

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 6 Assessment The Judicial Branch Answers

Anita Ferrara



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Army JROTC leadership education & training ,2002 **Army JROTC Leadership Education & Training: Citizenship and American history** ,2002 Reflections ,2007 Part of the History social science series created to follow the California standards and framework providing stories of the important people places geography and events which shaped the state of California and the country **Guide to State Politics and Policy** Richard G. Niemi,Joshua J. Dyck,2013-10-18 No previous book has pulled together into one place a single comprehensive volume that provides up to date coverage of state government and politics along with the states current and future public policies This new book does just that offering students scholars citizens policy advocates and state specialists accessible information on state politics and policy in 33 topical chapters written by experts in the field The guide provides contemporary analysis of state institutions processes and public policies along with both historical and theoretical perspectives that help readers develop a comprehensive understanding of the 50 U S states complex and changing political spheres Those who use this volume from experienced scholars to neophytes can rely upon the guide to provide Basic factual information on state politics and policy Core explanatory frameworks and competing arguments and Insightful coverage of major policy areas as they have played out in the states Evolving Principles of International Law Eva Rieter,Henri de Waele,2012 This volume offers an overview of some emerging trends and structural patterns in the development of international law highlighting its evolution over the course of time and discussing leading principles through various different thematic lenses Resources in Education ,2001-10 *Massachusetts General Laws Annotated* Massachusetts,2006 **Capitalism v. Democracy** Timothy K. Kuhner,2014-06-25 As of the latest national elections it costs approximately 1 billion to become president 10 million to become a Senator and 1 million to become a Member of the House High priced campaigns an elite class of donors and spenders superPACs and increasing corporate political power have become the new normal in American politics In Capitalism v Democracy Timothy Kuhner explains how these conditions have corrupted American democracy turning it into a system of rule that favors the wealthy and marginalizes ordinary citizens Kuhner maintains that these conditions have corrupted capitalism as well routing economic competition through political channels and allowing politically powerful companies to evade market forces The Supreme Court has brought about both forms of corruption by striking down campaign finance reforms that limited the role of money in politics Exposing the extreme economic worldview that pollutes constitutional interpretation Kuhner shows how the Court became the architect of American plutocracy Capitalism v Democracy offers the key to understanding why corporations are now citizens money is political speech limits on corporate spending are a form of censorship democracy is a free market and political equality and democratic integrity are unconstitutional constraints on money in politics Supreme Court opinions have dictated these conditions in the name of the Constitution as though the Constitution itself required the privatization of democracy Kuhner explores the reasons behind

these opinions reveals that they form a blueprint for free market democracy and demonstrates that this design corrupts both politics and markets He argues that nothing short of a constitutional amendment can set the necessary boundaries between capitalism and democracy *General Laws of Massachusetts* Massachusetts,2016 *The United States Trustees Act of 1985* United States. Congress. House. Committee on the Judiciary. Subcommittee on Monopolies and Commercial Law,1987

The European Court of Justice and International Courts Tobias Lock,2015 The Court of Justice of the European Union holds exclusive jurisdiction that extends to many international treaties which can result in conflict of interpretation This book compares the relationship of the Court of Justice to other courts and treaties and examines how conflict of interpretation is largely avoided Law and Reputation Roy Shapira,2020-09-17 The law shapes behavior not only by imposing sanctions but also by producing information on how powerful entities behave **Assessing the Long-Term Impact of Truth Commissions** Anita Ferrara,2014-09-19 In 1990 after the end of the Pinochet regime the newly elected democratic government of Chile established a Truth and Reconciliation Commission TRC to investigate and report on some of the worst human rights violations committed under the seventeen year military dictatorship The Chilean TRC was one of the first truth commissions established in the world This book examines whether and how the work of the Chilean TRC contributed to the transition to democracy in Chile and to subsequent developments in accountability and transformation in that country The book takes a long term view on the Chilean TRC asking to what extent and how the truth commission contributed to the development of the transitional justice measures that ensued and how the relationship with those subsequent developments was established over time It argues that contrary to the views and expectations of those who considered that the Chilean TRC was of limited success that the Chilean TRC has in fact over the longer term played a key role as an enabler of justice and a means by which ethical and institutional transformation has occurred within Chile With the benefit of this historical perspective the book concludes that the impact of truth commissions in general needs to be carefully reviewed in light of the Chilean experience This book will be of great interest and use to students and scholars of conflict resolution criminal international law and comparative legal systems in Latin America The American Journey Joyce Oldham Appleby,Alan Brinkley,James M. McPherson,2003 **Executive Self-Government and the Constitution** Terence Daintith,Alan Page,2025-03-14 Over the last 25 years UK governments have faced a series of challenges and changes of an intensity almost unprecedented in peacetime some thrust upon them some of their own making Developments whose impact on the executive s place in the constitution are analysed in this volume include the global financial crisis in 2007 08 the 1997 Labour Government s programme of constitutional reform the unexpected referendum result on withdrawal from the EU in 2016 the COVID 19 pandemic the UK s withdrawal from the EU in 2020 and the energy and cost of living crisis that followed Russia s invasion of Ukraine in 2022 The volume s conception of the UK s executive government is of an autonomous actor within the constitution endowed with significant discretion in relation to its own organisation and modes of operation By

