

Sims Middle School Civics EOC Study Guide

Citizenship

<p>Civics – the study of rights and duties of a citizen.</p> <p>Citizenship (SS.7.C.2.1) – is the rights and duties of citizens, beginning in ancient Greece and Rome.</p>	<p>Obligations or Duties (<i>things we are required to do</i>)</p> <p>(SS.7.C.2.3)</p> <p><i>Citizens who choose not to fulfill these civic duties face legal consequences</i></p> <ul style="list-style-type: none"> • Obey laws • Pay taxes • Defend the nation - serve in the armed forces if called (Selective Service) • Serve on a jury or as a witness in court if called • Attend School 	<p>Responsibilities (<i>Things citizens should do</i>)</p> <p>(SS.7.C.2.2) <i>Civic responsibilities are fulfilled by choice; they are voluntary</i></p> <ul style="list-style-type: none"> • Register and vote • Hold elective office • Participate in government and your community • Serve in voluntary, appointed positions • Petition the government by writing to government officials • Influence government by communicating with government • Keep informed regarding current issues • Respect different opinions and ways of life • Respect the property and rights of others
<p>Personal traits of good citizens</p> <ul style="list-style-type: none"> • Trustworthiness and honesty • Courtesy and respect for the rights of others • Responsibility, accountability, and self-reliance • Respect for the law • Patriotism 	<p>Ways for citizens to participate in community service (SS.7.C.2.14)</p> <ul style="list-style-type: none"> • Volunteer to support democratic institutions (e.g., League of Women Voters). • Express concern about the welfare of the community as a whole (e.g., environment, public health and safety, education). Help make community good place to work and live (becoming involved with public service organizations, tutoring, volunteering in nursing homes). 	

<p>How to become a citizen (SS.7.C.2.1)</p> <ul style="list-style-type: none"> • 14th Amendment defines citizenship: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside.” • Immigration and naturalization, particularly in the 20th century, have led to an increasingly diverse society. 	<p>Requirement for immigrants who want to become citizens:</p> <ol style="list-style-type: none"> 1. be at least 18 years old, 2. have been a legal permanent resident for five years, 3. be able to read, write, and speak English, 4. be of good moral character, and 5. Show that they understand U.S. civics. 	<p>Rights of Citizens</p> <p>Right to vote (guaranteed by amendments 15,19, 24, and 26)</p>
<p>Dred Scott V. Sanford-</p> <p>Court ruled African Americans were not citizens and the Missouri Compromise was unconstitutional. In 1868, the 14th Amendment overruled this decision.</p>		
<p align="center">Words to Know (SS.7.C.2.2, SS.7.C.2.3, SS.7.C.2.14)</p>		
<p>Immigrant – a person who moves permanently to a new country. Ethnic Group – a group of people who have the same race, culture, or nationality. Popular Sovereignty – idea that government gets its power from the people. Government – the ruling authority for a group of people. Citizen – a person who is loyal to a government and its protected by that government. Alien – foreign-born residents who have not been naturalized. Resident Alien- A legal Immigrant who permanently lives in the U.S. Refugee – a person who flees his or her country to escape danger. Tolerance – respecting and accepting others. Welfare – health, wealth, and happiness. Volunteerism – giving one’s time and services to others without expecting payment. Naturalization- process by which a foreign born person can become a U.S. citizen. Law of Blood- If one of your parents is an American citizen then you are an American citizen regardless of where you are born. Law of Soil- any person born on American soil is a U.S. citizen this includes U.S. military bases in foreign countries, territories and commonwealths, etc. Citizen- a legal member of a state and/or country. Common Good- beliefs or actions that are seen as a benefit to the community rather than individual interests, also known as the public good. Selective Service- a system by which men ages 18 through 25 register with the U.S. government for military service.</p>		

S.S.7.C.3.1

Forms of Government

Principles of American Democracy

Rule of Law- All people, including those who govern, are bound by the law.

Limited Government- Government is not all-powerful. It may do only those things that the people have given it the power to do.

Consent of the Governed- American citizens are the source of all government power.

Individual Rights- In American democracy, individual rights are protected by government.

Representative Government- People elect government leaders to make the laws and govern on their behalf.

Free, Fair, and Competitive Elections- Every citizen's vote has equal value. They choose between candidates and parties. They vote by secret ballot free from government interference.

Majority Rule- A majority of the members of a community has the power to make laws binding upon all the people.

FUNCTIONS OF GOVERNMENT

KEEP ORDER	PROVIDE SECURITY
Pass and enforce laws to deter crime	Establish armed forces
Establish courts	Protect citizens from foreign attacks
PROVIDE SERVICES	GUIDE THE COMMUNITY
Protect public health	Develop public policy
Protect public safety	Manage the economy
Provide public welfare	Conduct foreign relations

Words to Know (SS.7.C.3.1)

Word/Term	Definition
absolute monarchy	a form of autocracy where a person becomes the sole leader of a country by being born into a family of rulers; there are no limits on the monarch's power
anarchy	the absence of any form of government
autocracy	a form of government where one person has unlimited power
communism	a form of government in which a single ruling party owns and controls the entire economy, and in which no private ownership is allowed
democracy	a system of government in which political power is held by the people
dictatorship	a form of autocracy where a military leader becomes the leader of a country often through violent means
form of government	the way a government is structured
monarchy	a form of government headed by a king or queen who inherits the position, rules for life, and holds power that can range anywhere between limited to absolute
oligarchy	a form of government in which a small group (often of wealthy people) has total control and power
republic	a system of government in which the people elect representatives to make policies and laws for them, also known as a representative democracy
socialism	a form of government in which the government plays a major role in running the economy, but private ownership is also allowed and leaders may be elected by the people

Words to Know (SS.7.C.3.2)

Word/Term	Definition
government	a system or organization for exercising authority over a body of people
governor	the head of a state government
parliamentary	a system of government where power lies with the legislative body and the leader of the country is part of the legislature
prime minister	the head of state in a parliamentary system

--

S.S.7.C.3.1

Democratic Governments-

Direct Democracy- All citizens meet to discuss government matters and vote to decide what to do. (Athens, Greece)

Representative Democracy (Republic) - Citizens chose representatives to make laws and govern on their behalf. (United States)

Constitutional Monarchy- A King or Queen inherits power. The monarch is simply a figurehead. Parliament holds the real power and chooses a Prime Minister who is like a Presidential figure. (United Kingdom)

Comparing Democratic and Authoritarian Systems

	SELECTION OF LEADERS	EXTENT OF GOVERNMENT POWER	MEANS OF ENSURING OBEDIENCE	POLITICAL PARTIES
Democracy (including republic, constitutional monarchy)	Leaders are chosen in free and fair elections.	The government is limited in power by the constitution and laws; citizens' rights and freedoms are protected.	The government relies on the rule of law.	Multiple parties compete for power.
Authoritarianism (including absolute monarchy, dictatorship, and totalitarianism)	Rulers inherit their positions or take power by force.	Rulers have unlimited power; the government may impose an official ideology and control all aspects of political, economic, and civic life.	The government relies on state control of the media, propaganda, military or police power, and terror.	Power lies with a single party.

Systems of Government (SS.7.C.3.2)

Nations differ in their systems of government and how power is shared or not shared among various levels of government.

FEDERAL SYSTEM – Power is divided among a central, national government and smaller self-governing political units such as states. Example: United States under our current Constitution.

CONFEDERAL – consists of member of states that have agreed to join together voluntarily. The states or nations create a common body to carry out certain functions, but they retain their powers. Example: United States under the Articles of Confederation.

UNITARY – the central government is supreme. The central government may create smaller administrative units to carry out some of its function but the smaller units are not protected by a constitution. Example: France, Japan, and Great Britain.

Roots of Democracy (SS.7.C.1.1 & SS.7.C.1.2)

Magna Carta: A document that King John was forced to sign in 1215, limiting the king's power. It forbade him from placing certain taxes on the nobles without their consent. Important Principle- limited government.

English Bill of Rights: 1688 - A set of rules by Parliament that gave English citizens' rights that no king could violate. This document is important because it lists specific rights and freedoms to the freemen for the first time. Important Principle- limited government.

Enlightenment Thinkers (SS.7.C.1.1)

Thomas Hobbes – People agree to be ruled because their ruler pledges to protect their rights. An agreement called a social contract.

John Locke – People have natural rights – the right to life, liberty, and property that the government must protect for their common good. Also believed in a social contract but believed that if the ruler failed to protect the rights of the people, the SC was broken and the people can then choose new leaders.

Baron de Montesquieu – Separation of Powers: separate the parts of government so no one part can become too powerful.

Mayflower Compact: The pilgrims in 1620 created a social contract. Even though this was a form of direct democracy, it was one of the first written compacts created in the colonies. We still hold town hall meetings today for people to voice their opinions.

House of Burgesses: an assembly of leaders representing Jamestown. Marked the beginning of self-government and representative democracy in colonial America.

Common Sense: Author Thomas Paine published a pamphlet in 1776, using the ideas of Locke, arguing that "common sense" called for the colonists to rebel against the king's "violent abuse of power." As much as 500,000 copies were sold in the colonies which had an impact on the Second Continental Congress to vote for declaring independence from Britain and the King.

Social and Political Changes in the Colonies (SS.7.C.1.3)

The Great Awakening (religious movement) and the Enlightenment leaders urged people to question accepted political authority. The colonies were ignored for many years, however, eventually the King and Parliament began to take more interest in its colonies. Many of the policies passed favored British interests over the colonist' needs.

British Action

French and Indian War – as the colonies grew, colonists began moving west. The Native Americans and French (who made claim to this land) fought a war against the colonists and the British. After the British won, they passed a **proclamation** that forbade the colonists from settling in the lands won from France to keep peace with the Native Americans.

Taxing the Colonies – taxes were a main source of tension between the two. The British believed the colonies should help repay for the debt of the French and Indian War.

A series of acts/taxes were passed between 1764 and 1776.

1764: Sugar Act-Taxed refined sugar
 1765: Stamp Act- Taxed all printed materials
 1766: Declaratory Act- British government had right to tax colonist without their consent
 1767: Townshend Act- Taxed glass, lead, paper, paint and tea
 1773: Tea Act- Forced colonist to buy tea from the British East India Company
 1774: Intolerable (Coercive) Acts- Punishment for Boston Tea Party

Colonist's Response

The king's actions enraged the colonies. Some believed that he was punishing them for moving west and others believed he was trying to limit the economic growth they might achieve through expansion onto new lands.

No Taxation Without Representation!

Colonial leaders called on colonists to boycott, or refuse to buy British goods. They also did many different actions, such as protests, publishing pamphlets, gathering support against the king, and creating groups like the Sons of Liberty, which were responsible for the Boston Tea Party.

