

Student Name: _____

I. The Bill of Rights and other Amendments: (Includes “Amending the Constitution”)

Learning Goals: *The student will be able to evaluate the Bill of Rights and other amendments to the Constitution, in relation to the viewpoints of the Federalists and Anti-Federalists.

*The student will be able to explain the constitutional amendment process.

Federalists and Antifederalists REVIEW

FILL IN THE BLANKS with the correct word below from the Word Bank:

The _____ political party wanted a STRONGER/BIGGER central government and _____ want a list of rights in the U.S. Constitution because they thought it would actually limit rights that weren’t listed. They thought that separation of powers and checks and balance between the branches, along with states sharing power with the federal government, would be enough to limit government power to protect the people.

The _____ political party wanted a WEAKER/SMALLER central government and _____ want a list of rights in the U.S. Constitution. They were worried that state governments and citizens would lose freedoms without a list, fearing a repeat of the abuse of power under King George III. Both parties agreed to add a _____ that addressed their concerns in order to ratify/approve the U.S. Constitution.

WORD BANK TERMS: Federalist, Anti-federalist, didn’t, did, Bill of Rights, Declaration of Independence, Articles of Confederation

Which party best fits with the quotes below?

CIRCLE ONE: Federalist OR Anti-federalist??

- “The point next in order to be examined is the “insufficiency (not being strong enough) of the present Confederation to the preservation (survival) of the Union (country).” -Alexander Hamilton
- “Nothing is more certain than the necessity of government, and it is equally undeniable, that whenever and however it is instituted, the people must cede (give up) to [government] some of their natural rights in order to [provide] it with [enough] powers.” - John Jay
- In...the republic of America, the power surrendered by the people, is first divided between [the national and the state/local] governments, and then...subdivided [into] separate [branches]. A double security [protects] the rights of the people. The different governments will control each other; at the same time that each will be controlled by itself.” (checks and balances) -James Madison

Which party best fits with the quotes below?

CIRCLE ONE: Federalist OR Anti-federalist??

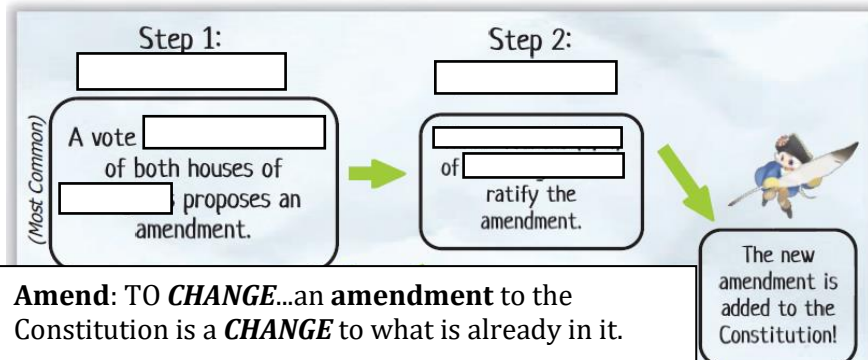
- “[W]hen the people...part with power, they can [rarely] or never [regain] it again [unless they use] force. Many instances can be produced in which the people have voluntarily increased the powers of their rulers; but few, if any, in which rulers have willingly [limited] their authority. This is a sufficient reason to induce you to be careful [about how much] power [you give to] government.” -Robert Yates
- “I acknowledge that [abuse of power] is dangerous, and it ought to be [protected] against: I acknowledge, also, the new form of government may...prevent it: yet there is another thing it will as effectually do — it will oppress and ruin the people.” -Patrick Henry
- Our country is too large to have all affairs directed by a single (national) government.” -Thomas Jefferson

Amending the Constitution: The Amendment PROCESS

What is the process/steps to **AMEND** the US Constitution?

FILL IN THE BLANKS WITH THE CORRECT TERM FROM THE FOLLOWING WORD BANK:

- 2/3
- 3/4
- Ratify/Approve
- Propose (introduce)
- state legislatures
- Congress



Amend: TO **CHANGE**...an **amendment** to the Constitution is a **CHANGE** to what is already in it.

The Founding Fathers included an **Amendment Process** because they knew the government would need to be changed to meet the changing needs of the people for each new generation. Amendments are harder to pass than a regular bill into a law, so they are meant to be more permanent and long lasting.

