

## Study Guide Unit 5 Test

**1. What rights are given under the 14<sup>th</sup> Amendment?**

*Guarantees all citizens' equal protection under the law and right to be treated same regardless of race, religion, or political beliefs. Due process rights- receive fair trial and granted all constitutional rights.*

**2. What rights are guaranteed under the 5<sup>th</sup> Amendment?**

*Due process rights- receive fair trial and granted all constitutional rights. No trial without indictment, no double jeopardy (charged twice for same crime), and can't be denied life, liberty, or property without due process.*

**3. What rights are guaranteed under the 6<sup>th</sup> Amendment?**

*Must know exact charges against them, choice of trial by jury or judge, speedy public trial, right to hear and question all witnesses, entitled to lawyer must be provided if can't afford one.*

**4. What 3 courts make up the Federal Court System?**

*U.S. District Courts, U.S. Court of Appeals, U.S. Supreme Court*

**5. What is the main role of the Judicial Branch?**

*Interprets the law and punishes law breakers, Interprets the Constitution and other laws, and Reviews lower court decisions.*

**6. What is the difference between a criminal and a civil case?**

*Criminal cases determine whether someone has broken the law and punishes accordingly. Civil cases settle a disagreement between 2 parties and usually has a financial penalty if guilty.*

**7. Trials are heard in which Federal Court?**

*U.S. District Courts*

**8. What happens in an appeals case?**

*A case is taken to a higher authority in hope to change an existing court decision.*

**9. What is appellate and original jurisdiction?**

*Appellate- authority of a court to review decisions of a lower court.  
Original- authority of a court to hear a case before any other court.*

**10. How many justices are there in the Supreme Court and how long do they serve? Who appoints them?**

*9 justices, term is for life or if they choose to retire, president appoints them and the senate votes to approve them.*

**11. What types of cases does the Supreme Court hear?**

*Any cases that involve the interpretation of the Constitution.*

**12. What happens when there is conflict between state and federal law?**

*The federal law wins.*

**13. Where do most cases begin in the federal court system?**

*U.S. District Courts*

**14. What is judicial review and from what case did it originate?**

*Power of Supreme Court to determine if Congress and Executive acts are constitutional, originated in Marbury vs. Madison*

**15. Explain how the 4<sup>th</sup> Amendment protects the rights of the accused?**

*Protects a person's home, property, or body from unreasonable search and seizure and established warrants*

**16. How can a Supreme Court Justice be removed from office?**

*A Supreme Court Justice may be impeached by the House of Representatives and removed from office if convicted in a Senate trial.*

**17. Describe the system of checks and balances in regards to the Judicial Branch.**

*Judicial oversees Legislative and can declare laws unconstitutional and Judicial oversees Executive and can declare executive acts unconstitutional.*

**18. The Supreme Court based its power to declare laws unconstitutional on what?**

*Checks and Balances- Judicial power over Legislative Power*

**19. What amendment prevents states from denying citizens their rights as guaranteed in the Bill of Rights?**

*1<sup>st</sup> amendment*

**20. What are the main differences between the district and appeals court?**

*District- has original jurisdiction and 1 judge or jury presiding. Appeals- has appellate jurisdiction with NO jury but 3 judges residing.*

**21. What tool does the court use to ensure that an accused person will appear in court?**

*Bail (\$)*

**22. What is judicial review?**

*Power of Supreme Court to determine if Congress and Executive acts are constitutional*

**23. Which amendment grants due process?**

*14<sup>th</sup> and the 5<sup>th</sup>*

**24. Name the eight types of cases heard in the federal court system?**

*1) admiralty and maritime laws, 2) diplomats serving in the U.S., 3) dispute in foreign gov't, 4) citizens of different states, 5) disputes between states, 6) disputes involving federal gov't, 7) federal laws, 8) constitutional questions*

**25. Describe self-incrimination.**

*Presenting evidence that works against a person in proving innocence, can be very detrimental.*