Words to Know (SS.7.C.1.1)

Word/Term	Definition
Enlightenment	a period in European history when many educated people stressed the importance of learning and reasoning; education was considered the key to understanding and solving society's problems
individual liberty	a person's ability to be free and independent
influence	having an effect or impact on the actions, behavior, opinions, etc., of another or others
natural law	laws passed by government to protect natural rights
natural rights	the belief that individuals are born with basic rights that cannot be taken away by governments; life, liberty, and property
social contract	an implied agreement among the people of an organized society that defines the rights, duties, and limitations of the governed and the government

Words to Know (SS.7.C.1.2)

Word/Term	Definition
compact	an official agreement made by two or more parties
limited government	a government that has been limited in power by a constitution, or written agreement
limited monarchy	a system of government in which the king or queen shares authority with an elected legislature and agrees to be bound by a constitution or a set of laws, also known as a constitutional monarchy
Preamble	the introduction to the U.S. Constitution
rights	a set of things that people believe they should be free to do
self-government	popular or representative system where the people create and run their own government

Words to Know (SS.7.C.1.3)

Word/Term	Definition
duty	a tax
export	goods sent to another country
goods	merchandise or objects for sale or trade
import	goods brought into the country
legislature	governing body responsible for making laws
levy	to collect by legal authority
oppression	the use of authority or power in a cruel or unjust manner
Parliament	the English legislature
representation	a person or group acting on behalf of another person or group
tax	money charged by a government for specific facilities or services
taxation without representation	the idea that it is unfair to tax someone without giving them a voice in government

Words to Know (SS.7.C.1.4)

Word/Term	Definition
abolish	to end
assent	to agree
deprive	to take something away
derive	to take
despotism	a system of government where the ruler has unlimited power
dissolve	to bring to an end
endow	to be given something naturally
impel	to urge
impose	to establish by using authority or power
institute	to establish
natural rights	the belief that individuals are born with basic rights that cannot be taken away by governments
oppression	the use of authority or power in a cruel or unjust manner

quarter	to house
rectitude	the quality or state of being correct
self-evident	obvious, having no need of proof
tyranny	a government that abuses its power
tyrant	a single ruler that possesses and abuses absolute government power
unalienable (inalienable) rights	basic rights of the people that may not be taken away
usurpation	the act of exercising power by force

Steps Toward Independence

The First Continental Congress – A group of delegates, or representatives from 12 colonies met in Philadelphia in September 1774 to discuss what to do with the king and Parliament.

The Second Continental Congress - Congress chose a group of individuals, consisting of John Adams, Benjamin Franklin, Robert Livingston, Roger Sherman and most importantly – Thomas Jefferson (the main writer) to create a Declaration of Independence.

Declaration Of Independence- See pages 109-112 in textbook for copy of Declaration Of Independence

The Four Main Parts of The Declaration of Independence (SS.7.C.1.4)

Part 1: Preamble- Explains why the Continental Congress drew up the document

Part 2: Declaration of Natural Rights- The second part, list the rights of citizens. It explains in a republic people form a government to protect their rights

Part 3: List of Grievances (wrongs) list colonist complaints against King George III

Part 4: Resolution of Independence- Colonist declared their independence from Great Britain

Enlightenment Ideas found within the D of I (SS.7.C.1.4) (SS.7.C.1.1)

John Locke – passage in the second paragraph clearly was inspired by Locke’s ideas about natural rights in Two Treatises of Government. “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness”

Also, Jefferson drew on Locke’s views about the social contract, “To secure these rights, Governments are instituted among Men, deriving (getting) their just powers from the consent of the governed, That whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute (create) new Government.”

Later Jefferson offered proof that the contract had been broken with the grievances listed against the king.”

S.S.7.C.1.5

Articles of Confederation	Positives (Accomplishments)
<p>America's first constitution, created a firm "league of friendship" among the thirteen states. It created a one house legislature in which each state had one (equal) vote. The legislature was known as the confederation congress. The Articles of Confederation created a confederal government.</p>	<p>Two laws were passed that helped the nation expand westward.</p> <p>Ordinance of 1785- Set up a plan for surveying western lands.</p> <p>Northwest Ordinance- Set up a government for the surveyed land in which territories would eventually become states.</p>

Negatives (Weaknesses) SS.7.C.1.5

LACK OF POWER AND MONEY

- Congress had no power to collect taxes.
- Congress had no power to regulate trade.
- Congress had no power to enforce its laws.

LACK OF CENTRAL POWER

- No single leader or group directed government policy.
- No national court system existed.

RULES TOO RIGID

- Congress could not pass laws without the approval of 9 states.
- The Articles could not be changed without the agreement of all 13 states.

The Constitutional Convention (SS.7.C.1.1, SS.7.C.1.5, S.S.7.C.1.8)

<p>Virginia Plan (Large States Favored)-</p> <p>Called for a President, National Court, and bicameral congress (two houses). Representation was based on state population.</p>	<p>New Jersey Plan (Small States Favored)-</p> <p>Called for a unicameral congress (one house) with each having one vote. Gave congress power to tax and regulate or control trade. Very similar to Articles of Confederation.</p>	<p>Great Compromise-</p> <p>Bicameral congress, each state has two Senators and representation in the House is based on state population.</p> <p>This is the system of government we have today.</p>
---	---	---

3/5ths Compromise-

A compromise between the Northern and Southern states in which 3/5ths (3 out of 5 slaves) could be counted in a state’s population when determining representation in the House.

<p>Federalists</p> <p>Supported the ratification of the Constitution. The main leaders of the Federalists were Alexander Hamilton, James Madison, and John Jay. Together, they wrote a series of essays called the Federalist Papers to convince Americans to support the Constitution.</p>	<p>Anti-Federalists</p> <p>Opposed the Constitution. They argued that the new Constitution would destroy the liberties won in the American Revolution. They believed it would create a national government so powerful that it would ignore the rights of the states. They demanded a Bill of Rights be added to the Constitution.</p> <p>The Anti-Federalist Papers were written by people like Patrick Henry who wrote articles to spread their point of view.</p>
--	---

Words to Know (SS.7.C.1.5)

Word/Term	Definition
Constitutional Convention	a meeting in Philadelphia in 1787 where delegates decided to throw out the Articles of Confederation and draft the Constitution
debt	something owed; such as money
Shays’ Rebellion	an event when 2,000 Massachusetts farmers rebelled against land foreclosures and debt from the Revolutionary War

Words to Know (SS.7.C.1.8)

Word/Term	Definition
ratification	the process of formally approving something; ratification of the U.S. Constitution

The U.S. Constitution

The Preamble (SS.7.C.1.6)

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

Meaning of the preamble

We the People- Power of government comes from the people (elected representatives)
Form a more perfect union- States needed to unite together under a stronger national government

Establish justice- Equal treatment under law for everyone (established Judicial Branch)
Insure domestic tranquility- Peace at home (inside U.S.)

Provide for common defense- Military to protect the country from foreign invaders

Promote general welfare- General well-being of all citizens (healthy, happy, prosperous)

Secure blessing of liberty- (freedom) Guarantee basic rights of all Americans

Words to Know (SS.7.C.1.6)

Word/Term	Definition
defense	method of protecting oneself
domestic	referring to something at home, not foreign
insure	ensure, to make sure
justice	a system of establishing what is legal and illegal by fair rules
ordain	to establish something by law
posterity	future generations
tranquility	peace
union	something formed by combining parts, such as states into one country
welfare	well-being

The Seven Articles (SS.7.C.3.3)

Article I: The Legislative Branch/Congress- Makes Laws, bi-cameral (Senate and House of Representatives)

Article II: The Executive Branch/President and Vice President- Executes or enforces laws

Article III: The Judicial Branch/U.S. Supreme Court- Interprets the nations laws, making sure they are constitutional

Article IV: Relations between the States and National Government

Article V: Amending the Constitution: Explains how and when it can be changed

Article VI: Supreme Law of the Land: Supremacy Clause- Constitution is the highest law in the land

Article VII: Ratification: It will go into effect after 9 of 13 states ratify it.

Words to Know (SS.7.C.3.3)

Word/Term	Definition
article	a numbered chapter or section of a contract, treaty, or constitution
regulate	to control, govern, or direct according to rule
trade	to buy and sell goods or services

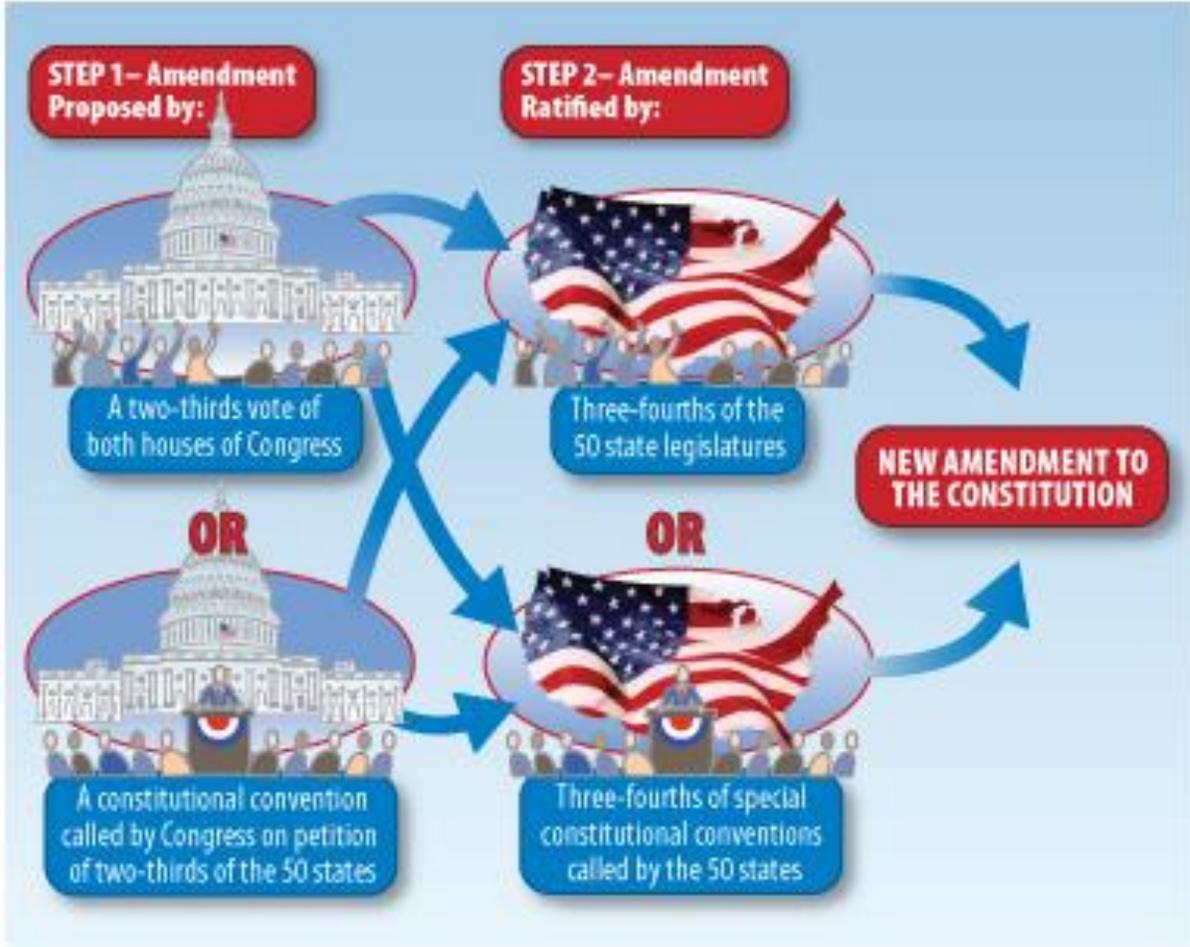
Amending the Constitution (SS.7.C.3.5)

An amendment is a change to the constitution.

There are a total of 27 amendments.

The first 10 amendments are called the *Bill of Rights*.

