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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