

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 Unit 5 Judicial Branch Study Guide

1. Understanding the eBook Unit 5 Judicial Branch Study Guide
 - The Rise of Digital Reading Unit 5 Judicial Branch Study Guide
 - Advantages of eBooks Over Traditional Books
2. Identifying Unit 5 Judicial Branch Study Guide
 - 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 5 Judicial Branch Study Guide
 - User-Friendly Interface
4. Exploring eBook Recommendations from Unit 5 Judicial Branch Study Guide
 - Personalized Recommendations
 - Unit 5 Judicial Branch Study Guide User Reviews and Ratings
 - Unit 5 Judicial Branch Study Guide and Bestseller Lists

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