The Constitution provides two ways for proposing amendments and two ways for ratifying amendments



Words to Know (SS.7.C.3.5)

Word/Term	Definition
amendment	a change to a constitution (e.g., U.S. Constitution, Florida Constitution)
caucus	a meeting to select a candidate or promote a policy
ratify	to confirm by expressing consent or approval
rescind	to officially cancel or overturn

The Five Principles of the Constitution

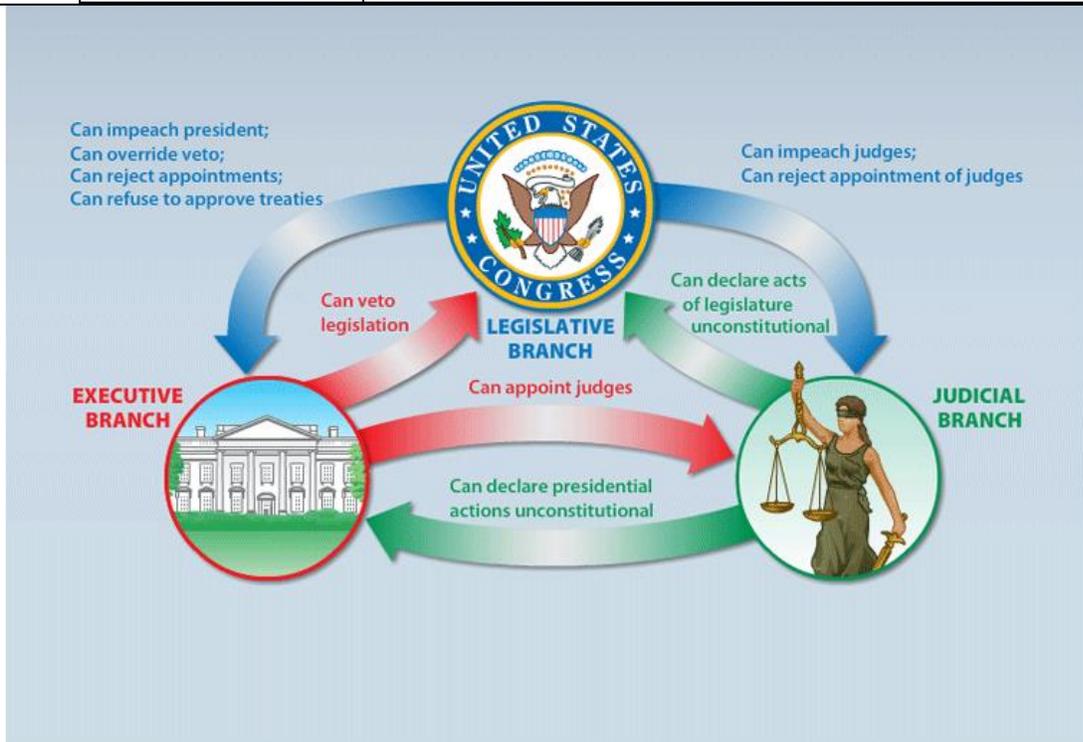
Popular Sovereignty	(SS.7.C.1.1) The idea that the power of government lies with the people. It means “the people’s right to rule.” The Declaration of Independence is a statement of this. It says that the governments should draw their powers “from the consent of the governed.” In the Constitution, it begins with “We the People” phrase. It also includes several parts that protect and ensure, or guarantee, the sovereignty of the people. Under the Constitution, the will of the people is stated most strongly through elections. By a majority vote, citizens decide who will represent them in Congress. Through the Electoral College, voters also choose the president and vice president.
Limited Government and the Rule of Law	(SS.7.C.1.9) The Framers included limited government, so that the government can do only what the people allow it to do. The Constitution limits the power of both the federal and state governments. Under the Constitution, the U.S. government is also limited by the rule of law, meaning that the law applies to everyone even those who govern. No one is above the law. Both limited government and rule of law may prevent tyranny by the government and protect the liberty of the people.
Separation of Powers	(SS.7.C.1.7) To keep any one person or group from gaining too much power, the framers divided the federal government into three branches, influenced by Enlightenment thinker, <u>Baron de Montesquieu</u> . Each branch would have different tasks. The framers believed that the separation of powers would limit the ability of any one branch from gaining too much power in another way.
Check and Balances	(SS.7.C.1.7) Separation of powers was set up to check unlimited authority. The Framers feared that one branch of government could still gain control of the other two. Its goal was to keep any one of the three branches from becoming too powerful. Each branch of government is able to check, or limit, the power of the other two branches in a number of ways. Example: Executive Branch – the president can veto a law passed by the legislature. Legislative Branch – the Senate and House can override a presidential veto with a 2/3s vote. Judicial Branch – the Supreme Court can declare acts of legislature and presidential actions unconstitutional.

Words to Know (SS.7.C.1.7)

Word/Term	Definition
constitutional government	a form of government based on a written set of laws that all citizens agree to; in this form of government, the constitution is the highest law of the land

Words to Know (S.S.7.C.3.4)

Word/Term	Definition
federal government	the national level of government; the government of the United States
local government	the government of a municipality (city) or county
state government	the government of an individual state



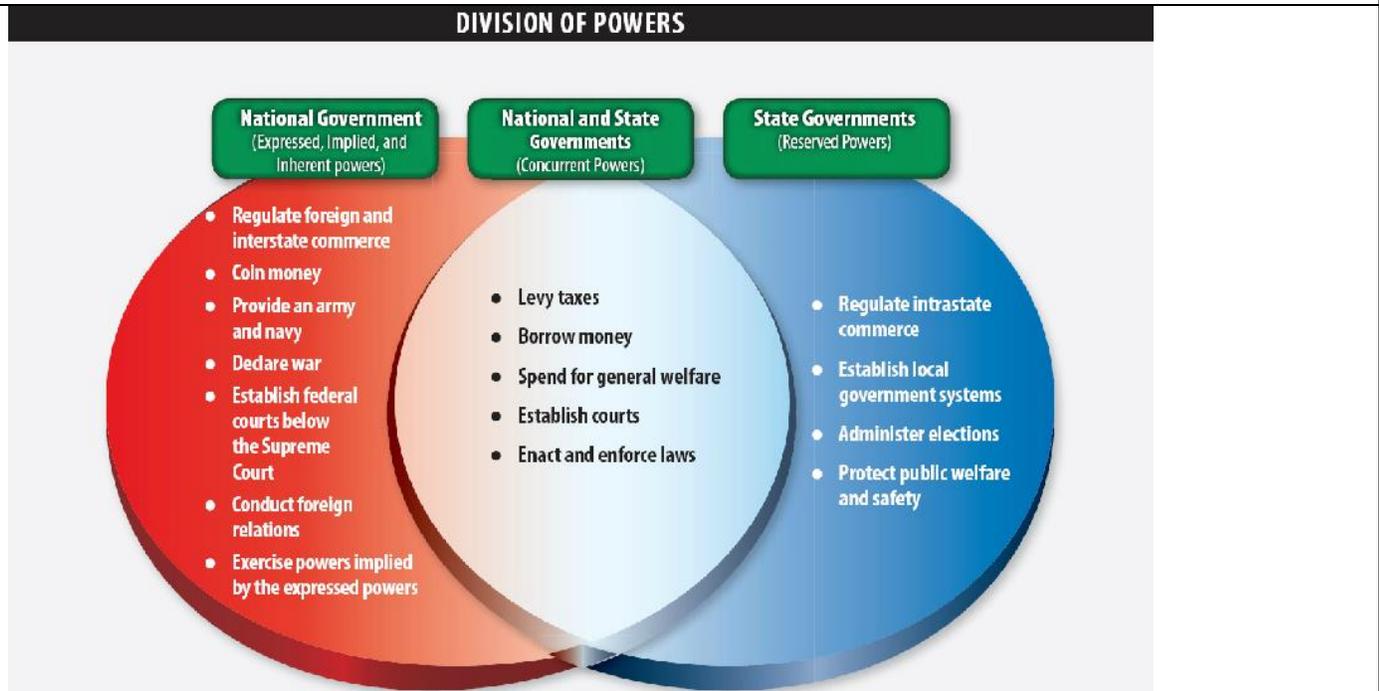
Federalism

(SS.7.C.3.4) The Framers set up this system of government, again to put limits on government. **Power is shared by the national government and the states.** Each level of government – national and state – has independent authority over people at the same time. There are three types of power. **Enumerated powers**, or spelled out, are also called expressed powers. These are powers given to the national government. **Reserved powers**, are powers that were set aside, or reserved, for the states only. Powers that both the national government and the state’s share are called **concurrent powers**.

Enumerated (Expressed) Powers are also known as Delegated Powers.

Implied Powers are not specifically listed in the Constitution.

Inherent Powers are powers a government has simply because it is a government.



Evaluate rights contained in the Bill of Rights and other amendments to the Constitution (SS.7.C.2.4)

The “Bill of Rights” is the first ten amendments of the U.S. constitution; the Bill of Rights was ratified in 1791. It was intended to protect the people from the federal government abusing its power.

First Amendment	<ol style="list-style-type: none"> 1. <u>Freedom of Religion</u> <ol style="list-style-type: none"> a. Congress cannot establish or set up an official religion as the faith of the U.S. (Establishment Clause). b. Protects the way people express their faith. People have the right to practice their faith any way they want. c. Many people who first settled here did so because they did not have religious freedom. 2. <u>Freedom of Speech</u> <ol style="list-style-type: none"> a. We can state our opinions, in public or private, without fear of being punished by the government. b. This includes what we say, what we see on radio/televisions, internet messages, art, music, and even clothing. 3. <u>Freedom of the Press</u> <ol style="list-style-type: none"> a. The government cannot censor news reports and cannot prevent information from being published or broadcast. b. Originally referred to printed materials, but today it includes many other media sources, such as, radio, television, and the Internet. 4. <u>Freedom of Assembly</u> <ol style="list-style-type: none"> a. Right to gather in groups for any reason, as long as the groups are peaceful. This includes meetings, rallies, clubs, political parties, labor unions, celebrations, and parades. <ol style="list-style-type: none"> i. The government does have power to make rules about when and where these activities are held. 5. <u>Freedom to Petition</u> <ol style="list-style-type: none"> a. Gives us the right to express ourselves to the government if we are unhappy about something and want it changed. It can be a simple e-mail or letter.
Second Amendment	Right to bear arms for a well-regulated militia
Third Amendment	Freedom from quartering (housing) soldiers
Fourth Amendment	Freedom from unreasonable searches and seizures. Warrants must only be issued upon probable cause, and shall be specific.
Fifth Amendment	Criminal indictments must be by grand jury. Freedom from double jeopardy. Freedom from testifying against oneself (self-incrimination). Right to face accusers. Right to due process. Right of just compensation for takings (eminent domain).
Sixth Amendment	Right to speedy trial. Right to impartial jury (not biased). Right to be informed of the charges upon which the accused is held. Right to face accusers. Right to produce witnesses for the accused. Right to legal counsel (lawyer).
Seventh Amendment	Right to jury trial in <u>civil cases</u> where the value in the controversy exceeds \$20.
Eighth Amendment	Freedom from excessive bail or fines. Freedom from cruel or unusual punishment.
Ninth Amendment	Individuals have rights in addition to the rights listed in the other Amendments and Constitution.
Tenth Amendment	The federal government has only those powers specifically granted by the Constitution, any power not listed is left to the states or the people.

