

Civics & Economics CE.5 - Understanding the Judicial System (new 2023 standards)

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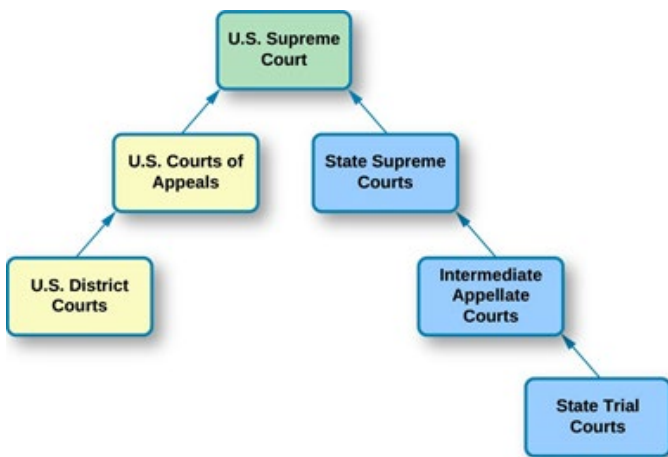
CE.5a the System of State and Federal Courts, Including Jurisdiction and Judicial Review

a) describe the system of state and federal courts including, but not limited to **jurisdiction** and **judicial review**

? What is the judicial branch?

The **judicial branch** is the part of government that **interprets laws**. That means it decides what laws mean and whether they **follow the Constitution**.

? What is the court system like in the United States?



We have a **dual court system**, which means there are **two levels** of courts.

- **State courts** handle cases that deal with **state laws** (like traffic laws, state crimes, or family matters).
- **Federal courts** handle cases involving **federal laws** (like immigration, disputes between states, or national laws).

Each type of court has its own **jurisdiction**—that means the **kinds of cases** it's allowed to hear. For example:

- If someone breaks a **federal law**, their case goes to **federal court**.

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- If someone breaks a **state law**, their case goes to **state court**.

? What is judicial review?

Judicial review is the power of the **courts** to decide whether a **law or government action** goes **against the Constitution**. If it does, the courts can say that law is **unconstitutional** and **strike it down**.

CE.5b How Due-Process Protections Seek to Ensure Justice

b) describe how **due-process protections** seek to ensure justice

? What is due process?

Due process means the government has to treat people **fairly** and follow the **rules** when it carries out the law. This **protects people** from unfair treatment by the government.



5th Amendment - National Gov't
14th Amendment - State Gov't

? Which amendments talk about due process?

- The **5th Amendment** says the **national** government must follow due process.
- The **14th Amendment** says **state** governments must also follow due process.

? Why is due process important?

It helps protect people's **rights and freedoms**.

- You can't be **punished** unless you've had a **fair trial**.
- The government **can't take your property** or **lock you up** without following the **proper legal steps**.

CE.5c Comparing Civil and Criminal Cases

c) compare and contrast **civil** and **criminal** cases



? What is a criminal case?

- A **criminal case** is when someone is accused of **breaking the law**.
- The government charges the person with a **crime**. Example: Someone is accused of stealing.
- If found **guilty**, they may go to **jail** or pay a **fine**.

? What is a civil case?

- A **civil case** is a legal **disagreement** between **two people** or groups.
- No one is being accused of a crime.
- Example: **One person sues another** because of a car accident or contract disagreement.

CE.5d The Supreme Court, the Judiciary and Marbury v. Madison

d) explain the effects of Supreme Court cases affecting the judiciary including but not limited to **Marbury v. Madison (1803)**

? What is the Supreme Court?

- The **Supreme Court** is the **highest court** in the United States. It has the **final say** on what laws mean and whether they follow the **Constitution**.

? Why is Marbury v. Madison important?

- In the case **Marbury v. Madison (1803)**, the **Supreme Court** decided that it had the power of **judicial review**.
- This means the Court can say whether **laws or actions** are **constitutional**.

? What does the power of Judicial Review mean today?

- It gives the **judicial** branch a **powerful role**.
- It helps keep the **legislative and executive** branches **in check**, making sure no one **breaks the rules** of the Constitution.



If you would like to **learn more** about **Malbury v. Madison** and Judicial Review, click on this [interactive tutorial by cpalms.org](https://cpalms.org)

The Supreme Court can decide whether laws are CONSTITUTIONAL.

Type of Case	Criminal	Civil
Who's involved?	Government vs. Person	Person vs. Person (or group)
Example	Theft, assault	Property damage, divorce, contracts
Possible outcome	Jail, fine, probation	Money awarded, change in behavior