

The "Supreme" in Supreme Court

Name: _____



Why "Supreme"?

When the Supreme Court decides a case like Savana's, it doesn't just make a decision for the people involved in that one case. Savana's case is now a precedent case for future situations where a kid gets searched at school! All courts in the country must now follow not only T.L.O., but also Savana's case in similar situations. Why? Because the Supreme Court has a very special function that nobody else in the country has: The Supreme Court has the last word on what is constitutional. If someone tries to make a rule that is unconstitutional, the Supreme Court can strike that rule down. This power is called **judicial review**.

Why is that a big deal? Because lots of cases the Supreme Court decides have a big impact on peoples' everyday lives!

A. Even My Life? Yes! Complete the following exercise to see how. Read the description of each case and use what you know about the court system complete the sentences.

CASE	IT AFFECTS YOU!
<p>Marbury v. Madison (1803).</p> <p>Said the Supreme Court and other courts have the power to decide whether something is unconstitutional. Courts can strike down government actions that violate the Constitution.</p>	<p><i>This case protects my constitutional rights by:</i></p>
<p>Plessy v. Ferguson (1896).</p> <p>Said it <i>was constitutional</i> for places like schools, buses and restaurants to keep people of different races apart, as long as the services offered were "equal." For example, it was okay to make black and white people ride on separate train cars.</p>	<p><i>If this case was still the law (it's not), then the government could require me to:</i></p>
<p>Meyer v. Nebraska (1923).</p> <p>Said it's unconstitutional for a state to ban the teaching of foreign languages.</p>	<p><i>If it weren't for this case, I might not have the choice to:</i></p>
<p>Brown v. Board of Education (1954).</p> <p>Overruled Plessy by saying it's unconstitutional for the government to require students of different races to go to different schools. The Court said separate schools for students of different races are not equal.</p>	<p><i>If it weren't for this case, I might get a different quality of education than:</i></p>

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Gideon v. Wainwright (1963). Said that people accused of a crime must be given a lawyer even if they cannot afford one. It's unconstitutional to deny them a lawyer just because they're poor.	<i>If it weren't for this case and I got accused of a crime, I might have a problem because:</i>
Tinker v. Des Moines School Dist. (1969) Said it's unconstitutional to deny students the right to free speech at school, unless the students' speech disrupts school activities.	<i>If it weren't for this case, things might be different at school because:</i>
New Jersey v. T.L.O (1985). Said it's unconstitutional for principals and teachers to search students and their belongings, unless there is a good reason (like safety and discipline) and the search doesn't go too far.	<i>If it weren't for this case, and a teacher decided to go through everyone's backpack without a reason, then:</i>

I don't get it! Why does the Supreme Court get to decide what's constitutional? People can read the Constitution themselves, can't they? Why would they need a court to decide?"

B. Can you explain it? Max is confused about the Supreme Court. Straighten him out using what you have learned from playing the game "Supreme Decision" and from this lesson.



Max

Think about it, Max! Here are some reasons the people who wrote the Constitution might have wanted courts to have the power to decide what's constitutional:

