

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 [dual court system](#) (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.

Unit 4 Study Guide The Judicial Branch

Michael Hoelscher



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includes 27 essays on state government with study questions and model answers selected lesson plans and an overall glossary Letter of transmittal *America: History of Our Nation Adapted Interactive Reading and Notetaking Study Guide 2007c* Jim Davidson, Michael B. Staff, Prentice Hall Direct Education Staff, 2005-08 This edition was developed specifically for courses covering up to the Civil War or Reconstruction The text can also be used for the first part of a two year American history course Study Guide to Accompany West's Legal Environment of Business Roger LeRoy Miller, 2001 **Guide to Current Policy** Wisconsin. Board of Regents of State Universities, 1969 **Data Book of Social Studies Materials and Resources**, 1985 **Study Guide to Accompany West's Business** Jentz Miller, Gaylord A. Jentz, 1992-09 **Study Guide to Accompany West's Business** Jentz Miller, Gaylord A. Jentz, 1991-09 *Study Guide to Accompany West's Business Law* Barbara E. Behr, 1992 Liberia Country Study Guide International Business Publications Staff, USA International Business Publications, 2002-02 *A Study Guide to Social, Economic, and Political Thought* Pia del Campo Bennagen, 2002 *United States Government: Democracy in Action (Student Edition)* Glencoe/McGraw-Hill, 2000-10 *Resources in Education*, 1992 *United States Government: Presidential Election Edition* Richard C. Remy, 1997-02 My goal in writing this book is to help you develop the knowledge skills and ideals you need to protect your own freedom to keep democracy alive in the United States In the pages that follow you will find information to help you better understand how the machinery of representative government works and why it sometimes does not work You will have the chance to develop skills for making sound judgments about public policy and for taking part in politics And you will read about key principles of democracy such as majority rule with minority rights free elections and individual liberty A letter to students **Tests** Richard C. Sweetland, 1991 Provides descriptive information on some 3 200 tests for the benefit of test evaluators and others who need to determine if a test suits their purposes Each entry includes test name and author an indication of the population for which the test is intended how the test is administered major features of the test how the test is timed and scored pricing and availability information and publisher and distributor Cross referenced and indexed eight ways Distributed by Gale Research Annotation copyrighted by Book News Inc Portland OR

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