The first 10 amendments in the U.S. Constitution are called the **"Bill of Rights" which were ratified in 1789 as part of an agreement to get the Constitution ratified.** Use the PARAPHRASED (simpler language) Amendments from the Bill of Rights (**Amendments 1-10**) to fill in the blanks for the text of the REAL AMENDMENTS that follow.

PARAPHRASED Bill of Rights...

- **1st Amendment:** *Freedom of Religion, Assembly, Speech, Petition, and the Press:* Congress cannot pass laws that take away the freedom to religion and worship as you wish, or limit freedoms of speech, press (the ability to write what you want), to petition the government (getting signatures on paper to show support for a cause), or peacefully assemble/gather and protest. Lying or threatening others is NOT free speech.
- **2nd Amendment:** *Right to Bear Arms/keep weapons-*States can allow people to keep weapons in their homes.
- **3rd Amendment:** *Limits on the Quartering/housing of Soldiers:* People don't have to allow soldiers to stay in their homes during peacetime, or in wartime unless a special rule is made by the government.
- **4th Amendment:** *PRIVACY/LIMITS on Government Searches and how property is taken as evidence:* Unless the government (including the police) has good reason (evidence and a search warrant or probable cause), people, their homes, and their things cannot be searched or taken away for evidence.
- **5th Amendment:** *The Right to DUE PROCESS of Law, Including Protection against Self- Incrimination (*definitions below)*
Protection against Self-incrimination means that people don't have to give CRIMINAL evidence against themSELF in court or a police interrogation. (They can be silent and not take the witness stand in a trial) DOUBLE JEOPARDY means if you have been found innocent/not guilty of a crime, you can't be tried again for the same crime, which means to be put in jeopardy/danger twice. **DUE PROCESS** means that people have to be treated fairly by the law, and **cannot have their lives, liberty, or property taken away from them unless it is fair.** *Habeas Corpus* means that if someone is held by the government then there has to be a good reason to hold them and actual evidence to use against them in a trial. **EMINENT DOMAIN** means that your property can ONLY be taken by the government for the PUBLIC use (like a new highway to benefit the community) and ONLY with FAIR compensation/money from the government.
- **6th Amendment:** *The Right to Legal Counsel/Lawyer and a Fair Trial:* People accused of a crime can have a lawyer/legal counsel or advice, a trial by jury that is public so people can see it is fair, and all within a reasonable or "speedy" amount of time; without waiting forever in jail. They must be told what they are accused of, they can call witnesses in a trial to give statements to help them, and question witnesses in a trial that give statements against them.
- **7th Amendment:** *The Right to a Trial by Jury in Civil dispute Cases:* If a disagreement between people is about something more than \$20.00, they have the right to a jury trial.
- **8th Amendment:** *Unfair/Cruel and Unusual Punishment is Forbidden:* Fines (like a ticket you pay) have to be fair and not too expensive for a simple offense. People found guilty **cannot be punished in a cruel or unusual way** that is not allowed by law.
- **9th Amendment:** *Unlisted Rights of the People:* People have rights besides the ones that are listed in the Constitution. Just because all of the people's rights aren't listed, doesn't mean they can be violated.
- **10th Amendment:** *States' Rights:* Any powers not given to the federal government in the Constitution are given to the States and the people.

THE REAL Bill of Rights...continues on the next page. (NOT IN ORDER...fill in the blanks with the correct numbers from the paraphrased amendments above)

- **Amendment ____:** "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."
- **Amendment ____:** "No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law."
- **Amendment ____:** "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."
- **Amendment ____:** "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."
- **Amendment ____:** "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense."
- **Amendment ____:** "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."
- **Amendment ____:** "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law."
- **Amendment ____:** "~~No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger;~~ nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."
- **Amendment ____:** "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted"
- **Amendment ____:** "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

DIRECTIONS: Each source set below contains **grievances/complaints against the King from the Declaration of Independence** or **quotes from the founding fathers at the Constitutional Convention**. Match each source with the correct amendment(s) from the **BILL OF RIGHTS (1-10)** that best addresses/fix the concerns in the source. The list of amendments from the **BILL OF RIGHTS** is above.