Words to Know (SS.7.C.2.4)

Word/Term	Definition
cruel and unusual punishment	punishment prohibited by the <u>Eighth Amendment</u> to the U.S. Constitution; includes torture or other forms of punishment too severe for the crime committed
double jeopardy	the prosecution of a defendant for a criminal offense for which he has already been tried; prohibited in the <u>Fifth Amendment</u> to the U. S. Constitution
due process	the right of people accused of crimes to have laws that treat them fairly, so that they cannot lose their life or freedom without having their legal rights protected found in the <u>Fifth Amendment</u>
eminent domain	the right of the government to take private property for public use; the <u>Fifth Amendment</u> requires that people be paid fairly (compensated) for their property if it is taken by the government
equal protection under the law	a guarantee under the <u>14th Amendment</u> that a state must treat a citizen or class of citizens the same as it treats other citizens or classes in like circumstances
pleading the fifth	the right of a person to refuse to testify under oath in a court of law on the grounds that the answers could be used as evidence against him to convict him of a criminal offense. This protection is found in the <u>Fifth Amendment</u>
right to legal counsel (Lawyer)	the right of a defendant to be assisted by an attorney, and if he cannot afford his own lawyer, the government must appoint one for him; established in the <u>Sixth Amendment</u>
search and seizure	the process by which police or other authorities who suspect that a crime has been committed do a search of a person's property and collect evidence related to the crime; protection from illegal search and seizure is in the <u>Fourth Amendment</u>
trial by jury	a trial in which the issue is determined by a judge and a jury, usually with 12 members, whose job is to determine facts and make a judgment of guilty or not guilty; protected in the <u>Sixth Amendment</u>
unenumerated rights	according to the <u>Ninth Amendment</u> , any right that is not specifically addressed in the Constitution still may be protected (e.g., privacy)

Words to Know (SS.7.C.3.6)

Word/Term	Definition
civil disobedience	the refusal to obey certain laws as a form of political protest
economic freedom	the freedom to produce, trade, or use any goods or services in a way that is legal
forced internment	the confinement of a group of people, especially during a war
freedom of assembly	the right to hold meetings and form groups without interference by the government; guaranteed in the First Amendment
property rights	the right to own property; mentioned in the Fifth and Fourteenth Amendments

CONSTITUTIONAL RIGHTS OF THE ACCUSED

Source	Rights
Article I	<ul style="list-style-type: none"> • habeas corpus • protects against bills of attainder • protects against ex post facto laws
Fourth Amendment	<ul style="list-style-type: none"> • protects against unreasonable searches and seizures
Fifth Amendment	<ul style="list-style-type: none"> • guarantees due process • protects against self-incrimination • protects against double jeopardy • provides for grand juries in the case of federal crimes
Sixth Amendment	<ul style="list-style-type: none"> • guarantees the right to counsel • guarantees the right to know the accusations • guarantees the right to a speedy public trial • guarantees the right to confront witnesses • guarantees the right to be tried by an impartial jury
Eighth Amendment	<ul style="list-style-type: none"> • forbids cruel and unusual punishments • prohibits excessive bail
Fourteenth Amendment	<ul style="list-style-type: none"> • requires the states to treat all people equally under the law • guarantees due process

<p>Analyze the impact of the 13th, 14th, 15th, 19th, 24th, and 26th amendments on participation of minority groups in the American political process. (SS.7.C.3.7)</p>	<p>13th Amendment - an amendment to the U.S. Constitution that outlawed slavery in the United States</p> <p>14th Amendment - an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves and defines voters as males at least 21 year of age</p> <p>15th Amendment – an amendment to the U.S. says that you cannot deny a citizen the right to vote based on race.</p> <p>19th Amendment - an amendment to the U.S. Constitution that grants women the right to vote</p> <p>24th Amendment - an amendment to the U.S. Constitution that made poll taxes illegal as a condition for voting</p> <p>26th Amendment - an amendment to the U.S. Constitution that lowers the minimum voting age to 18 due to the drafting of men at 18 to the Vietnam War.</p>
<p>Civil Rights Act of 1964 - a federal law that prohibits discrimination based on race, religion, sex, education in public places and the federal government can enforce this law.</p> <p>Voting Rights Act of 1965 - a federal law that banned race discrimination in voting practices by federal, state, and local governments</p> <p>Civil Rights Act of 1968 - a federal law that prohibits discrimination related to the sale, rental and financing of housing based on race, religion, national origin or sex</p> <p>Equal Rights Amendment - a proposed amendment to the U.S. Constitution outlawing discrimination based on sex</p>	

Words to Know (SS.7.C.3.7)

Word/Term	Definition
amendment	a change to a constitution (e.g., U.S. Constitution, Florida Constitution)
civil rights	the basic rights of citizens to be free from unequal treatment based on certain characteristics (e.g., race, gender, disability)
discrimination	treating a person or group unfairly based on their race, religion, gender, disability, or other reasons
Equal Rights Amendment	a proposed amendment to the U.S. Constitution outlawing discrimination based on sex
literacy test	a written test used to decide whether or not someone was eligible to register vote
poll tax	a fee someone has to pay in order to vote
prohibit	to forbid or to not allow something
segregation	the separation of people, such as segregation based on race
states' rights	a power or issue for individual states to determine
suffrage	the right to vote; Protected in the 15 th , 19 th , 24 th , and 26 th amendments

U.S. vs. Florida Constitution

U.S. Constitution	Florida's Constitution
1st constitution of nation	6th constitution in state's history
7 articles	12 articles
Bill of rights added as first 10 amendments	Begins with a declaration of rights
Establishes executive, legislative, and judicial branches at the national level	Establishes executive, legislative, and judicial branches at the state level
Is a broad framework of government	Contains many specific provisions, such as provisions regarding a state lottery, conservation, transportation, and smoking in the workplace
Establishes state government	Establishes local government
Does not establish public education	Establishes public education
Allows for amendments but does not require regular reviews	Requires a commission to review the constitution every 20 years for proposing changes

How to amend Florida's Constitution

Step 1: Get Approval to Try	A group wanting to suggest an amendment must: <ul style="list-style-type: none"> • Register with a state office as a political group • Get state approval of the form used to get signatures
Step 2: Get Voters to Sign Papers	To get the suggested amendment on the ballot, the group needs: <ul style="list-style-type: none"> • Signatures from voters equal to 8 percent of the number of people who voted in the last state general election • Signatures from voters in half of the state's congressional districts • Give the signed papers to the state by February 1 of the election year
Step 3: Get the Papers Approved	Local election officials must approve the signatures as coming from real voters.
Step 4: Get the Top Court's Approval	The state supreme court must approve the suggested amendment.
Step 5: Be Evaluated for Cost	The legislature must give an estimate of its financial impact to the state.
Step 6: Be Published	The suggested amendment must be published twice before the election in at least one newspaper in every county that has a newspaper.
Step 7: Be Approved by Voters	The suggested amendment is approved if 60 percent of voters approve it. If it creates a new tax or fee, 67 percent of voters must approve it.

Words to Know (SS.7.C.3.13)

Word/Term	Definition
article	a numbered chapter or section of a contract, treaty, or constitution
authority	the power to direct the actions of people or to make decisions
constitution	the basic principles and laws of a nation or state that determine the powers and duties of the government and guarantee certain rights to the people in it; usually a written document
Florida Declaration of Rights	the part of the Florida Constitution that lists the basic rights guaranteed to all citizens who live in the state
prohibit	to forbid or to not allow something

Political Parties

(SS.7.C.2.8) Identify America's current political parties, and illustrate their ideas about government.

Democratic Party

The Democratic Party is concerned with equality, cooperation, and social progress. Supporters of this party are more likely to be concerned with civil rights issues, stronger government regulation in business, and social support networks for those in need of assistance. Democrats are more likely to believe that the federal government has a responsibility to be involved solving problems.

Where Democrats stand on...

Environment: The environment is important and it should be protected and kept clean
Health Care: The government should help make health care available to people who can't afford it
Energy: The U.S. should focus on renewable energy sources to achieve independence
Education: The government should support teachers and public school funds to make existing public schools better
Economy: During hard times, the government should help create jobs

Republican Party

The Republican Party and its supporters want the government to spend less money and have less of a say in business and society. Most Republicans believe people and businesses should have the liberty to do what they want without much government interference. This party also tends to believe the government should protect traditional social values.

Where Republicans stand on...

Defense: Keep peace by having a strong military
Health Care: The government should not pay for peoples' health care
Energy: The U.S. should rely on oil as well as renewable sources to be independent
Education: Schools must have high standards, and students should be able to use public education funds to attend private schools if those schools are better than public schools
Economy: Businesses will create jobs

Socialist Party

Social Democracy comprises humanity's boldest experiment — an attempt to organize a society of collective justice and individual freedom where everyone gets food, shelter, health care, education, and the ability to actualize his or herself. In other words, achieve a truly civil society. Social Democracy is a true

Communist Party

A better and peaceful world is possible — a world where people and nature come before profits. That's socialism. That's our vision. We are the Communist Party USA.

Libertarian Party

The politicians in Washington and our state capitals have led us away from the principles of individual liberty and personal responsibility which are the only sound foundation for a just, humane, and abundant society. Government at all levels is too large, too expensive, woefully inefficient, arrogant, intrusive, and downright dangerous. Democratic and Republican politicians have created the status quo and do not intend to change it.

Political Party Functions

SS.7.C.2.8 Identify America's current political parties, and illustrate their ideas about government.

Nominate Candidates

Political parties nominate candidates for public office. The candidates believe in the party platform.

Impact:

By nominating candidates, political parties provide options of candidates to society. Society then determines which candidate they will elect and serve in government.

Influence Policy

Members of Congress are members of political parties and they work to pass laws that support their party's platform.

Impact:

A political party's platform and ability to influence policy impacts the types of laws that are passed and the issues that receive attention by government.

Unite Government

A party can link its members at the federal, state and local levels of government to achieve big goals for the party.

Impact:

This function provides a way for people that identify with a particular party to connect with each other and for the party to expand its influence at each level of government.

Create Balance

The two parties create balance in the government by working hard to protect the ideas in their party platform. The two parties keep each other in check.

Impact:

This function impacts how laws are made in government.

Inform Citizens

Political parties run campaigns for candidates. They run ads, create pamphlets, post blogs, and help candidates give speeches.

Impact:

This function impacts the way society views candidates for office.

Words to Know (SS.7.C.2.8)

Word/Term	Definition
candidate	a person running for political office
government	a system or organization for exercising authority over a body of people
party platform	a written statement of the goals of a political party
political party	an organization that tries to get political power by electing members to public office so that their political ideas can become laws or policies
political system	the members of a social organization who are in power
society	a body of individuals living as members of a community
third party	a political party that is not one of the two major parties in the country; a minor party
two-party system	a political system consisting primarily of two major parties, more or less equal in strength

Qualifications for Office

SS.7.C.2.9 Evaluate candidates for political office by analyzing their qualifications, experience, issue-based platforms, debates, and political ads.

