

Chapter 8

The Judiciary

This chapter introduces you to the final and perhaps most unusual branch of American government: the courts. The chapter explains how courts, particularly the Supreme Court, came to play a uniquely powerful role in forming public policy in this country and how that role has been played to very different effects at different stages of history. Other important considerations include how justices are selected, the jurisdictions of the various courts, and the steps that a case must go through on its way to Supreme Court review. The chapter concludes with an assessment of the power courts have in politics today, the limitations on that power, and why judicial activism seems to be on the increase. After reading and reviewing the material in this chapter, you should be able to do each of the following:

1. Explain what judicial review is, and trace its origin in this country to *Marbury v. Madison*.

Judicial Review is the power of the courts to declare laws or actions of the government unconstitutional. It originated from the Supreme Court case *Marbury v. Madison*.

2. List and comment on the three eras of varying Supreme Court influences on national policy from the days of slavery to the present.

The three eras of Supreme Court influence are: (1) The establishment of federal power and property rights until the Civil War, (2) The shift to civil rights and individual liberties post-Civil War, and (3) Modern focus on social and economic issues

3. Explain what is meant by a dual court system, and describe the effects it has on how cases are handled and appealed.

A dual court system means there are both federal and state courts. It affects how cases are handled, as some are tried in state courts while others in federal, based on jurisdiction.

4. List the various steps that cases go through to be appealed to the Supreme Court, and explain the considerations involved at each level.

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Magruder's American Government Guided Reading and Review Workbook Student Edition 2003c William A. McClenaghan, 2002-05-15 High School Hailed as a stellar educational resource for nearly a century Magruder's American Government is updated annually to meet the changing needs of today's high school students and teachers The program's engaging narrative is enhanced with numerous primary sources political cartoons charts graphs and photos making the structure and principals of government accessible and motivating to students of all abilities [Study Guide to Accompany American Government](#) Susan M. Rigdon, 1988 [National Science Education Standards](#) National Research Council, Division of Behavioral and Social Sciences and Education, Board on Science Education, National Committee on Science Education Standards and Assessment, 1996-01-07 Americans agree that our students urgently need better science education But what should they be expected to know and be able to do Can the same expectations be applied across our diverse society These and other fundamental issues are addressed in National Science Education Standards a landmark development effort that reflects the contributions of thousands of teachers scientists science educators and other experts across the country The National Science Education Standards offer a coherent vision of what it means to be scientifically literate describing what all students regardless of background or circumstance should understand and be able to do at different grade levels in various science categories The standards address The exemplary practice of science teaching that provides students with experiences that enable them to achieve scientific literacy Criteria for assessing and analyzing students attainments in science and the learning opportunities that school science programs afford The nature and design of the school and district science program The support and resources needed for students to learn science These standards reflect the principles that learning science is an inquiry based process that science in schools should reflect the intellectual traditions of contemporary science and that all Americans have a role in improving science education This document will be invaluable to education policymakers school system administrators teacher educators individual teachers and concerned parents **America: History of Our Nation Adapted Interactive Reading and Notetaking Study Guide 2007c** Jim Davidson, Michael B. Staff, Prentice Hall Direct Education Staff, 2005-08 This edition was developed specifically for courses covering up to the Civil War or Reconstruction The text can also be used for the first part of a two year American history course **Student study guide** Joy Hakim, 2005 Describes the time in America prior to the first World War the vast differences between the wealthy and the poor the changing from farming to factory work and the inventions of conveniences such as electric lights telephones and bicycles **Call to Freedom** Sterling Stuckey, 2003 Teaches U S history employing the themes geography economics government citizenship science technology and society culture Constitutional heritage and global relations [Us History Teachers Guide and Resource/7195-3n27](#) Diane Hart, 1988 **The Religion of the Bible** Julius August Bewer, 1925 [Holt People, Places, and Change](#) Robert J. Sager, 2003 **How to Read a Nautical Chart, 2nd Edition (Includes ALL of**

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electorate This book is an ideal reference for students and researchers who want to develop a deeper understanding of the current challenges faced by citizens of republican government in the United States **West American History** Hubert Howe Bancroft,1902 **Foreign Affairs** Edmund Dene Morel,Helena Maria Swanwick,1924 **Harcourt School Publishers Reflections** Harcourt School Publishers,2004-02 *A B C Pathfinder Shipping and Mailing Guide ...* New England Railway Publishing Company,1917 *Call to Freedom* Holt Rinehart & Winston,Holt, Rinehart and Winston Staff,2002-02

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and 20 for the five years however the gross margin rate with the project will also be strong

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