Source set 1:
 “He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.” (from the Declaration of Independence)
 “He has abdicated Government here, by declaring us out of his Protection and waging War against us.” (from the Declaration of Independence)
 Hint: The Battle of Lexington and Concord, which started the Revolutionary War, started because the King tried to take something away from the colonists that would have allowed them to protect themselves against the government.

Amendment ____ BEST fits with these grievances

Source set 2:
 “For depriving us in many cases, of the benefit of Trial by Jury,” (from the Declaration of Independence)
 Hint: the King took away **DUE PROCESS** from the colonists.

Amendments ____, ____, AND ____, BEST fit with these grievances

Source set 3:
 “For imposing Taxes on us without our Consent.” (from the Declaration of Independence)
 Hint: Stamp Act (**tax on newspapers that limited freedom of PRESS**)

“He has called together **legislative bodies at places unusual, uncomfortable, and distant** (hint: **their right to assemble was taken**)...for the sole purpose of fatiguing them into compliance with his measures.” (from the Declaration of Independence)

“He has **dissolved Representative Houses** (hint: the King got rid of representatives which allow for a democracy with freedom of speech) repeatedly, for opposing with manly firmness his **invasions on the rights of the people.**”

Amendment ____ BEST fits with these grievances because...

Source set 4:
 “For quartering large bodies of armed troops among us.” (from the Declaration of Independence)
 “He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.” (from the Declaration of Independence)
Hint: The Quartering Act violated the PRIVACY of the colonists.
Amendments ____ AND ____ BEST fit with these grievances

Source set 5:
 The following were **forms of punishment for treason (crimes against the King) in England** during the time of the writing of the Declaration of Independence:

- Hanging, drawing and quartering (dragged/drawn by a horse to an execution and chopped into 4 pieces)
- public dissecting
- burning alive
- disemboweling

-From the **Treason Act of 1351** (Remember that the founding fathers were accused of treason for rebelling against the King)
 “That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted...”-*English Bill of Rights, 1689, in response to the actions of King James II*

Amendment ____ BEST fits with this source

Source set 6:
 “[There] has been objections against a Bill of Rights, that, by [listing] particular exceptions to [government] power, it would [limit] those rights which were not placed in that enumeration [numbered list]; and it might [be implied] that those rights which were not singled out, were intended to be [given to the Federal] Government...This is one of the most plausible arguments I have ever heard against the admission of a bill of rights into this system; but, I conceive, that it may be guarded against.” – James Madison (Virginia Delegate)

“Our country is too large to have all affairs directed by a single (national) government.”-Thomas Jefferson

“In...the republic of America, **the power surrendered by the people, is first divided between [the national and the state/local] governments, and then...subdivided [into] separate [branches]. A double security [protects] the rights of the people.** The different governments will control each other; at the same time that each will be controlled by itself.” (Checks and balances)- James Madison (Virginia Delegate)


Amendments ____ AND ____ BEST fit with these quotes from the Constitutional Convention

Directions: FILL IN THE BLANKS in the RIGHT COLUMN with the correct Amendments found from the U.S. Constitution in the LEFT column. (13th, 14th, 15th, 19th, 24th, or 26th Amendment)

<p>Amendment 13: (Ratified in 1865) Section 1. "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."</p> <p>Amendment 14: (Ratified in 1868) Section 1. "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."</p> <p>Amendment 15: (Ratified in 1870) Section 1. "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."</p> <p>Amendment 19: (Ratified in 1920) "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex."</p> <p>Amendment 24: (Ratified in 1964) Section 1. "The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax."</p> <p>Amendment 26: (Ratified in 1971) Section 1. "The right of citizens of the United States, who are 18 years of age or older, to vote, shall not be denied or abridged by the United States or any state on account of age."</p>	<p>Amendment _____: Younger voting age: The draft lottery for selective service was very unpopular during the Vietnam War. "Old enough to fight, old enough to vote" became the rallying cry of anti-war protesters and draft dodgers. In 1971, Congress proposed, and states ratified, this amendment which changed the voting age from 21 to 18.</p> <p>Amendment _____: Outlaws Slavery: Abolishes (ends/destroys) slavery and involuntary servitude except in punishment for a crime.</p> <p>Amendment _____: Outlaws Poll Taxes: States can no longer force citizens to pay taxes in order to vote at the "polls."</p> <p>Amendment _____: Citizenship and Equal Protection under the law: Originally gave freed slaves citizenship after the Civil War (Defines birthright citizenship) and guarantees that States must give all citizens equal rights and others found in the Bill of Rights.</p> <p>Amendment _____: Women's Suffrage: Women are given the right to vote.</p> <p>Amendment _____: Voting rights for all races: After the Civil War, this amendment guaranteed that no one could be denied the right to vote because of their race.</p>
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MULTIPART AMENDMENT MANIA: Use the word bank to fill in the blanks of the different parts of the amendments below:
Word Bank terms: speedy, self-incrimination, petition, assembly, counsel, press, double jeopardy, confront witnesses, eminent domain, religion