Federal Government	State/Local Government Florida
<p>President (Executive Branch) Must be at least 35 years old, natural – born citizen, and resident of the United States for 14 years.</p> <p>The Constitution does not outline the qualifications for vice-president although the vice-president must possess the same qualifications as the president since the vice-president takes office upon the president’s death, resignation or removal, or becomes acting president upon the president’s incapacitation.</p>	<p>Governor (Executive Branch) Must be at least 30 years old, natural – born citizen or naturalized citizen, and a resident in Florida for 7 years. The same qualifications apply to the Lt. Governor.</p>
<p>U.S. Senate (Legislative Branch)</p> <p>Must be at least 30 years old, natural – born citizen or naturalized citizen, and resident of the United States for 9 years.</p> <p>States may decide how to replace Senators who leave office due to death, resignation or removal. Options include appointment or special election.</p>	<p>Florida Senator (Legislative Branch)</p> <p>Must be at least 21 years old, natural-born or naturalized citizen, and a resident of Florida for at least 2 years and live in the district that he/she represents.</p>

<p>U.S. House of Representatives (Legislative Branch)</p> <p>Must be at least 25 years old, natural – born citizen or naturalized citizen, and Resident of the United States for 7years.</p> <p>Members of the U.S. House of Representatives may only be replaced with special elections because the U.S. Constitution requires that “the People of the several States (spelling in original)” choose members of the House of Representatives (Article I, Section 2).</p>	<p>Florida House of Representatives (Legislative Branch)</p> <p>Must be at least 21 years old, natural-born or naturalized citizen, and a resident of Florida for at least 2 years and live in the district that he/she represents.</p>
<p>Who can vote?</p> <p>U.S. Citizens who are 18 years old and registered to vote.</p>	<p>Why Voting Matters</p> <p>It makes us equal. Each of us has one and only one vote. During elections, the act of voting is one of the few times when all adults in the U.S. have an equal say. No matter how much money you have or who your friends are, you only get one vote.</p> <p>Each vote sends a message. Even if the person or issue you vote for loses, your vote matters because it lets winners and losers know who supports their points of view.</p>
<p>How the Process Works</p>	
<p>The Primaries and Caucuses: Narrowing Down the Pack</p> <p>Only one candidate from each party can run in the final election. That's where primaries and caucuses come in. Between late January and early June during the year of a general election, a few states hold caucuses, but most states choose their candidate using primary elections. Caucuses are small groups of people getting together to decide whom they want to support as their party's candidate. Primaries are elections where everyone in the party who is interested votes for the party candidate.</p> <p>In Florida, you must be a registered member of a party in order to participate in the primary. If none of the candidates earn at least 50% of the vote, a runoff primary takes place.</p>	
<p>The Conventions: Party-Time, Politicians Style</p> <p>During a presidential election, after the primaries and caucuses, the major parties hold conventions to officially nominate their candidate for president. After the candidates are nominated, their names are officially submitted to each state's chief election official so that they will appear on the general election ballot.</p>	
<p>The General Election: Now that each party has determined their candidates, the general election process begins.</p>	

Candidates spend weeks campaigning in an attempt to win the support of voters. Even though a voter may belong to a particular party, he or she may vote for candidates from any party. Finally on Election Day, people exercise their right to vote.

In Florida, registered voters vote for candidates for local, state, and federal offices. They also vote on amendments, or changes, to the Florida Constitution. Voters also decide if justices of the Florida Supreme Court and judges of district courts can retain, or keep, their position on the court.

Words to Know (SS.7.C.2.9)

Word/Term	Definition
elector	a person who has the right to vote in an election
evaluate	to determine or to judge
issue based platform	a document stating the goals and principles of a political party or political candidate, also known as a political platform
natural born citizen	someone who was born in the U.S. or born to U.S. citizens
political office	a position for which a candidate is elected to hold
political official	a person holding an elected office
qualification	the traits and accomplishments that fit a person for some function or office
requirement	something necessary

The Constitutional Basis for Monitoring and Influencing Government

SS.7.C.2.10 Examine the impact of media, individuals, and interest groups on monitoring and influencing government.

Public Agenda

The public agenda is a list of issues that much of society agrees are a priority.

Public Policy

Public Policy is the stand a government takes on an issue.

The Media

The media is the source of our news and information about current events.

The Impact of the Media on Government – The impact varies, however the media can bring to light issues within the government to inform the public. The media can also focus on stories, which can impact the issues the government chooses to focus on. They have a large impact on the government due to their watchdog role.

Interest Groups

Interest Groups gather people and resources to support public policies that help their members.

Lobbying – Interest groups hire lobbyists to meet with members of the government and discuss the group’s issues and concerns.

Endorsing Candidates – Interest groups will officially support candidates during elections.

Raise money – Interest groups that want to raise money for candidates must form a political action committee.

The Impact of Interest Groups on Government – The impact varies, however interest groups are often successful in persuading government officials to take their issues into consideration. By attaching their organization’s name to a candidate in order to get the candidate elected, voters take notice of endorsements. They are able to raise a lot of money in order to support candidates. Laws have been passed to limit contributions due to the impact interest groups have had on campaigns where they have contributed money.

Individuals

Voting

Petitioning the Government

The Impact of Individuals on Government: The impact varies, however the most effective way for an individual to influence and impact government is to run (and be elected) for office. Serving in public office makes you part of the government. Ways to impact the government through communicating views to their representative can occur by attending civic meetings, signing a petition, contacting the representative through phone or mail and voting. To influence the government by supporting a campaign can be done in various ways with varying degrees of impact. The most direct way is to work/volunteer for the campaign and to vote.

Political Action Committees (PACs) are organizations associated with interest groups, individuals, labor groups and corporations that raise and spend money in order to impact election outcomes. PACs give money directly to candidates, and also spend money on candidates’ behalf such as sponsoring campaign commercials advocating how citizens should vote, or to shape opinions about candidates and political parties. PACs are not wholly unregulated. Congress and the U.S. Supreme Court have regulated PACs. These regulations have impacted PAC influence.

SS.7.C.2.11 Analyze media and political communications (bias, symbolism, propaganda).

When reading the news, looking at candidate websites or viewing election information, it is important to consider how persuasion techniques might be used to influence the viewer. Bias, symbolism, and propaganda are common techniques used to persuade people to think or feel a certain way. **Impact on Public Opinion:** The use of propaganda will have an impact on public opinion because it is purposely used to convey a strong positive or negative message. People may be attracted (or not at all) to the message because of the emotion that is being conveyed.

BIAS

Bias is a preference, opinion or attitude that favors one way of thinking or feeling over another. Examples: The front pages of newspapers contain bias by what they choose to display on the page, the words and photographs

SYMBOLISM

Symbolism is the technique of using images or pictures to convey a certain message. Examples: Campaign logos use symbolism to connect images of America (flags, stars, stripes, red, white, and blue) to the candidate. **Impact on Public Opinion:**

chosen convey messages as well as what is left out or given less space. Impact on Public Opinion: Due to the fact that many people get their news from newspapers, the use of bias in a paper has a large influence because newspapers communicate to people what is “newsworthy.”	Symbolism can impact the way the public feels about a candidate. The use of images can create positive or negative feelings about the candidate.
--	--

PROPAGANDA

Propaganda is the method of spreading ideas, information or rumors for the purpose of helping or injuring an institution, a cause, or a person.

Bandwagon When an attempt is made to make the viewer feel like everyone is using a product or voting for a particular candidate, so they should too	Card Stacking The strategy of showing a product or person’s best features and leaving out information about any negative features or potential problems	Glittering Generalities When an advertisement or political campaign uses short phrases or few words to appeal to particular emotions
---	---	--

Name Calling Used to send a negative message about an opposing product or candidate	Plain Folks The strategy of communicating using ordinary language and clothes to convey to the audience that the spokesperson or candidate is just like everyone else	Testimonials A celebrity or well-known person speaks on behalf of a product or person as an endorsement; in a testimonial a celebrity’s message is that if they believe in a candidate, everyone else should too	Transfer When symbols are used to convey a message
---	---	--	--

Words to Know (SS.7.C.2.10)

Word/Term	Definition
impact	to have a strong effect on something or someone
influence	having an effect or impact on the actions, behavior, opinions, etc., of another or others
lobbyist	a person who participates in activities in order to influence government officials
monitor	to watch, keep track of, or check usually for a special purpose
petitioning the government	the right to ask the government to solve a problem or to express an opinion about how the government is being run

public sphere	a place where society discuss the issues that affect everyone
watchdog	a person or group who acts as a protector or guardian

Words to Know (SS.7.C.2.11)

Word/Term	Definition
political communication	the use of media to convey messages or information related to government issues, campaigns or public offices

Words to Know (SS.7.C.2.13)

Word/Term	Definition
deliberate	to think about or discuss issues and decisions carefully
editorial	An opinion based item generated by the editor or editorial board of a newspaper or other media.
issue	a subject that is under debate by two or more parties
nonprofit organization	a group organized on a local, national or international level to perform a variety of services related to an issue or variety of issues; funding goes toward the issue instead of making a profit
perspective	point of view
political party	an organization that tries to get political power by electing members to public office so that their political ideas can become laws or policies
special interest group	a group of people who are concerned with a particular issue and who try to influence legislators to act in their favor, also known as an interest group
voting age population	citizens residing in the United States, age 18 and older; before the passage of the 26 th Amendment in 1971, the voting-age population was age 21 and older for most states

Legislative Branch (Article I)- Makes laws for the nation

Chapter 7 textbook, SS.7.C.3.3, SS.7.C.3.8, and SS.7.C.3.4

Article I of the Constitution – Makes laws

Bicameral – Congress is made up of two houses. The lower house, House of Representatives and the upper house, Senate.

House of Representative

Senate

Qualification

Must be 25 years of age, citizen for 7 years, and live in the state they represent.

Qualification

Must be 30 years of age, citizen for 9 years, and live in the state they represent.

Powers & Functions of the House

Power of impeachment and Bills start in the House involving taxes.

Powers & Functions of the Senate

- Impeachment trial (acts as the jury)
- decides whether or not to remove from office
- confirms high level nominations to the executive and judiciary branches

Powers & Functions of Both Houses

- Have the power to change laws in order to protect voters
- Oversees, investigates, and makes the rules for the government and its officers
- Each house can judge elections, create their own rules to manage themselves
- Must have a majority present in order to conduct business
- Keep a journal of their activities
- Determine naturalization laws
- Congress has the power to coin money, print money, create the postal service, to raise and support armed forces, and lower federal courts, declare war, and regulate commerce.

Limit on Power – Article I, Section 9

Forbids Congress from passing laws that would hurt the legal rights of the United States citizens.

- Writ of habeas corpus – Congress cannot block it except in times of rebellion or invasion. It is a court order that brings the prisoner before the court to be told what they are being held for. Abraham Lincoln suspended habeas corpus during the Civil War.
- Congress cannot pass a Bill of Attainder – laws that punish a person without a trial.
- Cannot pass ex post facto laws – laws declaring that an act is a crime after the act has been committed.

