

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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A Reference Guide for English Studies Michael J. Marcuse, 1990-01-01 This ambitious undertaking is designed to acquaint students teachers and researchers with reference sources in any branch of English studies which Marcuse defines as all those subjects and lines of critical and scholarly inquiry presently pursued by members of university departments of English language and literature Within each of 24 major sections Marcuse lists and annotates bibliographies guides reviews of research encyclopedias dictionaries journals and reference histories The annotations and various indexes are models of clarity and usefulness and cross references are liberally supplied where appropriate Although cost conscious librarians will probably consider the several other excellent literary bibliographies in print such as James L. Harner's *Literary Research Guide* Modern Language Assn of America 1989 larger academic libraries will want Marcuse's volume Jack Bales Mary Washington Coll Lib Fredericksburg Va Library Journal

Compendium of Budget Accounts United States. General Accounting Office, 1998

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Table of Contents Unit 4 Study Guide Judicial Branch

1. Understanding the eBook Unit 4 Study Guide Judicial Branch
 - The Rise of Digital Reading Unit 4 Study Guide Judicial Branch
 - Advantages of eBooks Over Traditional Books
2. Identifying Unit 4 Study Guide Judicial Branch
 - 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 Unit 4 Study Guide Judicial Branch
 - User-Friendly Interface
4. Exploring eBook Recommendations from Unit 4 Study Guide Judicial Branch
 - Personalized Recommendations
 - Unit 4 Study Guide Judicial Branch User Reviews and Ratings
 - Unit 4 Study Guide Judicial Branch and Bestseller Lists
5. Accessing Unit 4 Study Guide Judicial Branch Free and Paid eBooks
 - Unit 4 Study Guide Judicial Branch Public Domain eBooks
 - Unit 4 Study Guide Judicial Branch eBook Subscription Services
 - Unit 4 Study Guide Judicial Branch Budget-Friendly Options
6. Navigating Unit 4 Study Guide Judicial Branch eBook Formats
 - ePub, PDF, MOBI, and More
 - Unit 4 Study Guide Judicial Branch Compatibility with Devices
 - Unit 4 Study Guide Judicial Branch Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Unit 4 Study Guide Judicial Branch
 - Highlighting and Note-Taking Unit 4 Study Guide Judicial Branch
 - Interactive Elements Unit 4 Study Guide Judicial Branch
8. Staying Engaged with Unit 4 Study Guide Judicial Branch

- Joining Online Reading Communities
- Participating in Virtual Book Clubs
- Following Authors and Publishers Unit 4 Study Guide Judicial Branch
- 9. Balancing eBooks and Physical Books Unit 4 Study Guide Judicial Branch
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Unit 4 Study Guide Judicial Branch
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Unit 4 Study Guide Judicial Branch
 - Setting Reading Goals Unit 4 Study Guide Judicial Branch
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Unit 4 Study Guide Judicial Branch
 - Fact-Checking eBook Content of Unit 4 Study Guide Judicial Branch
 - 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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