

**Empire College School of Law**  
**Introduction to Law**  
**Final Examination - August 2013**  
**Professor Rickett**

This Final Examination consists of a series of questions that relate to the course materials we have read and discussed.

When answering the questions, be sure to pay attention to the call of the question and be sure to explain what you mean. **BE DETAILED IN YOUR ANSWERS** – do not assume that I know what you are talking about in crafting your answers.

This is a **CLOSED BOOK** and **CLOSED NOTES** exam.

This is a **two-hour** examination, though you may find that you complete it sooner.

This is a 100-point examination. The possible points for each question are noted in the question.

Please write your answers legibly in ink.

Please write on one side of each page and skip every other line.

Good Luck!

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**(Two Hour Exam)**

1. For each legal term give a complete definition AND use the term properly in a sentence. (3 points each = total 30 points).
  - Persuasive Authority
  - Linguistic Canons of Statutory Construction
  - Distinguishing Cases
  - Legal Realism
  - Trespass on the Case
  - Rule of Lenity
  - Public Law
  - Case Law
  - Statutory Enactment
  - Separation of Powers
  
2. Attached to this test is a newspaper article entitled: “Teen gives hugs, gets detention.” You are Megan Coulter’s attorney. Assuming that the Mascoutah Middle School policy is similar to a statute, make your best argument to get Megan Coulter off of detention using the following fundamental approaches to statutory interpretation:
  - The Literal Rule (5 points)
  - The Golden Rule (5 points)
  - The Purposive Approach (5 points)
    - Name three “extraneous materials” that you might use to support your argument for Megan when you use the “Purposive Approach” to the Middle School policy. You may make up these materials. (3 points)

(Total for Question 2 = 18 points)
  
3. How does “substantive law” differ from “adjective law”? (2 points)

4. Answer each of the following questions with True or False.  
(2 point each = 20 total). Write your answer in your Blue Book.
- A. In the United States, attorneys have the ultimate power to determine whether legal rules are valid under the constitution of the federal government and the various states.
  - B. A rule of legislative law is cast in an authoritative textual form and, unless the statute is unconstitutional, judges are bound by the statute as interpreted by them.
  - C. The three royal courts that emerged during the reign of Henry II in England, were the Court of Exchequer, the Court of King's Bench, and the Court of Prius.
  - D. The original purpose of debt was to restore to the tenant chattels that had been unlawfully detained.
  - E. Nonauthoritative statements in a case which are unessential for the determination of the points at issue are called the ratio decidendi of a case.
  - F. The Supreme Court of the United States has eight Justices.
  - G. State courts are not bound by decisions of any federal court on nonfederal matters.
  - H. Civil case law has generally been applied retroactively.
  - I. Hans Frank created the legal system for the Third Reich.
  - J. There are six appellate districts in the California Courts of Appeal.
5. What is the underlying rationale behind the "system of equity" also known as "equitable jurisprudence"? (10 points)
6. Explain the meaning and importance of the following quote:  
"The judiciary does not make or create law, but rather finds it and applies it." (10 points)
7. What was the purpose of the various forms of action at English common law? (10 points)  
(Do not identify each form of action, just describe the reason(s) behind having those forms of action.)

Student ID # \_\_\_\_\_