Legislative Branch on the differing levels of government

National (Federal)	State	Local
<p>How Many</p> <ul style="list-style-type: none"> • H of R 435 members (state’s population) 2 year terms • Senate 100 members (2 per state) 6 year terms • Census is given every 10 years to adjust H of R as needed • Legislation must be passed by a majority for each house • Process of how a bill becomes a law – (Acts) <p>Two Political Parties – Democrats and Republicans</p> <ul style="list-style-type: none"> • For each house – Majority Party and Minority Party. • Majority leader - House - Speaker of the House – only office chosen by representatives and is in the Constitution. <p>Senate – Pro Tempore – serves in absence of the VP as President of the Senate.</p> <ul style="list-style-type: none"> • Majority Party members chair all standing and select committees based on Seniority. • Majority holds leadership, chairs all policy committees, and holds the majority of each committee. Types of Committees – see last page 	<p>Article IV guarantees to every state a republican (representative) form of government.</p> <ul style="list-style-type: none"> • Florida - Bicameral – House 120 members and Senate 40 members. Term limits for each house – 8 years. Total for both – 16. • House – 2 year terms and Senate – 4 year terms. <p>Part Time Legislature - meets for 60 days beginning in early March to early May.</p> <ul style="list-style-type: none"> • Majority of each house to ratify laws (statutes). • Use committee system and party leadership system in each house. 	<p>Counties</p> <ul style="list-style-type: none"> • 67 counties – carry out constitutional services established by the state. • County services carried out are law enforcement, jail administration, tax collector, property appraisal, state court administration, and election supervision • Oversees road maintenance, public health, and solid waste disposal. • County commission selects the county chair – oversees commission meetings. <p>Special Districts</p> <ul style="list-style-type: none"> • Independent – create by the legislature for specific purpose – water management districts, fire services, and inland navigation. • Dependent Special Districts – created by cities and counties – governed by the city or county with elected commission. 600 Independent and 300 Dependent <p>Cities</p> <ul style="list-style-type: none"> • Home Rules – may enact their own laws (ordinances) and self-govern. Ordinances cannot conflict with state laws. • City Councils – city legislatures • City Mayor – runs the city

Federalism

A system of government in which power is divided and shared between the national, state, and local governments. This division of powers extends exclusive powers to the national government only

(enumerated, or delegated), the state governments only (reserved), or to both (concurrent). It is found throughout the U.S. Constitution.

The Tenth Amendment

The powers are 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. It does not identify any powers, instead, it extends to the states and by extension, the people, powers that are not specifically granted to Congress or denied to the states.

Federal and State Powers in the U.S. Constitution

Article and Section in the U.S. Constitution	Explanation of Power	Example of Power	Type of Power
Article I, Section 4 (The Legislative Branch; elections)	States organize elections although the federal government may set up national standards.	The national government sets the date for presidential and congressional elections; the states may determine the date for scheduling primaries.	Concurrent
Article I, Section 8 (The Legislative Branch; powers of Congress)	Congress, as the national legislature, enjoys specific powers.	Powers of Congress: <ul style="list-style-type: none"> • Laying and collecting taxes • Providing for the common defense • Borrowing money on the credit of the U.S. • Regulating commerce • Establishing a uniform rule of naturalization • Coining money • Declaring war • Raising and supporting armies and navies 	Enumerated or delegated
Article I, Section 10 (The Legislative Branch; restrictions on state power)	The states are forbidden from engaging in certain activities.	State may not (partial list): <ul style="list-style-type: none"> • Enter into treaties • Coin money • Keep troops during peacetime 	N/A; Article I, Section 10 restricts power, it does not extend it
Article II, Section I (Executive Branch:	State legislatures determine the rules for	State legislatures give to each political party	Reserved

Electoral College)	appointing members of the Electoral College (the Electoral College elects the president).	the power to select Electors from that party; all electors are assigned to the party of the presidential candidate earning the most votes in that state (except in Maine and Nebraska)	
Article III, Section I (Judicial Branch; creation of courts)	Congress establishes courts inferior to the U.S. Supreme Court	Congress created the federal appellate court system.	Enumerated or delegated
Article VI (Supremacy Clause)	State law may not conflict with federal law	Federal law mandates that no state may require residency exceeding 30 days for purposes of voter registration...	N/A

Division of Powers

<u>National Government</u> (Enumerated Powers) Expressed Powers	<u>National and State Governments</u> (Concurrent Powers) Shared Powers	State Governments (Reserved Powers)
<ul style="list-style-type: none"> • Regulate trade • Coin money • Provide army and navy • Declare war • Set up a federal court system • Conduct foreign relations 	<ul style="list-style-type: none"> • Collect taxes • Borrow money • Spend for the general welfare • Set up court systems • Pass and enforce laws 	<ul style="list-style-type: none"> • Regulate trade between states • Set up local governments • Conduct elections • Establish Public Education • Protect public health, welfare, and morals

National Legislative Committees

Committee Type	Committee Purpose	Committee Membership
Standing	Permanent legislative panels that consider bills and issues	Members of one house, and both parties
Select	Temporary committee that addresses a specific issue; once that committee's business is complete, the committee dissolves	Members of one house, and both parties
Special	Performs a special function beyond the authority or capacity of a standing committee	Members of one house, and one party
Joint	Policy exploration with a narrow jurisdiction	Members of the House of Representatives and the Senate

Conference	Temporary committee formed to reconcile differences in legislation passed by both chambers.	Members of the House of Representatives and the Senate
-------------------	--	---

Legislative Branch Words to Know (SS.7.C.3.8)

Word/Term	Definition
bill	a proposal for a law
coining money	the power of the legislative branch to print money (coins and bills) for use
committee selection	how representatives and senators are chosen for their assigned committees
constituents	people public officials are elected to represent
county commissioner	a member of the governing body of a county
elastic clause	the power of Congress to pass all laws they deem necessary and proper for carrying out its enumerated powers (also known as implied powers)
impeach	to bring formal charges of wrongdoing against a public official (such as the U.S. President)
law	a rule established by government or other source of authority to regulate people's conduct or activities
majority vote	more than half (50%) of the votes
minority leader	a position where a member of Congress is elected by the minority party to serve as the chief spokesperson for the party and to support the majority party in managing and scheduling the business of either house
necessary and proper clause	the power of Congress to make laws they view as necessary and proper to carry out their enumerated powers; also known as the elastic clause
ordinance	a law enacted by a city or county affecting local affairs such as traffic, noise, and animal control
school board	the group of persons elected to manage local public schools
statute	a law enacted at the state level

Executive Branch (Article II)-President and Vice President- Executes or Enforces Laws

Chapter 8 textbook, SS.7.C.3.3 – Illustrate the structure and function of the (three branches of government established in Articles I, II, and III of the Constitution with corresponding powers) of the government. SS.7.C.3.8 – Analyze the structure, functions, and processes of the legislative, executive, and judicial branches. SS.7.C.4.1: Differentiate concepts related to U.S. domestic and foreign policy. SS.7.C.4.2 – Recognize government and citizen participation in international organizations. SS.7.C.4.3 – Describe examples of how the United States has dealt with international conflicts.

Terms of Office – The president can serve maximum of 2 (4 year) terms. 22nd Amendment was passed in 1951 to limit a president to two elected terms of office.

Qualification

Must be 35 years of age, natural born citizen, and live in the United States for at least 14 years.

Electoral College

Both the president and vice-president are elected through an electoral college – each state and the District of Columbia have a certain number of electors. The number of electoral votes is equal to the total number of senators and representatives a state has. A vote for a candidate is really a vote for the elector. Winner-takes-all, the candidate who wins the most popular votes in the state gets all of its electoral votes. Winner must have at least 270 electoral votes to win the general election. If no candidate gets enough electoral votes then the House of Representatives chooses the president.

State of the Union Address - Article II, Section 3
President must deliver an address to Congress on the State of the Union “from time to time”.
Traditionally, it is given once a year.

Removal from Office – Article II, Section 4 Defines the circumstances under which the president can be removed from office.

The Presidential Succession Act, 1947 – Lists the line of succession after the vice president. A line of succession is the order in which officials are expected to succeed, or come next, to an office. See chart p. 230.



Source: Nelson, Ed. The Presidency A to Z, 3rd ed. (Washington, DC: O Press, 2002)

25th Amendment – 1967 Makes it clear that if the president dies or leaves office, the vice president becomes president. It says that the new president should choose a new vice president with the help of

Congress. It also gives the vice president a role in deciding whether a president is disabled and cannot do the job. If that occurs, the vice president serves as acting president until the president is able to go back to work.

Basic Functions of the Executive Office

- | | |
|---|--|
| <ul style="list-style-type: none"> • Preserves, protects and defends the Constitution • Faithfully executes the laws of the United States • Executes the instructions of Congress • Veto, or reject, bills passed in Congress • Nominates high level members of the executive and judiciary branches • Executes the spending authorized by Congress | <ul style="list-style-type: none"> • Highest civilian officer of the armed forces • Appoints judges with the advice and consent of the Senate • Can call or convene Congress in special circumstances. • Negotiates treaties • Vice-President is president of the Senate and votes in order to break a tie. |
|---|--|

The Presidential Roles and Powers

Presidential Role/Power	Congressional Check
<p>Chief Executive</p> <ul style="list-style-type: none"> • Carry out the nation’s laws. To do this he is in charge of 15 cabinet departments and many agencies. • He/she is in charge of the executive departments and offices. • Power to Nominate persons for high office such as Cabinet, secretaries, ambassadors, Supreme Court justices, and other offices. • Executive Order – a rule or command the president gives out that has the same power and force as a law. • Name people to serve as justices of the Supreme court and judges of other federal courts. • Grant pardons – declares forgiveness and freedom from punishment. May also issue a reprieve, order delaying the punishment of a person until a higher court can hear the case. Grant amnesty – pardon for a large group of people. • Vetoes Congressional Bills (Rejects) 	<p>Congress enacted laws</p> <p>Senate confirms nominations; nominees who are confirmed are then appointed to their positions.</p> <p>Congress may override a president’s veto with a 2/3 vote of each house of Congress.</p>
<p>Commander-in-Chief of the Armed Forces</p> <ul style="list-style-type: none"> • Serves as Commander-in-Chief of the armed forces • Allows the president to back up foreign policy decisions with force when they need to. • President and Congress share the power to make war – While Congress only has the power to 	<p>Congress declares war.</p> <p>Congress raises and supports armies and navies.</p>

<p>declare war, the president can order troops into battle. Congress has declared war 5 times. The president has sent troops into action more than 150 times.</p>	
<p>Chief Diplomat</p> <ul style="list-style-type: none"> • Leads the foreign policy of the U.S. He decides how the U.S. acts toward other countries. • Negotiates treaties with foreign nations. • Names people to serve as ambassadors, who represent the U.S. government in other nations. 	Senate approves treaties for ratification.
<p>Head of State</p> <ul style="list-style-type: none"> • Living symbol of the nation. He builds goodwill with other countries by greeting their leaders when visiting the U.S. • Represents all Americans in important ceremonies. Awards medals to the country's heroes. 	N/A
<p>Legislative Leader</p> <ul style="list-style-type: none"> • Helps propose new laws for Congress to pass. He makes speeches to build support for these goals. 	N/A
<p>Economic Leader</p> <ul style="list-style-type: none"> • Voters expect the president to deal with such problems as lack of jobs, raising prices, and high taxes. • Plans the federal budget each year and works with Congress to decide what programs to support and what programs to cut back. 	N/A
<p>Party Leader</p> <ul style="list-style-type: none"> • Looked at as leader of his or her political party • Gives speeches in support of fellow party members running for office as members of Congress, governors, and mayors. • Helps party to raise money 	N/A

The President's Cabinet

Each executive department head is titled "Secretary" with the exception of the Department of Justice, which is headed by the Attorney General. Department Secretaries must be confirmed by a majority vote in the Senate. Cabinet secretaries have no set terms of office although they normally resign should the president who nominated them leave office. Below is a list of current Cabinet departments in the order that they were created.

