraignment, unless the District Attorney consents in writing.

- a) 10.
- b) 20.
- c) 30.
- d) 60.

14. Defendant may as of right plead:

- a) not guilty to all counts.
- b) guilty to all counts.
- c) either.
- d) neither.

15. Indictments must charge at least one:

- a) Felony.
- b) Crime.
- c) Misdemeanor.
- d) Offense.

16. Adjournment in Contemplation of Dismissal for marihuana charges in local criminal court can extend for a maximum period of:

- a) 6 months.
- b) 12 months.
- c) 1 year.
- d) 2 years.

17. Plea of not responsible by reason of mental defect means:

- a) defendant is not presently capable of understanding the proceeding.
- b) the equivalent of a verdict after trial of "responsible by reason of mental defect".
- c) both.
- d) neither.

18. Local Criminal Court has exclusive trial jurisdiction over:

- a) Felonies.
- b) Misdemeanors.
- c) Petty Offenses.
- d) none of the above.

19. If defendant is committed by Local Criminal Court as a hold for Superior, and waives indictment, he must be released if District Attorney fails to file Prosecutor's Information within ___ days.

- a) 5.
- b) 10.
- c) 15.
- d) 20.

20. Which of the following statements is most accurate:

- a) Felony Complaints may also charge misdemeanors.
- b) Misdemeanor Complaints may also charge felonies.
- c) both.
- d) neither.

21. Except in cases charging murder 1, Superior Court juries may provide for a maximum of ___ alternates.

- a) 2.
- b) 3.
- c) 5.
- d) 6.

22. Bench Trials commence with any of the following, except:

- a) Swearing of jury.
- b) Opening address.
- c) First Witness.
- d) all of the above.

23. Order transferring a Criminal Court action to drug court do not take effect until ___ days after issuance.

- a) 5.
- b) 10.
- c) 15.
- d) 20.

24. All of the following statements regarding peremptory jury challenges in Superior Court are valid, except:

- a) Class A felony = 20.
- b) Class B felony = 15.
- c) Class C felony = 10.
- d) all of the above are correct.

25. Criminal Courts forms are by:

- a) State Administrator.
- b) Court of Appeals.
- c) Chief Administrator.
- d) Administrative Judge.

26. Class B non-violent felony (and not 220 controlled substance), plea must be to at least:

- a) Class C felony.
- b) Class D felony.
- c) Class E felony.
- d) Class A Misdemeanor.

27. The plaintiff in any Criminal Action would be:

- a) County.
- b) District Attorney.
- c) State.
- d) Prosecutor.

28. Police must forward copy of fingerprint report to all of the following, except:

- a) Prosecutor.
- b) Defendant,
- c) Court.
- d) all of the above are correct.

29. Defendant may as of right:

- a) withdraw not guilty plea before verdict.
- b) withdraw guilty plea before sentencing.
- c) either.
- d) neither.

30. Which of the following statements is most accurate?

- a) Superior Court has preliminary jurisdiction over all offenses.
- b) Local Criminal Court has preliminary jurisdiction over all offenses.
- c) both.
- d) neither.

31. The minimum number of grand jurors required to agree for any action is:

- a) 6.
- b) 9.
- c) 12.
- d) 16.

32. No juvenile offender may be charged solely with:

- a) Murder 2.
- b) Assault 2.
- c) Burglary 2.
- d) Robbery 2.

33. Fingerprints are taken pursuant to the standards of:

- a) Probation Department.
- b) Division of Parole.
- c) Division of Criminal Justice Services.
- d) Federal Bureau of Investigation.