

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.

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Table of Contents Judicial Branch Study Guide Answers Unit 6

1. Understanding the eBook Judicial Branch Study Guide Answers Unit 6
 - The Rise of Digital Reading Judicial Branch Study Guide Answers Unit 6
 - Advantages of eBooks Over Traditional Books
2. Identifying Judicial Branch Study Guide Answers Unit 6
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Judicial Branch Study Guide Answers Unit 6
 - User-Friendly Interface
4. Exploring eBook Recommendations from Judicial Branch Study Guide Answers Unit 6
 - Personalized Recommendations
 - Judicial Branch Study Guide Answers Unit 6 User Reviews and Ratings

- Judicial Branch Study Guide Answers Unit 6 and Bestseller Lists
- 5. Accessing Judicial Branch Study Guide Answers Unit 6 Free and Paid eBooks
 - Judicial Branch Study Guide Answers Unit 6 Public Domain eBooks
 - Judicial Branch Study Guide Answers Unit 6 eBook Subscription Services
 - Judicial Branch Study Guide Answers Unit 6 Budget-Friendly Options
- 6. Navigating Judicial Branch Study Guide Answers Unit 6 eBook Formats
 - ePub, PDF, MOBI, and More
 - Judicial Branch Study Guide Answers Unit 6 Compatibility with Devices
 - Judicial Branch Study Guide Answers Unit 6 Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Judicial Branch Study Guide Answers Unit 6
 - Highlighting and Note-Taking Judicial Branch Study Guide Answers Unit 6
 - Interactive Elements Judicial Branch Study Guide Answers Unit 6
- 8. Staying Engaged with Judicial Branch Study Guide Answers Unit 6
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Judicial Branch Study Guide Answers Unit 6
- 9. Balancing eBooks and Physical Books Judicial Branch Study Guide Answers Unit 6
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Judicial Branch Study Guide Answers Unit 6
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Judicial Branch Study Guide Answers Unit 6
 - Setting Reading Goals Judicial Branch Study Guide Answers Unit 6
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Judicial Branch Study Guide Answers Unit 6
 - Fact-Checking eBook Content of Judicial Branch Study Guide Answers Unit 6
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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