<p>Amendment 1: Freedom of Speech, protest, _____/expression through writing, _____/gathering together to discuss an issue, _____/worshiping as you please, and freedom to _____ the government/getting signatures on paper to show support for a cause.</p>	<p>Amendment 5: DUE PROCESS OF LAW, _____/which means you can't be tried for the same crime twice, the right to remain silent and not take the witness stand in your own trial which means no _____, and _____ means the government can only take your property if it's for public use and they pay you with just compensation.</p>	<p>Amendment 6: Rights to a Fair Trial which means the right to have _____/a lawyer-attorney, a _____ trial so you don't wait years in jail if you're innocent, trial by jury, the right to call and _____ on your behalf.</p>
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<p>Which is an example of unprotected speech? A. criticizing the government in a newspaper B. placing a political campaign sign in your yard C. publishing lies about another person D. publicly disagreeing with a new law</p>	<p>Why did this amendment fail? </p> <p>A. It was not ratified by the President. B. It was not ratified by the Senate. C. It was not ratified by 38 states. D. It was not ratified by 50 states.</p>	<p>1923: The Equal Rights Amendment is introduced in Congress. 1972: The Equal Rights Amendment is voted on by Congress with a seven-year deadline. 1977: The Equal Rights Amendment is ratified by 35 states. 1978: The Equal Rights Amendment deadline is extended to 1982. 1982: The Equal Rights Amendment fails.</p>
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Which 1st Amendment right are parents exercising when they sign a statement asking that a new school be built in their community?

- A. assembly
- B. petition
- C. protest
- D. religion

Which group is the PRIMARY/MAIN focus of the Bill of Rights?

- A. politicians
- B. individuals
- C. cities
- D. states

The phrase below is one of the grievances found in the Declaration of Independence.

"For depriving us in many cases, of the benefits of trial..."

Source: U.S. National Archives and Records Administration

Which rights listed in the Bill of Rights reflect this complaint?

- A. equal protection, protection from cruel and unusual punishment, protection from self-incrimination.
- B. equal protection, protection from double jeopardy, protection from self-incrimination.
- C. due process of law, right to confront witnesses, right to legal counsel

Robert is unhappy with the current political party in Presidential office. He decides to publicly voice his opinions in the middle of the city square with a speech outlining the faults of the party, the mistakes of the President, and the overall decline of the administration.

This is an example of which First Amendment right?

- A. Freedom of religion
- B. Freedom of speech
- C. Freedom of the press
- D. Freedom to petition the government

Which can vote on ratification of amendments to the U.S. Constitution?

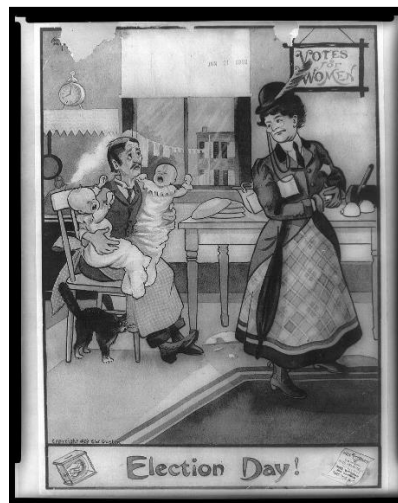
- A. president and vice-president
- B. state Supreme Courts
- C. state legislatures
- D. federal courts

"No society can make a perpetual (permanent) constitution, or even a perpetual law. The earth belongs always to the living generation..."

- Thomas Jefferson's letter to James Madison from Paris, September 6, 1789.

Which conclusion does the statement support?

- A. The amendment process allows the U.S. Constitution to reflect citizens' changing views over time.
- B. The amendment process makes sure that the U.S. Constitution is formally approved.
- C. The ratification process allows the U.S. Constitution to reflect presidents' changing views over time.
- D. The ratification process makes sure that the U.S. Constitution is formally approved.



The cartoon shows an American woman in 1909.

What impact on political participation is shown by this cartoon?

- A. parental rights for women
- B. voting rights for women
- C. custody rights for men
- D. equal rights for men

Why was the U.S. Constitution amended to abolish poll taxes?

- A. To permit more eligible citizens to buy property.
- B. To permit resident aliens to buy property.
- C. To permit more eligible citizens to vote.
- D. To permit resident aliens to vote.

What was the major impact of the 13th, 14th, 15th, 19th, 24th and 26th amendment to the U.S. Constitution?

- A. They decreased minority participation in the political process.
- B. They decreased minority participation in social movements.
- C. They increased minority participation in the political process.
- D. They increased minority participation in the military.

II. Landmark Supreme Court Cases: *Learning Goal:* Students will be able to explain the significance and outcomes of landmark Supreme Court Cases.

Match each Supreme Court case below with the correct summary and significance option in the right column.	
Marbury v. Madison _____	<p>A. Background: A government worker argued about a job that a President promised him and took it to the Supreme Court directly.</p> <p>Significance: The Supreme Court confirmed that they have the power of “judicial review.” They can review acts of the other branches and decide if they are unconstitutional or not.</p>
Miranda v. Arizona _____	<p>B. Background: Two candidates were both running for President during the 2000 election and disputed the final vote total in Florida. The democratic candidate sued the state of Florida to have a hand recount of ballots in several counties.</p> <p>Significance: The Supreme Court ruled that the republican candidate was the winner because of the 14th amendment. If a recount would be done, then it would have to be done throughout all of Florida, not just some counties. (equal rights...each vote counts the same) However, since there wasn’t enough time before a deadline given by the court for the recount, no recount was done and the republican candidate won.</p>
Tinker v. Des Moines _____	<p>C. Background: The defendant was accused of a crime, couldn’t afford a lawyer, and Florida had laws that only defendants who were being tried for the death penalty would be given a lawyer if they couldn’t afford it.</p> <p>Significance: The Supreme Court ruled Florida’s laws in violation of the 6th amendment. All defendants in a criminal trial now receive a lawyer if they can’t afford it.</p>
Hazelwood v. Kuhlmeier _____	<p>D. Background: The defendant was arrested for a crime and interrogated by police without being told he could remain silent or have a lawyer present. He confessed to the crime.</p> <p>Significance: The Supreme Court ruled that Phoenix, Arizona police officers violated the 5th amendment by not informing the defendant of his right to remain silent. All officers must now read accused criminals their rights. Any confessions obtained without the (name of the defendant) warning cannot be used in court.</p>
Gideon v. Wainwright _____	<p>E. Background: A student was suspended for wearing an armband that protested the Vietnam War.</p> <p>Significance: The Supreme Court ruled that her 1st amendment right to Freedom of Speech was violated and that students’ rights in schools can’t be limited unless it causes a disruption.</p>
Plessy v. Ferguson _____	<p>F. Background: A defendant was arrested for sitting in a white’s only train car because he was part black and the law segregated the trains in Louisiana.</p> <p>Significance: The Supreme Court ruled that “separate” is okay as long as its “equal.” This allowed segregation and discrimination by race to continue for several more years.</p>
Brown v. Board of Education _____	<p>G. Background: A school newspaper was censored, as the principal did not allow certain stories to run in the school newspaper.</p> <p>Significance: The Supreme Court ruled that school newspapers are controlled by the school since they pay for it and can be held liable for what’s in it. Kids can find other ways to share information and have freedom of press (1st amendment) that is not allowed in the school newspaper.</p>
in re Gault _____	<p>H. Background: A group of African American students sued the school system for not allowing them to enter a “whites” only school since no other equal schools existed.</p> <p>Significance: The Supreme Court ruled that segregation in schools violated the 14th amendment Equal Rights Clause. They overturned Plessy v. Ferguson’s “separate but equal” decision and ended segregation in public institutions.</p>
United States v. Nixon _____	<p>I. Background: A 15 year old was arrested for making prank phone calls and sentenced to 7 years in a juvenile detention facility. He was denied a lawyer and the right to call witnesses and have a jury.</p> <p>Significance: The Supreme Court ruled that kids/minors/juveniles have the same due process rights as adults due to the 14th amendment. (due process and equal rights)</p>
Bush v. Gore _____	<p>J. Background: A U.S. President was told to give up evidence to the court because of allegations that he ordered a “break-in” at the Watergate hotel. He refused citing the idea that the President is above the law.</p> <p>Significance: The Supreme Court ruled that the President is not above the law and must ascribe to the rule of law.</p>

Sample Test Questions for this unit:	
<p>What U.S. Supreme Court decision could high school students use to defend their right to wear t-shirts with a skull-and-bones design on campus?</p> <p>A. Tinker v. Des Moines (1969) B. Wisconsin v. Yoder (1972) C. Texas v. Johnson (1989) D. Bush v. Gore (2000)</p>	<p>Which of the following has NOT occurred as a result of the decision in Marbury v. Madison (1803)?</p> <p>A. The U.S. Supreme Court has played a key role in interpreting the U.S. Constitution. B. A constitutional amendment was ratified that allows Congress to have "judicial review." C. A law can be thrown out if it violates the U.S. Constitution. D. The concept of checks and balances was upheld.</p>
<p>Many Florida schools remain under desegregation orders as a result of which U.S. Supreme Court case?</p> <p>A. District of Columbia v. Heller (2008) B. Brown v. Board of Education (1954) C. Tinker v. Des Moines (1969) D. U.S. v. Lopez (1995)</p>	<p>Which U.S. Supreme Court decision could cause confessions to be thrown out as evidence?</p> <p>A. Gideon v. Wainwright (1963) B. Marbury v. Yoder (1803) C. Miranda v. Arizona (1966) D. Plessy v. Ferguson (1896)</p>
<p>What lessons did future U.S. leaders learn from the 1974 U.S. Supreme Court case United States v. Nixon?</p> <p>A. The president is accountable for obeying the law. B. The president is responsible for enforcing the law. C. The president is not allowed to hold secret talks with foreign governments. D. The president is not allowed to have private meetings with cabinet members.</p>	<p>When the U.S. Supreme Court makes a decision in a case, how is their opinion on the case determined?</p> <p>A. by a unanimous vote B. by a two-thirds vote C. by a three-fourths vote D. by a simple majority vote</p>

III. The American Legal System

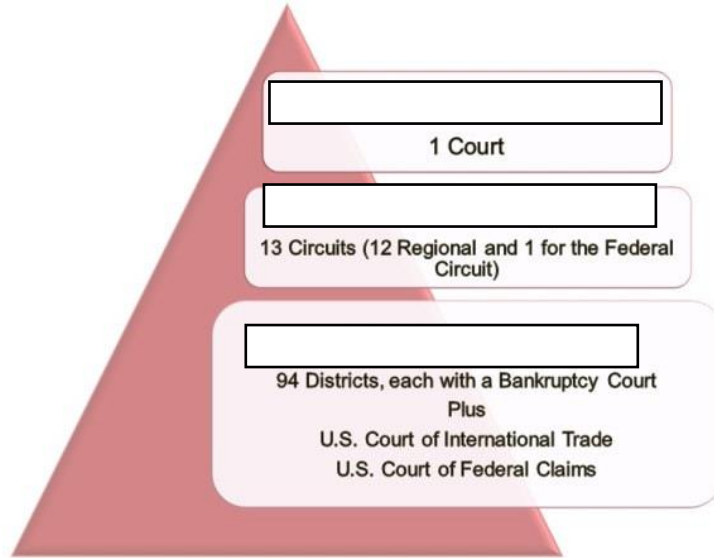
Learning Goal: The student will be able to recognize different types and sources of law and understand the trial process and the role of juries in the administration of justice.

1. The Pyramid to the right represents the **Federal Court System.**

Write in the different LEVELS of the Federal court system in the pyramid, with the lowest level starting at the bottom.

Use the word bank below:

U.S. Supreme Court,
U.S. District Courts, U.S. Courts of Appeals



Use the word bank below to fill in the blanks.

Article III (3) in the U.S. Constitution gives the _____ branch the power to interpret/**JUDGE** the laws and other government actions when they are challenged by someone in court. However, a court must have **jurisdiction** over the issue, which means the legal ability to hear a case. For example, someone who is accused of a crime that breaks Florida’s laws must first go to a lower court in Florida. A jury looks at evidence and makes a verdict/decision. They decide if someone is guilty for a crime or if they are responsible in a civil dispute. At the lowest court, you can _____ a decision to a higher court if you feel like you had an unfair trial or verdict in some way. Judges in appellate or Supreme courts interpret/**JUDGE** the laws and other government actions by giving their _____/a detailed explanation of their legal decision. They base their decision on legal _____, which means they look at cases about a topic that came **BEFORE**/from the past. If a law or other government action is _____, it means it follows the rules of the Constitution. If a law or other government action is _____, it means that it violates or goes against the Constitution in some way. _____ is when any state appeals/appellate courts examine state and local laws or other government actions to determine if they violate the state or U.S. constitution. All federal courts have this same power as well. If the court decides that the law does violate the Constitution, then they can cancel/ _____ the law. The _____ is the highest court in the country where decisions are final and no more appeals can be made. There are ____ Supreme Court Justices and the leader of the court is called the _____. In order for a decision to be made, there must be a simple majority vote of ____ justices voting together out of 9 total.

Word Bank:

opinion, unconstitutional, Judicial Review, appeal, chief justice, precedent, constitutional, 9, Supreme Court, nullify, 5, judicial, ~~jurisdiction~~

Types of Law

Directions: Match each scenario below with the correct type of law and BRIEFLY explain your choice.

Types of Law to choose from: **Criminal, Civil, Constitutional, Military, Juvenile, Case**

1. In 2009, Army Sgt. Bowe Bergdahl left his post in Afghanistan without permission from his commanding officer. He faced a court martial after being charged with desertion. *What type of law is this and why?*

2. In “Jacobson v. Massachusetts (1905)” the Supreme Court ruled that state governments CAN make “compulsory vaccination laws” and impose penalties if residents don’t take required vaccinations for the overall good and safety of the public. This case was an example of a dispute between an individual and government about Constitutional Law due to the 10th amendment vs. the 14th amendment. BUT it also set a PRECEDENT, or established a type of law that the Supreme Court would follow in future cases. For example, in “Zucht v. King (1922)”, the court used the Jacobson case as a precedent to rule that schools could refuse to admit students who did not receive a required vaccination. Today we see that state governments have chosen to impose mask mandates and the issue of COVID-19 vaccination rules still looms on the horizon. *What type of law is this and why?* **(this one WON'T BE CONSTITUTIONAL LAW...find a better fit)**

3. Under Section 1003.26 of the Florida State Statute, truancy is defined as an offense that can be charged to any student of elementary school age through age 16 who has accumulated 15 or more unexcused absences in a three month period without the knowledge of their parent or guardian. A court can issue several different types of punishments on minors and parents including mandatory summer school, being remanded to a detention center, probation, etc... *What type of law is this and why?* _____

4. Markeith Loyd was arrested after being accused of killing his pregnant ex-girlfriend in December 2016 and an Orlando officer in January 2017. He went to trial for murder in an Orange County court. A jury found him guilty and he was sentenced to life in prison without parole. *What type of law is this and why?* _____

5. USA Today reported that former President Donald Trump has been sued as a *defendant* 1,450 times. Also, Trump has sued others as a *plaintiff* 1,900 times. In one case, Trump sued a marketing agency calling itself “Trump your Competition” for using his name to make a profit without permission or royalties. *What type of law is this and why?* _____

6. Obergefell v. Hodges (2015), is a landmark United States Supreme Court case in which the Court decided in a 5–4 decision that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. They ruled that states that denied this right in their constitutions because of the 10th amendment were in violation of the 14th amendment. *What type of law is this and why?*

