

Unit Name: Basics of Constitutional Law

Time Frame:

Author: Egg Harbor Township High School Social Studies Department

UNIT

Subject: Constitutional Law

Country: **USA**

Course/Grade: 12th

State/Group: **NJ**

School: **Egg Harbor Township High School**

UNIT SUMMARY: The student will learn about the three branches of government and their basic responsibilities. Students will then focus on the Judicial Branch, qualifications, federal court structure and jurisdiction. Students will do a case study of Marbury vs. Madison and explore the concept and function of judicial review. Students will explore judicial philosophy and its impact on judicial review. Finally, students will learn how the court employs various “tests” when measuring the constitutionality of federal and state statutes, laws and acts. Students will be given examples of various “tests” used by the court.

UNIT RESOURCES

The United States Constitution

The Bill of Rights and other amendments

Marbury vs. Madison

Various other Supreme Court decisions

Internet Resource Links:

<http://www.ushistory.org/gov/2.asp>

<http://www.historyforkids.org/learn/northamerica/after1500/government/billofrights.htm>

<http://www.lawnix.com/cases/marbury-madison.html>

http://www.teachertube.com/viewVideo.php?video_id=82498

STAGE ONE

GOALS AND STANDARDS

6.1.4.A.5 Distinguish the roles and responsibilities of the three branches of the national government

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6.1.12.A.2.e Explain how judicial review made the Supreme Court an influential branch of government, and assess the continuing impact of the Supreme Court today.

ENDURING UNDERSTANDINGS

Based on the principle of separation of powers, our federal government is divided into three branches, each with delineated powers and further limited in power by a system of checks and balances.

The Judicial Branch is charged with explaining or interpreting the law, and through its power of judicial review, has the power to say what the law is.

A court's power is defined by its jurisdiction, that is, its power and authority to hear certain types of cases.

In the case of Marbury vs. Madison, the Supreme Court first enunciated its power of judicial review. Different judges have differing philosophies on the exercise of judicial review. The courts often employ "tests" when determining the validity of a government statute, law or act in the exercise of its power of judicial review.

ESSENTIAL QUESTIONS

What are the three branches of government and what are their powers and responsibilities?

How does each branch check or limit the power of the other two branches.

What determines whether or not a court may exercise its power in a particular case?

KNOWLEDGE AND SKILLS

Students will understand the powers and duties of the three branches of government, and the system of checks and balances.

Students will understand the basic structure of the Judicial Branch, qualifications, court structure and the concept of jurisdiction.

Students will understand the facts of the case of Marbury vs. Madison, the concept of judicial review and how the Supreme Court exercises that power.

STAGE TWO

PERFORMANCE TASKS

- Oral presentations
- Multimedia presentations
- student debates
- web quests
- power point presentations
- essays
- case analysis/summaries

OTHER EVIDENCE

Teacher-created formative assessments
Teacher-created summative assessments
Self-assessments
Peer review
Lesson tests
Section quizzes
Vocabulary quizzes

STAGE THREE

LEARNING PLAN

Daily format:

Begin with a warm-up question (essential question) and an overview of the day's objectives.

Introduce basic vocabulary for the lesson.

Deliver content-specific material related to the unit in the form of notes, power points, video clips, guided reading or interactive websites.

Students work independently or in groups on the day's activity.

Suggested activities:

- have students create a poster listing checks and balances
- have students present a dramatization of Marbury vs. Madison
- have students debate strict vs. loose constructionism