

**JUDICIAL BRANCH EXAM STUDY GUIDE—
STRAHN (70 points)
Wednesday, December 11, 2019**

Judicial Branch Background:

- When/How created
- Types of Courts
- Connections with Federalism
- Types of Cases heard in State/Federal Courts:

Supreme Court:

- Types of cases heard:
- Purpose
- Significance
- Reasons for lack of media
- How many Justices
- How appointed/approved
- Rationale for lifetime appointment
- Certiorari* Process
- Decision-making process/
Split Decisions
- Majority vs. Dissenting Opinions
- Stare Decisis*
- Judicial activism vs. Judicial Restraint

Criminal Cases:

- How defined
- Possible Results from Guilty verdict
- Felony vs. Misdemeanor
- Capital Crime
- “Beyond a Reasonable Doubt”
- Plea Bargaining
- Rights of Juveniles
- Direct vs. Circumstantial Evidence
- Exclusionary Rule
- Trials by Jury/Rights of Accused
- Verdict/Sentencing

Civil Cases:

- How Defined
- Plaintiff
- Compensation vs. Guilt
- Key players
- Preponderance of the Evidence
- Settlements out of Court
- Trial Process
- Class Action Lawsuit

Procedural Due Process vs. Substantial Due Process

Miranda Warnings

(OVER)

Indeterminate sentencing vs. Determinate Sentencing

DC v. Heller, 2008

Constitutional Rights of the accused:

West Side Community Schools v. Mergens, 1990

--Fair and Speedy Trial

--Presumption of Innocence

Cruzan v. Director, Missouri Department of Health, 1990

--Exclusionary Rule

--Self-Incrimination

Atkins v. Virginia, 2002

--Double Jeopardy

Indictment:

Griswold v. Connecticut, 1965

Arraignment:

Voir Dire

Mapp v. Ohio, 1961

Parole:

Recent Supreme Court Controversies:

Masterpiece Cakeshop v. Colorado Civil Rights Commission, 2017

--Antonin Scalia/Neil Gorsuch Controversy

--Liberal vs Conservative Rationales

Roper v. Simmons, 2005

--Outcome

--Bret Kavanaugh Controversy

OTHER NOTES:

--Key Players

--Outcome/Significance

Landmark Supreme Court Cases:

Korematsu v. United States, 1944

Loving v. Virginia 1967