

AP U.S. Government and Politics
Unit 5 The Judiciary
Review Items
Test: Tuesday March 19, 2019

In addition to reviewing homework assignments, lecture notes, quizzes and the multiple choice questions in the study guide, students should have a strong understanding of the following terms and concepts.

Chapter 16: The Federal Courts

Terms

standing	amicus curiae brief	original jurisdiction
precedent	Marbury v. Madison	appellate jurisdiction
stare decisis	judicial review	judicial restraint/activism
class action suit	Rule of Four	writ of certiorari
majority opinion	district court	circuit court of appeal

Questions

1. What is the main power of the judicial branch? What case established this?
2. What's the difference between criminal and civil law?
3. What types of laws are state laws? What THREE types are federal? Where do most judicial proceedings take place—state or federal court?
4. Distinguish between original jurisdiction and appellate jurisdiction.
5. What's the difference between trial and appeals courts?
6. Describe the THREE levels of federal courts—district court, circuit court and SCOTUS.
7. How many justices are on the SCOTUS? How are they selected?
8. What is **Senatorial Courtesy** and how does it influence judicial selection?
9. What is the **Rule of Four**? A **writ of certiorari**?
10. What is **stare decisis** and how is it related to judicial precedents?
11. What is the most important consideration for selecting a prospective Supreme Court Justice?
12. How does Congress check the judicial branch? How does the President?
13. In what ways is the SCOTUS removed from politics? Describe TWO.
14. In what ways is the SCOTUS affected by politics? Explain.

Chapter 4: Civil Liberties

Terms

civil liberties	Bill of Rights (esp. 1 st , 5 th , 6 th , 8 th Amendments)	
14 th Amendment	incorporation doctrine	prior restraint
probable cause	exclusionary rule	right to privacy
slander	symbolic speech	commercial speech
search warrant	free exercise	libel
establishment clause	plea bargain	

Cases

Study cases listed on p. 141 of your text. You will need to understand the significance of each.

Questions

1. What is a **civil liberty**? How is the **Bill of Rights** significant?
2. What is the significance of the **14th Amendment** as it relates to civil liberties?
3. How did the **Due Process clause** of the **14th Amendment** lead to the nationalization of civil liberties? Explain **selective incorporation**.
4. What is the significance of the **Barron v. Baltimore** and **Gitlow v. NY** cases?

5. List and explain the TWO clauses protecting **freedom of religion** in the 1st Amendment. What's the difference between the two?
6. What are the THREE types of speech that are generally NOT protected?
7. List the significant civil liberties protected in the 1st, 4th, 5th, 6th, and 8th Amendments.
8. What is **symbolic speech**? Is it protected?
9. What is **commercial speech**? How is it limited?
10. What is **prior restraint** and how has SCOTUS ruled on the matter?
11. What is a **search warrant**, what is its purpose and when is it needed?
12. What is the **exclusionary rule** and how does it affect 4th Amendment rights?
13. What is the significance of the following cases- **Lemon v. Kurtzman**; **Miller v. California**?
14. What is the **right to privacy** and where is it listed in the Constitution? Has the SCOTUS upheld this right? Explain.

Chapter 5: Civil Rights

Terms

Civil Rights Act of 1964	Voting Rights Act of 1965	15 th Amendment
13 th Amendment	14 th Amendment	poll taxes
ERA	Americans with Disabilities Act	affirmative action
24 th Amendment	civil rights movement	white primary
Suffrage	19 th Amendment	

Cases

<i>Dred Scott v. Sanford</i>	<i>Korematsu v. US</i>	<i>Lawrence v. Texas</i>
<i>Plessy v. Ferguson</i>	<i>Regents of University of California v. Bakke</i>	
<i>Brown v Board of Education</i>	<i>Bowers v. Hardwick</i>	

Questions

1. What is the difference between **civil rights** and **civil liberties**? Which clause in the 14th Amendment is associated with each?
2. What protections does the **14th Amendment** provide and how are they significant to the idea of equality in the U.S. Constitution?
3. What are the Supreme Court's three standards for classifications under the **equal protection clause**? (b) Give an example of each.
4. Describe the struggle for equality for African Americans in three historic eras.
5. Compare and contrast the significance of the Supreme Court cases of **Dred Scott v. Sandford**, 1857, **Plessy v. Ferguson**, 1896 and **Brown v. Board of Education**, 1954.
6. What's the difference between **de facto segregation** and **de jure segregation**? Which did the Supreme Court find unconstitutional?
7. List and briefly describe the six major provisions that are the focus of the **Civil Rights Act of 1964**.
8. (a) List and explain four ways in which southern states denied African Americans the right to vote. (b) What did the **24th Amendment** and the **Voting Rights Act of 1965** do to address these problems?
9. Describe the trends in re-drawing voting districts that occurred following passage of the **Voting Rights Act of 1965** and the Supreme Court's significant rulings about the matter.
10. Identify and explain the significance of the following: the **19th Amendment** and the **Equal Rights Amendment**.
11. How has Congress attempted to end sex discrimination in the area of employment?
12. What is meant by **comparable worth**?
13. How has the Supreme Court dealt with the issue of **sexual harassment**?

14. What are the main provisions of the **Americans with Disabilities Act** of 1990?
15. What, generally, have the courts said regarding gay and lesbian rights?

Landmark Cases

There will be a matching section that requires you to know the significance of the following cases. Prepare by reviewing case background and issue, how the Supreme Court decided and what the Court's reasoning for their decision was.

- 1) Marbury v. Madison, 1803
- 2) McCulloch v. Maryland, 1819
- 3) Gibbons v. Ogden, 1824
- 4) Barron v. Baltimore, 1833
- 5) Plessy v. Ferguson, 1896
- 6) Schenck v. U.S., 1919
- 7) Gitlow v. New York, 1925
- 8) Near v. Minnesota, 1931
- 9) Korematsu v. U.S., 1944
- 10) Brown v. Board of Education, 1954
- 11) Mapp v. Ohio, 1961
- 12) Baker v. Carr, 1962
- 13) Engel v. Vitale, 1962
- 14) Gideon v. Wainwright, 1963
- 15) Heart of Atlanta Motel v. U.S., 1964
- 16) New York Times v. Sullivan, 1964
- 17) Griswold v. Connecticut, 1965
- 18) Miranda v. Arizona, 1966
- 19) Tinker v. Des Moines School District, 1969
- 20) Lemon v. Kurtzman, 1971
- 21) New York Times v. U.S. (Pentagon Papers Case), 1971
- 22) Wisconsin v. Yoder, 1972
- 23) Gregg v. Georgia, 1976
- 24) Miller v. California, 1973
- 25) Roe v. Wade, 1973
- 26) Regents of the University of California v. Bakke, 1978
- 27) Texas v. Johnson, 1989
- 28) Planned Parenthood v. Casey, 1992