

Youth Summit 2005

*Selecting the Next U.S.
Supreme Court Justice*

**Lesson Plans for
Middle and High School**

a production of
CLASSROOM LAW PROJECT

in cooperation with
Oregon State Bar
US Department of Justice - Youth for Justice Program

CLASSROOMLAW PROJECT

2005 Youth Summit Selecting the Next U.S. Supreme Court

Goals

Teachers will have the opportunity to help students:

- understand Supreme Court justice nominees, issues, and the selection process;
- study the Court in a context of reality and connectedness to other events;
- pursue informed discussions about politics and current issues;
- strengthen inferential and evaluate comprehension skills;
- improve analytical reading skills;
- develop lifetime habits of active participation in the political process and government.

As a result of using this curriculum, **S**tudents will:

- begin exploring what a competent judge does
- share information you already know about the Supreme Court
- explain the role of Supreme Court under the Constitution
- consider important characteristics of a Supreme Court justice including judicial temperament
- study the role of Supreme Court in U.S. history including the development of judicial review
- learn about the current Supreme Court nominee, John G. Roberts, Jr.
- analyze Supreme Court decisions and their effect on students
- evaluate the role of the citizen in influencing the selection Supreme Court justices
- develop and practice skills needed for a class hearing and the summit (speaking, reasoning, etc.)

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Forward to Teachers

In 1835, Alexis de Tocqueville observed in his classic commentary "Democracy in America" that the Supreme Court's power to declare particular actions of legislative or executive officials unconstitutional was a powerful "barrier against the tyranny of political assemblies." And so it has been from his time to our own era. However, *the Court's power to secure justice would be meaningless without public understanding and support of its constitutional responsibilities and purposes.* The Court's "power is enormous," said Tocqueville, "but it is the power of public opinion. [The justices] would be impotent against popular neglect or contempt of the law."

To maintain the important balance of power among the three branches of government and enable the Supreme Court to play its proper role in a constitutional government, *responsible citizens must be vigilant about the enforcement of laws that protect their rights. Citizens must be cognizant of what their rights are, how the Court has acted to protect them, and why they must be engaged politically and civically to support the Constitution and its just enforcement.* (emphasis added)

Drake, Sarah E. , Thomas S. Vontz,
Teaching about the United States Supreme Court. ERIC Digest
<http://www.ericdigests.org/2002-2/court.htm>

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A note to teachers about the Standards

Many standards from many disciplines apply. Consider reading comprehension, writing, and speaking, for example. But, especially applicable are Oregon Social Science Analysis - Civics and Government standards. Here are a few that are particularly on point.

CIVICS AND GOVERNMENT

- Understand and apply knowledge about government and political systems, and the rights and responsibilities of citizens.

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- Understand the purpose of laws and government, provisions to limit power, and the ability to meet changing needs as essential ideas of the Constitution.
Know the concept of “rule of law.”
Understand the “supremacy clause” of the U.S. Constitution as a means of resolving conflicts between state and federal law.
Understand the concept of judicial review as a means of resolving conflict over the interpretation of the Constitution and the actions of government.
- Understand how the branches of government have powers and limitations.
Understand the basic idea of checks and balances of each branch of the federal government.
Understand the powers and responsibilities of the executive branch of government.
Identify and understand the powers and limits to power of the Presidency.
Understand the role of the courts and of the law in protecting the rights of U.S. citizens.
- Understand how the rights of citizens have been augmented by case law decisions.
*Understand participatory responsibilities of citizens in the community (voluntarism) and in the political process (becoming informed about public issues and candidates, joining political parties/interest groups/associations, **communicating with public officials**, voting, influencing lawmaking through such processes as petitions/initiatives).*
Understand how citizens can learn about public issues.
Understand how citizens can make their voices heard in the political process.
Identify and give examples of ways that citizens can let their opinions be known in the political process.
- Understand how government policies and decisions have been influenced and changed by individuals and groups.....
Identify and give examples of actions citizens can take to influence government policy and decision-making.
Identify and give examples of how groups and organizations can influence government policy or decisions and describe how these actions can lead to such influence..

http://www.ode.state.or.us/teachlearn/real/newspaper/Newspaper_Section.aspx?subjectcd=ss

Oregon Department of Education Oregon Standards — 2005–06 School Year Page 10A-12A

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