Vocabulary Review: Match each vocab term below (numbers 1-12) with the correct definition (letters A-L)	
<ol style="list-style-type: none"> 1. The Rule of Law___ 2. Jury_____ 3. Evidence_____ 4. Felony_____ 5. Misdemeanor_____ 6. Lawsuit_____ 7. Writ of Habeas Corpus K 8. Ex post facto law L 9. Bail_____ 10. Plaintiff_____ 11. Defendant_____ 12. Summons_____ 	<ol style="list-style-type: none"> A. A group of individuals who deliberate over evidence in a trial and must decide on a verdict, or decision, in a case. B. The person or group filing a lawsuit, or suing, another person or group in a civil dispute. ALSO, a government that is charging someone with a crime. C. A less serious criminal offense, with a less severe penalty. D. The person or group that is being sued in a civil dispute OR being accused of a criminal act. E. A more serious criminal offense, with a more severe penalty. F. Facts and information presented at a trial that judges rule on and a jury must deliberate over. G. An official legal order to appear in court. H. The concept that everyone must follow the same rules in a limited government or democracy. I. A claim or dispute that is brought to a court of law. J. The temporary release of an accused person awaiting trial, sometimes on condition that a sum of money be paid to guarantee their appearance in court. K. This comes from the Latin to “have the body.” Prisoners can make a request for a court to issue this legal order which would force whatever government that is holding the prisoner to appear in court. A judge then determines if the prisoner is being held against their will legally or not. L. This refers to laws that are passed that make certain acts from the past illegal. For example, if a law is passed to make something illegal and penalize someone who did it 5 years ago legally, this is not allowed.
<p>The parts of the trial process are in order below. (1-7) Match up the parts of the trial process with the correct definition by writing the correct letter next to each part.</p>	
<ol style="list-style-type: none"> 1. Opening Statement___ 2. Direct Examination___ 3. Cross Examination___ 4. Re-direct Examination C 5. Closing Statement___ 6. Jury Deliberation___ 7. Verdict___ 	<ol style="list-style-type: none"> A. The lawyer who called the witness asks the witness the first set of questions. B. The lawyer sums up the evidence for the jury and asks the jury to rule in his or her client’s favor. C. The lawyer who called the witness asks the witness questions in order to counter the cross-examination. D. The lawyer tells the jury what the case is about and what the evidence will show. E. The lawyer who did not call the witness asks the witness questions in order to point out weaknesses in the witness’s testimony. F. The jury looks over the evidence from the case. G. The jury's decision in the case.

Sample Test Questions for this unit:

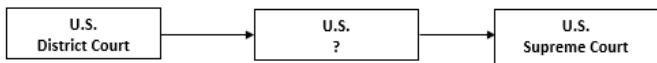
The trial process is listed below.



1. Which option completes the trial process?

- A. cross-examination
- B. jury instructions
- C. investigation
- D. verdict

2. Which court completes the diagram?



- A. Court of Veterans Appeals
- B. Court of Appeals
- C. Military Courts
- D. Claims Courts

3. The table below lists examples of laws:

Category A	Category B
<ul style="list-style-type: none"> • Assault • Murder • Theft 	<ul style="list-style-type: none"> • Adoption • Contract Disputes • Personal Injury
Category C	Category D
<ul style="list-style-type: none"> • Abandonment of post • Conduct unbecoming of an officer • Mutiny 	<ul style="list-style-type: none"> • Discrimination • Eminent Domain • Treason

Which category list represents military law?

- A. Category A
- B. Category B
- C. Category C
- D. Category D

4. What does this court decision illustrate?

In 1940, the Texas Democratic Party refused to give an African American man a ballot to select candidates to run for Congress and governor.

In finding this action unconstitutional “...this Court is not constrained to follow a previous decision...”

- A. The court has the power of judicial review and hears appeals.
- B. The court is a district court.
- C. The court is a trial court.

5. Which type of law is used to resolve disputes between Congress and the President?

- A. civil
- B. constitutional
- C. criminal
- D. military

6. The scenario below involves damage to someone's property.

Last Saturday, a driver was ticketed for speeding through a neighborhood and crashing into a fence. The fence owner is suing the driver \$2500.00 for the cost to repair the fence.

What court would hear this case?

- A. appeals
- B. civil
- C. criminal
- D. family