Department Name	Year Created	Notes
Department of State	1789	Plans and carries out the nation's foreign policy
Department of the Treasury	1789	Collects, borrows, spends, and prints money
Department of Defense	1789	Manages the armed forces
Department of Interior	1849	Manages and protects nation's public lands and natural resources
Department of Justice Office of Attorney General	1870	Responsible for all aspects of law enforcement
Department of Agriculture	1889	Assists farmers and consumers of farm products
Department Commerce	1903	Supervises trade, promotes U.S. business, tourism
Department of Labor	1913	Deals with working conditions, wages of U.S. workers
Department of Health and Human Services	1953	Works for the well-being and health of all Americans
Department of Housing and Urban Development	1965	Deals with the special needs and problems of cities
Department of Transportation	1966	Manages nation's highways, railroads, airlines, and sea traffic
Department of Energy	1977	Directs overall energy plan for the nation
Department Education	1979	Provides advice and funding for schools
Department of Veteran's Affairs	1989	First formed as the Veterans Administration in 1930 and elevated to Cabinet-level status in 1988
Department of Homeland Security	2002	Created in response to the Sept. 2001 terrorist attacks on the United States

<p>The Executive Office of the President assists the president in both domestic and foreign matters.</p> <p>They are: Council of Economic Advisors, Council on Environment Quality, National Security Council (NSC – advises the president on matters of national security), Office of Administration, Office of Management and Budget (OMB – prepares the federal budget and oversees spending in the executive branch), Office of National Drug Control Policy, Office of Science and Technology Policy, and Office of the Vice President.</p>			
<p style="text-align: center;">The Federal Bureaucracy</p> <p>Hundreds of agencies that help run the executive branch are called the federal bureaucracy. The workers help make government policy. Agencies write rules that put laws passed by Congress into practice. The agencies turn laws from general guidelines into specific rules, so that people and businesses can know what to do to follow the law.</p>			
<p style="text-align: center;">Independent Agencies</p> <p style="text-align: center;">Not part of the cabinet, they are grouped into three types:</p>			
Executive Agencies	Government Corporations	Regulatory Commissions	
<p>Independent agencies that deal with certain specific areas within the government.</p> <p>Examples: Central Intelligence Agency (CIA), Environmental Protection Agency (EPA)</p>	<p>Businesses that are owned by the government to provide goods or services and charge people to buy those goods and services. They are not supposed to make a profit. Example: The United States Postal Service</p>	<p>To help protect the public, make and enforce rules that an industry or group must follow.</p> <p>Example: Federal Communications Commission (FCC).</p>	
<p style="text-align: center;">Government Workers</p>			
<p>Political appointees – a person appointed to a federal position by the president</p>	<p>Civil service system – practice of hiring government workers on the basis of open, competitive examinations and merit – about 90% of those that work in the federal government are this.</p>	<p>Spoils system – rewarding people with government jobs on the basis of their political support. Because appointees were not always qualified, Congress passed the Civil Service reform Act of 1883 – created the civil service system.</p>	<p>Merit system – hiring people into government jobs on the basis of their qualifications</p>
<p style="text-align: center;">The Florida Governor</p> <p>Article IV of the Florida Constitution outlines the Governor’s core duties as follows: The supreme executive power shall be vested in a governor, who shall be commander-in-chief of all military forces of the state NOT in active service of the United States. The governor shall take care that the laws be faithfully executed, commission all officers of the state and counties, and transact all necessary business with the officers of government. The governor may require information in writing from all executive or administrative state, county or municipal officers upon any subject relating to the duties of their respective offices. The governor shall be the chief administrative officer of the state responsible for the planning and budgeting for the state.</p>			

The state lawmaking process is also similar to the federal process. There is a provision for an override of a governor's veto requiring a 2/3 vote in each house).

The governor serves with a cabinet comprised of three state-wide elected officers: Chief Financial Officer, Attorney General and Commissioner of Agriculture and Consumer Services.

Chapter 13 p. 369 – 373, Study the Roles of the Governor: Chief Executive (line-item veto), Commander in Chief of National Guard (state militia), Ceremonial Leader, Legislative Leader, Judicial Leader, and Party Leader

Executive Branch Words to Know (SS.C.7.3.8)

Word/Term	Definition
armed forces	the nation's military (Air Force, Army, Coast Guard, Marines, National Guard and Navy)
nominate	to suggest a person for a position or office
presidential appointment	the power of the U.S. President to choose members of his or her cabinet, ambassadors to other nations, and other officials in his or her administration

Words to Know (SS.7.C.4.1)

Word/Term	Definition
alliance	a union between nations for assistance and protection
allies	nations united with another for some common purpose such as assistance and protection
ambassador	a person sent as the chief representative of his or her own government in another country
diplomacy	the work of keeping good relations between the governments of different countries
diplomat	a person employed or skilled in diplomacy
doctrine	the principles in a system of belief
domestic affairs	issues or concerns in one's own country
domestic policy	a government's decisions about issues within the country
embassy	the residence or office of a country's ambassador
foreign affairs	issues or concerns about other countries around the world
foreign policy	a government's decisions about relationships with other countries
HIV/AIDS	the virus that causes AIDS, spread through body fluids
international relations	relationship between nations around the world
Secretary of State	the head of the U.S. Department of State; a member of the President's Cabinet

	treaty	an agreement or arrangement between two or more countries
	U.S. State Department	the federal department in the U.S. government that makes foreign policies; part of the executive branch of the federal government

Words to Known (SS.7.C.4.2)

Word/Term	Definition
European Union	an organization of European countries formed after World War II to reduce trade barriers and increase cooperation among its members
intergovernmental organization	an organization formed with groups of governments for a specific purpose
international organization	groups of governments or people from different countries working together to solve an issue that crosses country borders
International Red Cross/Red Crescent	an organization that helps people around the world respond to natural disasters and that checks on the conditions of prisoners of war
non-governmental organization (NGO)	a voluntary citizens' group that is organized on a local, national or international level and works ; they perform a variety of service and humanitarian functions, bring citizen concerns to governments, advocate for certain issues such as human rights or the environment, and encourage political participation; also known as international non-governmental organization (INGO)
North American Free Trade Agreement (NAFTA)	a formal agreement among the governments of the U.S., Canada, and Mexico to form a free trade zone in North America and eliminate taxes on the buying and selling of each other's products
treaty	an agreement or arrangement between two or more countries
United Nations International Children's Emergency Fund (UNICEF)	an agency of the United Nations established in 1946 to help governments improve the health and education of children and their mothers
World Bank	an organization that helps poor and middle income countries get the money they need to build improvements that will help reduce poverty
World Court	a permanent panel of fifteen judges appointed by the UN to nine-year terms to hear cases; cases argued before the court focus on disputes between nations who agree to accept its decisions
World Health Organization	an organization established in 1948 within the United Nations that works to improve health throughout the world
World Trade Organization (WTO)	an international body founded in 1995 to promote international trade and economic development by reducing taxes and other restrictions

Words to Know (SS.7.C.4.3)

Word/Term	Definition
Bay of Pigs	A bay of the Caribbean Sea in Cuba: it was the site of an attempted invasion of Cuba by anti-Fidel Castro forces in April 1961.
Cold War	The Cold War began with the Soviet Union's desire to spread Communism throughout Eastern Europe and Southeast Asia. In, 1946, U.S. President Harry Truman promised to provide assistance to all free people resisting communist aggression. (Truman Doctrine) There was no single battle known as the Cold War, but many events such as the Korean War, Bay of Pigs, Cuban Missile Crisis and Vietnam War took place during this 46 year period known as the Cold War. The Cold War came to an end after the collapse of the Berlin Wall in 1989. The Soviet Union collapsed by the end of 1991.
conflict	a sharp disagreement (between ideas, interests, or purposes)
conflict resolution	the process of ending a conflict or disagreement
cooperation	the act of working together
Cuban Missile Crisis	in October 1962, leaders of the U.S. and the Soviet Union engaged in a tense, 13-day political and military standoff over the placement of nuclear-armed Soviet missiles in Cuba
diplomacy	the work of keeping up relations between the governments of different countries
Gulf War I	a military conflict in 1991 between Iraq and a group of 34 nations; the war was approved by the United Nations and led by the U.S; also known as the Persian Gulf War
Gulf War II	the 2003 military conflict in Iraq, also called the Iraq War or "Operation Iraqi Freedom", which began March 20, 2003; started by the U.S., Great Britain, and other nations
humanitarian efforts	work focused on improving the health and happiness of other people
international conflict	a conflict between two different nations or groups
Iran Hostage Crisis	a 444-day period during which the new government of Iran after the Iranian Revolution held hostage 66 diplomats and U.S. citizens, beginning on November 4, 1979 and ending on January 20, 1981
Korean War	a war between North and South Korea; South Korea was aided by the U.S. and other countries; it was fought from 1950-1953
military action	members of the U.S. military (Army, Marine Corps, Navy, Air Force and Coast Guard) are sent to another country to use force to stop a conflict
North Atlantic Treaty Organization (NATO)	a group of 28 countries that has agreed to protect each other in case of attack; founded in 1949
peacekeeping operations	enforcing a truce between countries or groups by an international military force

terrorism	the use of extreme fear and violence as a way to achieve a political goal
United Nations	an organization founded in 1943 to keep the peace, develop friendly relationships among countries, and improve the quality of life for the world's poor people; consists of 193 member countries
U.S. State Department	the federal department of the U. S. government that makes foreign policies; part of the executive branch of the federal government
Vietnam War	A military conflict (1954-1975) between the Communist forces of North Vietnam (supported by China and the Soviet Union) and the non-Communist forces of South Vietnam (supported by the U.S.)
World War I	a war between the Allied Powers (including Russia, France, British Empire, Italy, the U.S., Japan, Romania, Serbia, Belgium, Greece, Portugal, Montenegro), and the Central Powers (including Germany, Austria-Hungary, Turkey, Bulgaria); that lasted from 1914 to 1918
World War II	a war that began in 1937 in Asia, in 1939 in Europe, and in 1941 in the U.S.; it lasted until 1945 and involved most of the world's countries

Judicial Branch (Article III)-Citizens and the Law-Criminal and Civil Law

Chapter 9, 15 & 16 SS.7.C.3.3 – Illustrate the structure and function of the (three branches of government established in Articles I, II, and III of the Constitution with corresponding powers) of the government. SS.7.C.3.8 – Analyze the structure, functions, and processes of the legislative, executive, and judicial branches. SS.7.C.3.11 – Diagram the levels, functions, and powers of courts at the state and federal levels. SS.7.C.1.9 – Define the rule of law and recognize its influence on the development of the American legal, political, and governmental systems. SS.7.C.3.10 – Identify sources and types (civil, criminal, constitutional, military) law.

Judicial Branch – Article III of the Constitution

Courts make up the judiciary branch of government.

- **Two Main Jobs – it tries to ensure that the laws are fairly enforced and it interprets the laws.**
- **Courts hear two types of cases: criminal cases and civil cases.**
- **Created to solve the problem that each state has its own laws and its own courts and there was no way to guarantee that people would receive equal justice in all the states.**
- **Article III created a national Supreme Court and Congress the power to establish lower federal courts if Congress saw the need for them.**

Dual Court System – federal court system and 50 state court systems

Goals – of this legal system is to treat every person the same. Each accused person is presumed, or assumed to be, innocent until proven guilty. Each person has the right to have their case reviewed if believed the law has not been applied fairly.

What historical documents have influenced the United States and its laws?

Code of Hammurabi - a written code of rules that guided an ancient society around 1772 B.C., 282 laws that dealt with everyday life, it was a code that most likely inspired other civilizations

What is the connection between the Code of Hammurabi and the U.S. Constitution? What words or phrases did you hear that helped you answer this question? “The fact that a society can be governed by a written legal code has been very influential to our legal system.” Out written laws have guided our society, just as the Code of Hammurabi guided the Babylonians. Law creates order and stability.

