Unit 6 - Study Guide - The Judicial Branch

Directions:

- Read the text to review the topics.
- Answer all of the questions highlighted in yellow.
- Review the slides and other resources as needed.
- If you need help, please send me an email.
- The test may include items NOT on this study guide.

Vocabulary: Review the Unit 6 Vocabulary (link).

Landmark Supreme Court Cases (link):

Study the cases below. Know the holding/outcome for each case.

- Marbury v. Madison (1803): Judicial Review.
 - The judicial branch can overturn the actions of the other branches.
- Miranda v. Arizona (1966): Due Process.
 - Someone under arrest must be made aware of his or her rights before police questioning.
- Tinker v. Des Moines (1969): 1st Amendment, Freedom of Speech.
 - Students retain free speech rights while at school, so long as their speech is not substantially disrupting the school's function.
- New Jersey v. T.L.O. (1985): Probable Cause; 4th Amendment; privacy.
 - School officials do NOT need to obtain a warrant before searching a student who is under their authority. School officials only need to have probable cause to search a student.
- McDonald v. Chicago (2010): 2nd Amendment.
 - The 2nd Amendment also applies to the states, not just the federal government. States cannot ban the ownership of handguns for self defense.
- United States v. Nixon (1974): Separation of Powers; Rule of Law.
 - Executive privilege is a limited power and can't be used to avoid subpoenas.
- Brown v. Board of Education (1954): Equal Protection.
 - Schools cannot discriminate on the basis of race. Separate schools are inherently unequal.
- Baker v. Carr (1962): 14th Amendment; Equal Protection.
 - When redistricting, each district within a state must be of virtually equal population.

Organization of the Judicial Branch (slides)

The role of courts in society is to settle disputes. Instead of settling disputes based on who is more powerful or who has more money, we use the legal system. By using courts to settle disputes we uphold the **rule of law**. **Rule of law** is the principle that no individual, group, organization, or governmental entity is above the law and that laws are applied fairly.

The United States has what is called a <u>dual court system</u> (click link). This means there are both national and state courts. Cases begin at trial courts, where decisions on the facts of the case are made. When a party to a case is not happy with the outcome, they may be entitled to an appeal. Each state has an appeals court and a supreme court. The final court of appeal in all cases is the U.S. Supreme Court.

<u>Judicial Branch Study Answers Unit 6</u>

Tufts University. Workshop on Basic Issues in Citizenship

Judicial Branch Study Answers Unit 6:

Resources in education .1988-08 New York State History Globe Fearon, 1999 **Informational Bulletin** Wisconsin. Ideology and World Affairs: a Resource Unit for Teachers Tufts Legislature. Legislative Reference Bureau, 1990 University. Workshop on Basic Issues in Citizenship, 1963 **Resources in Education** ,1990 Data Book of Social Studies Materials and Resources .1981 Instructor's Guide to the CCA High School Social Science Curricula ,1990 Education and Training and Other Benefits for Veterans Serving on Or After Railway and Engineering Review ,1913 June 27, 1950 United States. Congress. House. Veterans' Affairs Committee, 1950 **Education and Training and Other** Benefits for Veterans Serving on Or After June 27, 1950 United States. Congress. House. Committee on Veterans' Affairs.1952 Official Florida Statutes, 1985 Florida, 1985 Official Florida Statutes Florida, 1991 Official Florida Statutes, 1989 Florida, 1989 Official Florida Statutes, 1971 Florida, 1971 A Study of Transportation Fund **Distribution** Florida. Department of Transportation. Division of Planning & Programming, 1974 Urban Administration in Zaire Georges Nzongola-Ntalaja,1975 The Software Encyclopedia 2001,2001 **Pre-GED Social Studies** Raintree Steck-Vaughn Publishers, 1999-11 Study Guide for Miller/Jentz's Business Law Today, Standard Edition Miller/Jentz,2004-12 Pan American World Airways Teacher,

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