

Instructions:

This Final Examination consists of a series of questions that relate to the course materials and cases 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. There is also an optional extra credit question worth an additional 5 points at the end of the examination.

Please write your answers legibly in ink.

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

Good Luck!

INTRODUCTION TO LAW – 2 HOUR EXAM

1. How can American law both classify people for purposes of treating them differently (as landlords are treated differently than tenants, for example), while still purporting to afford them “equal protection”? (10 points - p. 6)
2. Describe the difference between “federal question” jurisdiction and “diversity of citizenship” jurisdiction in the federal court system. (10 points - p. 68)
3. Explain two of the positive factors which support the doctrine of **stare decisis**. (10 points - p. 82-84)
4. Explain the difference between how changes in statutory law are applied versus changes to common law and why this distinction makes sense. (10 points – p.105-116)
5. Why is the ability to distinguish a case from a prior case important to the proper functioning of the concept of *ratio decidendi*? (10 points – p. 122-123)
6. Which form of legal reasoning is most similar to syllogistic reasoning? Explain your answer. (10 points - p. 141-143 & 148)
7. Describe the three basic approaches to statutory interpretation. (10 points – p. 170-171)
8. When would it be appropriate to use the linguistic canon of statutory construction known as *noscitur a sociis*? (10 points - p. 181-182)
9. Discuss how the use of legislative history by the US Supreme Court has changed over time and why these changes took place. (10 points – p. 201-202)
10. How does statutory interpretation change when interpreting a criminal statute versus a civil statute? Why does this difference exist? (10 points - p. 204)

OPTIONAL EXTRA CREDIT QUESTION (worth an extra 5 points)

Name your favorite “Mode of Trial” used in the early period of English law and explain your choice. (p. 30-31)