Magna Carta

"No freeman shall be taken, imprisoned, ... nor will We proceed against or prosecute him, except by the lawful judgment of his peers and by the law of the land." "... to no one will We deny or delay, right or justice." Justice will not be denied to anyone.

Magna Carta was used as inspiration for some of the individual rights we have today.

Sources of Laws

- * Constitutional Law - The Constitution is the supreme law of the land and states can only create laws that do not conflict with the Constitution. As a type of law, constitutional law deals with issues between the federal government and states, between two or more states, and between the government and citizens.
- * Statutory Law - The Constitution gives Congress permission to pass laws about a limited number of topics. These laws are called statutes. These statutes apply to the entire United States.
- * Regulations - The rules that an agency of the executive branch makes are called regulations. *
- Case law - law established by the outcome of former cases.
- * Common law - legal precedent based on customs and prior legal decisions; it is used in civil cases.

Types of Laws

- * Civil laws help settle disagreements between people. Civil laws deal with subjects such as: property, divorce, contracts, wills, personal injury, bankruptcy, employment, agriculture, and taxes.
- * Criminal law makes certain actions a crime and comes from all three levels of government. Criminal law falls into two categories: felonies (serious crimes) and misdemeanors (less serious crimes). When someone breaks a criminal law, they are charged with a crime. When someone is brought to trial for a crime, the government is on one side charging the person with the crime and the person accused of the crime is called the defendant.
- * Juvenile law is for people under the age of 18 who commit a crime. The juvenile system is usually more flexible than the adult system, so that juveniles have more chances for young people to learn from their mistakes. There are also laws about school attendance, curfews and child abuse.
- * Military laws are special laws for people in the U.S. military. Congress created the Uniform Code of Military Justice, which is a set of criminal laws that apply to people in the military. This code also includes procedures for a military trial and punishments. It also includes laws that are not needed for non-military laws.

The Federal and Florida State Court Systems

**The U.S. Supreme Court
Highest Court**

9 Justices (8 Associate and 1 Chief Justice)
Appellate Court – hears appeals from U.S. Circuit Courts of Appeal and from state supreme courts.

**The Florida State Court System
The Florida Supreme**

Court Highest court – located in Tallahassee
8 Justices (7 Associate and 1 Chief Justice)

<p>Original Jurisdiction – over cases between two states, the president and Congress, or where a state is a party. Receive about 10,000 appeals each year but only reviews around 75</p>	<p>Appellate court – the power to hear appeals from the District Courts of Appeals as well as other cases as assigned from the FL Legislature</p>
<p style="text-align: center;">↑</p> <p style="text-align: center;">U.S. Circuit Courts of Appeal 12 circuit courts Panels of three judges that hear cases Appellate court – hears cases from the U.S. District Courts</p>	<p style="text-align: center;">↑</p> <p style="text-align: center;">Florida District Courts of Appeal 12 Circuit courts in Florida - Panels of three judges hear the cases Appellate courts – hears appeals from the Florida District Courts of Appeals</p> <p style="text-align: center;">↑</p> <p style="text-align: center;">Florida Circuit Courts 20 circuit courts - Trial –judge and jury Hear trials on cases not assigned to the county courts and appeals from county courts Trial and Appellate courts</p> <p style="text-align: center;">↑</p> <p style="text-align: center;">Florida County Courts 67 – with a judge – minor arguments between citizens and minor criminal offenses – trial courts</p>
<p style="text-align: center;">↑</p> <p style="text-align: center;">U.S. District Courts 94 districts Trial Courts – judge and jury Civil and Criminal cases related to federal laws</p>	

Words to Know (SS.7.C.2.5)

Word/Term	Definition
appellate process	the process of asking a higher court to decide whether a trial was conducted properly
<i>ex post facto</i>	a Latin term meaning “after the fact”
<i>ex post facto law</i>	a law that makes an act a crime after the crime has been committed
<i>habeas corpus</i>	the principle that the government has to provide a cause or reason for holding a person in jail
independent judiciary	the principle that decisions from the courts are fair and impartial and are not influenced by the other branches of government
precedent	a court decision in an earlier case with facts and legal issues similar to those in a case currently before a court
privacy	not in public
public interest	common benefit, the general benefit of the public
safeguard	to protect
writ	law

Judicial Branch Words to Know (SS.C.7.3.3, SS.C.7.3.8, SS.C.7.3.11)

Word/Term	Definition
appeal	a request, made after a trial, asking a higher court to decide whether that trial was conducted properly
appellate court	any court that has the power to hear appeals from lower courts
appellate jurisdiction	the power to hear appeals of cases which have been tried in lower courts
bailiff	court official who keeps order in the court, calls witnesses, is in charge of and makes sure no one tries to influence the jury
case	a matter that goes before a judge or court of law
Chief Justice	The head justice, the Chief Justice is “first among equals”. Swears the President into office and resides over any Presidential impeachment trial.
circuit courts	a court for a defined region of a state (usually including several counties) that has specific divisions and hears cases involving more serious crimes (felonies) and civil cases involving large amounts of money (more than \$1000)
civil case	a case involving the rights of citizens
county courts	a court that hears both civil and criminal cases involving less serious crimes or minor issues for one specific county
court	a place where justice is administered
court clerk	court officer responsible for giving the oath to jurors and witnesses, is also responsible for court paperwork and physical evidence
court order	a formal statement from a court that orders someone to do or stop doing something
court reporter	court officer who records, word for word, everything that is said as part of the trial
criminal case	a case involving someone who is accused of committing an illegal activity
cross-examination	the follow-up questioning of a witness by the side that did not call the witness to the stand
defendant	the person who answers the legal action of a plaintiff
direct examination	the first questioning of a witness by the side that called the witness to the stand
District Court of Appeals	an appellate court in the state court system that reviews decisions made by the lower trial courts
Florida Circuit Courts	the courts that have general jurisdiction over matters not covered by the county courts
Florida County Courts	the courts where most non-jury trials occur; they are referred to as “the people’s courts” because they handle minor disagreements between citizens and minor criminal offenses
Florida	the highest court in Florida

Supreme Court	
judge	a public official who decides questions brought before a court
judgment	a formal decision given by a court
judicial branch	the branch of government that interprets the laws made by the legislative branch
judicial review	the power of the judicial branch to review the actions of the executive and legislative branches and determine whether or not they are unconstitutional (this includes laws passed by Congress); the U.S. Supreme Court case <i>Marbury v. Madison</i> established this power
Judiciary Act of 1789	Congress established two types of lower Federal Courts: Circuit Courts and District Courts.
jurisdiction	the right and power for courts to hear a case, interpret and apply the law
juror	a member of a jury
jury	a group of citizens sworn to give a true verdict according to the evidence presented in a court of law
justice	the title given to judges of the U.S. Supreme Court and Florida Supreme Court
Lifetime tenure	Federal judges are appointed for life. This allows for their decisions not to be influenced by popular or political pressure.
original jurisdiction	the power of a court to be the first to hear a case on a specific topic
plaintiff/prosecutor	the person who brings legal action against another person
summary judgment	a judgment decided by a trial court without that case going to trial; a summary judgment is an attempt to stop a case from going to trial
trial court	the local, state, or federal court that is the first to hear a civil or criminal case; involves a hearing and decision with a single judge, with or without a jury
U.S. Circuit Court of Appeals	the courts where parties who are dissatisfied with the judgment of a U.S. District court may take their case
U.S. District Courts	the courts where most federal cases begin, the U.S. District Courts are courts of original jurisdiction and hear civil and criminal cases
verdict	a judgment
writ of certiorari	the procedure to see if the U.S. Supreme Court will hear a case; a writ of certiorari is issued when a higher level court agrees to hear an appeal of a lower court's decision

Words to Know (SS.7.C.3.12)

Word/Term	Definition
arbiter	a person with the power to decide a dispute
Equal Protection Clause	the section of the Fourteenth Amendment that says that states must apply the law equally and cannot discriminate against citizens or groups of citizens
executive privilege	the belief that the conversations between the president and his aides are confidential
judicial opinion	judgment by a court
juvenile rights	rights of people under age 18
landmark	an important or unique decision, event, fact, or discovery
legal equality	the concept that everyone is equal in the eyes of the law
legal precedent	a judicial decision that is used as an example in dealing with later, similar cases
prosecute	to carry legal action against an accused person to prove his or her guilt
unanimous	in complete agreement

Rule of Law

Order and Security

- Citizens feel safe during daily activities.
- Police have procedures for dealing with crime.
- Criminals face consequences.

Legitimacy

- Citizens see the law as worthy of following.
- Citizens have input in the lawmaking process.
- Citizens respect the law and see laws as fair.

Checks and Balances

- Power is divided among branches of government.
- All branches function effectively.
- The Judicial system is independent from other branches.
- Elected officials must answer to the people.

Equal Application of the Law

- Nobody is above the law, not even elected officials.
- The Judicial system treats everyone the same.

Procedural Fairness

- The government has rules for legal proceedings.
- The government follows those rules.
- The rules for legal procedures are fair.

Access to Justice

- Citizens have a way to enforce their rights.
- Citizens have the knowledge they need to get justice.
- The justice system is available for people to use.

Landmark Supreme Court Cases

<p>Marbury v. Madison</p> <p>U.S. Supreme Court case that established judicial review</p> <p>Judicial Review- The Supreme Court's ability to determine if a law is allowed by the U.S. Constitution</p>	<p>Plessy v. Ferguson</p> <p>U.S. Supreme Court case that determined that "separate but equal" segregation was not discrimination</p>	<p>Brown v. Board of Education</p> <p>U.S. Supreme Court case that determined that "separate but equal" segregation was not equal in public education</p>
<p>Gideon v. Wainwright</p> <p>Upheld that the 6th Amendment, the right to counsel (lawyer) must be provided to everyone who needs it.</p>	<p>Miranda v. Arizona</p> <p>U.S. Supreme Court cases that upheld the Fifth Amendment protection from self-incrimination</p> <p>Self-Incrimination- Being forced to answer questions or testify against oneself.</p>	<p>In re Gault</p> <p>U.S. Supreme Court case that determined that juvenile court must comply with the Fourteenth Amendment</p> <p>This case guaranteed juveniles the same rights as adults accused of committing a crime. (Having an attorney, freedom from self-incrimination, etc.)</p>
<p>Tinker v. Des Moines</p> <p>U.S. Supreme Court case that upheld a student's First Amendment right to engage in symbolic speech in school (Example, a student's right to wear an armband to protest the Vietnam War)</p>	<p>U.S. v. Nixon</p> <p>U.S. Supreme Court case that limited executive privilege</p> <p>Executive Privilege- The right of the President to keep their conversations private.</p> <p>Nixon felt that the rule of law didn't apply to him when he was asked to turn over recordings of conversations he had in his office.</p>	<p>Hazelwood v. Kuhlmeier</p> <p>U.S. Supreme Court case that determined that the First Amendment does not protect all types of student speech in school</p> <p>This includes school newspapers, student clothing, etc.</p>
<p>Bush v. Gore</p> <p>U.S. Supreme Court case that determined that states cannot violate the Equal Protection Clause under the Fourteenth Amendment when undertaking election recounts. This case stopped the counting of votes in Florida during the 2000 presidential election.</p>	<p>District of Columbia v. Heller</p> <p>U.S. Supreme Court case that upheld that the Second Amendment protects an individual's right to possess a firearm</p>	