examining how governments have responded to those developments through the reform of executive institutions and their deployment of the essential governmental resources of people money laws and information Executive Self Government and the Constitution opens a window on the internal operations of the contemporary executive and permits an assessment of the resilience of its key constitutional characteristics Building on the analysis of their original leading work The Executive in the Constitution OUP 1999 Executive Self Government and the Constitution assesses how the economic and political turbulence faced by successive governments since 1997 has affected its key constitutional features *A Research Agenda for Administrative Law* Carol Harlow,2023-02-14 With the aim of expanding legal scholarly imagination this Research Agenda takes a tripolar approach to administrative law It opens the boundaries of administrative law scholarship to new subject areas exemplifies and opens for consideration several different attitudes to research and illustrates a multiplicity of different ways of writing about the subject **Challenged Justice: In Pursuit of Judicial Independence** Shimon Shetreet,Hiram Chodosh,Helland Eric,2021-08-24 Challenged Justice In Pursuit of Judicial Independence is an academic continuation of the previous volumes on judicial Independence edited by Shimon Shetreet with others Jules Deschenes Christopher Forsyth and Wayne McCormack All books were published by Brill Nijhoff Judicial Independence The Contemporary Debate 1985 The Culture of Judicial Independence Conceptual Foundations and Practical Challenges 2012 The Culture of Judicial Independence Rule of Law and World Peace 2014 and The Culture of Judicial Independence in a Globalised World 2016 This book offers academic articles by distinguished jurists on judicial independence and judicial process in many jurisdictions including indicators of justice and analysis of international Standards on judicial independence and judicial ethics

Mexican Government: System of Checks and Balances Gr. 5-8 Brenda Rollins,2016-07-01 This is the chapter slice System of Checks and Balances Gr 5 8 from the full lesson plan Mexican Government Visit a country with a rich history of fighting for liberty and independence Our resource outlines how Mexico s Constitution is written to ensure no one person or branch of government has too much power Examine article 3 of the Mexican Constitution which states everyone has the right to an education Then explain why the abolishment of slavery was included in the Constitution of 1917 Read the presidential oath of office and determine exactly what the president is promising to do while in office Explore the departments of the Executive Branch such as the department of Health Environment Tourism and Agriculture Gain an understanding of the different political parties in the United Mexican States and what each stands for Brainstorm the kind of qualities the leader of Mexico should possess Aligned to your State Standards and written to Bloom s Taxonomy additional writing tasks crossword word search comprehension quiz and answer key are also included *How to Measure the Quality of Judicial Reasoning* Mátyás Bencze,Gar Yein Ng,2018-08-30 This edited volume examines the very essence of the function of judges building upon developments in the quality of justice research throughout Europe Distinguished authors address a gap in the literature by considering the standards that individual judgments should meet presenting both academic and practical perspectives

Readers are invited to consider such questions as What is expected from judicial reasoning Is there a general concept of good quality with regard to judicial reasoning Are there any attempts being made to measure the quality of judicial reasoning The focus here is on judges meeting the highest standards possible in adjudication and how they may be held to account for the way they reason The contributions examine theoretical questions surrounding the measurement of the quality of judicial reasoning practices and legal systems across Europe and judicial reasoning in various international courts Six legal systems in Europe are featured England and Wales Finland Italy the Czech Republic France and Hungary as well as three non domestic levels of court jurisdictions including the Court of Justice of the European Union CJEU The depth and breadth of subject matter presented in this volume ensure its relevance for many years to come All those with an interest in benchmarking the quality of judicial reasoning including judges themselves academics students and legal practitioners can find something of value in this book *The Software Encyclopedia* ,1988

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