



WE THE PEOPLE CONSTITUTION TOUR

ARTICLE III: THE JUDICIAL BRANCH

Studying a Famous Case: Student Worksheet

The Court System



About Article III: The Judicial Branch

The Court System, Studying a Famous Case: A Student Worksheet

Think about the Supreme Court and decisions that have been made here. Then answer the following questions:



1. This picture is about what historic event?
2. What does the Supreme Court have to do with this picture?
3. Why is Article III necessary in the Constitution?

What questions do you have about the federal court system or Article III? Write your questions here:



About Article III: The Judicial Branch

The Court System: The Third Branch of Government

What is the Primary Job of the Third Branch?

The courts are the Third Branch of the government as defined in Article III of the Constitution. The Third Branch has special responsibilities to the Constitution, to you, and to the other two branches of government—the Legislative Branch (Congress) and the Executive Branch (President and his/her administration). The courts fulfill two of the primary goals outlined in the Constitution:

- To clearly define the powers of the government so that government does not become too powerful.
- To protect individual rights.

Although all three branches of government are authorized to check/curb the powers of the other two branches and to balance out their powers, the Third Branch also has the following authority:

- To interpret the laws and decide if they are constitutional.
- To stop the other two branches if they take actions that are unconstitutional.

What is the Primary Job of the Supreme Court in Regard to the Other Two Branches? *To Decide if Their Actions are Constitutional.* When it comes to checks and balances in our system of government, perhaps the most important check that the judicial branch has on the legislative branch (Congress) and the executive branch (the Presidency) is its ability to declare an act of Congress or the President and his/her administration to be unconstitutional. What happens if one branch violates the Constitution or our rights? The United States is different from many other countries in such situations because it provides a way to address this problem. If an action of Congress or the President is challenged in court, the judicial branch can declare that action unconstitutional. Sometimes that means the action must stop. This process is known as judicial review. In other words, when someone brings a case to the Supreme Court it can review what the other two branches have done and make them stop the actions that are unconstitutional.

What is the Primary Job of Supreme Court Justices and Judges in All Courts? *To be Fair and Impartial.*

Justices and judges make sure that everyone who comes to court is on an equal playing field. Like a referee or umpire, they enforce the rules so that everyone's side of the story can be heard and fairly judged. Judges must make decisions based on law, not on their personal opinion or on popular opinion. They cannot be pressured by Congress, the President, the media, or anyone else. Their job is to do justice in the case before them, even if they have to make an unpopular decision.

What is Your Primary Job in the Third Branch? *To Serve on Juries When Called.* Juries are one of the most important ways that you can directly participate in your government. A jury is a panel of citizens like you. They sort out the facts of a legal case. Juries are used in some trials. In a criminal trial, you decide if the defendant is guilty or not guilty. Most of the time, all members of the jury must agree on the final decision—the verdict. If you are a criminal defendant, the Constitution gives you the right to a speedy and public trial by a jury. How do you qualify to serve on a jury? You must:

- Be a U.S. citizen
- Be, at least, 18 years old
 - Understand the English language
 - Have lived in the judicial district for at least one year
 - Have no felony convictions
 - Be of sound mental condition



About Article III: The Judicial Branch

The Court System: A Student Worksheet

You Be the Judge: Test Your Third Branch Brain

See if you can identify the correct answers to the questions below about the Judicial Branch of our government.

1. The highest court in the land and the final decider of constitutional questions is
 - A. Congress
 - B. The President
 - C. The U.S. District Courts
 - D. The U.S. Circuit Courts of Appeals
 - E. The Supreme Court of the United States
2. What is meant by the term judicial review?
 - A. Another name for the Third Branch of government
 - B. The power of Congress to make laws
 - C. Appealing cases to a higher court
 - D. The courts' authority to enforce the laws
 - E. The courts' authority to declare a law or an act by the other two branches unconstitutional
3. An important characteristic of the judiciary is
 - A. The ability to add laws to the Constitution
 - B. The judiciary's independence from the other two branches of government
 - C. The courts' ability to use force when applying laws.
 - D. All of the above
 - E. None of the above
4. How can law-abiding citizens get involved in the court system?
 - A. Serving on juries
 - B. Acting as witnesses
 - C. Resolving disputes peacefully in court
 - D. All of the above
 - E. None of the above
5. Courts are established to
 - A. Conduct fair and impartial hearings about disputes
 - B. Settle disputes between individuals
 - C. Settle disputes between states
 - D. Ensure that proper legal procedures are followed
 - E. All of the above

For information about visiting the Supreme Court of the United States, go to www.supremecourtus.gov/visiting/visiting.html

ANSWER KEY:
1. E
2. E
3. B
4. D
5. E