



Mix and Match Cards TEKS Court Cases

Learning Objective: The student will

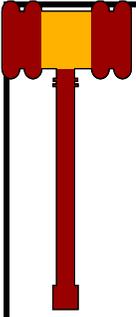
1. Review the precedents set in U.S. Supreme Court cases identified in the TEKS
2. Determine similarities and differences between key court cases.
3. Identify cause and effect relationships between key court cases.

TEKS: 8.5G; 8.18B; 8.18C; US.9J; US.20A; Govt.3C, Govt.12E, Govt. 16A

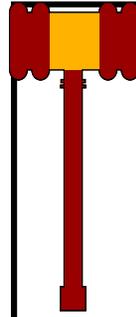
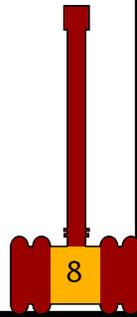
Materials Needed: Sets of the cards (name of case and precedent) cut apart

Teaching Strategy:

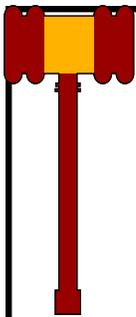
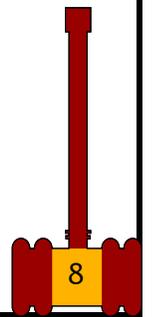
1. Run a copy of the cards and cut them apart. Please note, there is set of cards for 8th grade cases, US history cases, and government cases.
4. Pass out sets of cards to each small group of students. Explain that there are two types of cards—the name of a court case OR the precedent set by a key court case named in the TEKS.
5. Allow them to match the name of the court case with its precedent. After all the cases are matched correctly, have the students place the cases in chronological order. Discuss the similarities and differences between the cases as well as the cause and effect relationship between the cases with the following questions:
 - a. What similarities do you see in the cases?
 - b. What key differences do you see?
 - c. How can you explain the connection or cause and effect relationship of one case to another?
6. After discussing all the cases, students can create a “The Winner Is” bracket (LRE Blueprint) to determine the most significant court case based on a criteria determined by the teacher or use one of the prepared brackets for the respective grade.



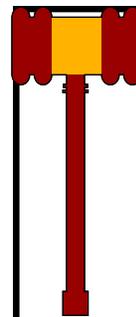
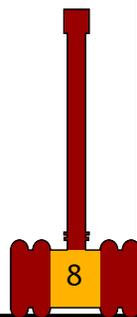
Marbury v. Madison



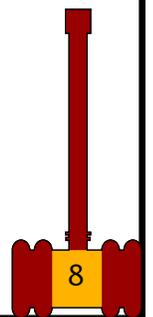
This was the pivotal 1803 U.S. Supreme Court case where for the first time the Court ruled an act of Congress unconstitutional, thus establishing the Court's power of judicial review. Judicial review means that the Supreme Court is the final interpreter of the meaning of the Constitution and can rule actions of the President, the Congress, or the states unconstitutional if, in the opinion of the Court, the action is in conflict with the Constitution.

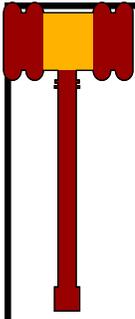


McCulloch v. Maryland

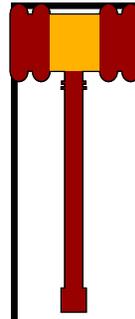
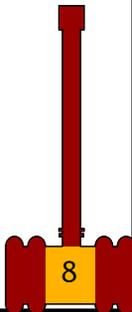


In this 1819 case, the U.S. Supreme Court ruled that the enumerated powers given Congress in the first seventeen paragraphs of Article I, Section 8 of the Constitution, (the power to coin money and regulate the value thereof...) combined with the "necessary and proper clause" of paragraph 18, give Congress the power to create a Bank of the U. S. The Court also ruled that no state can tax an agency of the national government.

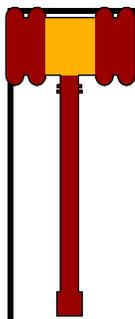
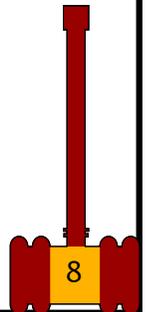




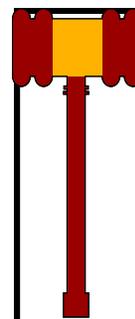
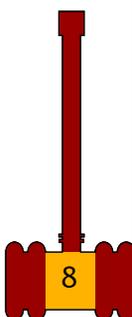
Worcester
v.
Georgia



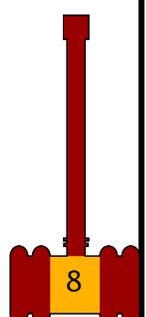
In this 1832 case, the Court established that a state does not have any jurisdiction over “sovereign Indian nations” which may lie within the state’s borders. Even though the Court ruled in favor of the Cherokee Indians, the Indians were still removed from their land. This removal resulted in what became known as the “Trail of Tears” because of the terrible loss of life as the Indians were forced to move to land west of the Mississippi River.

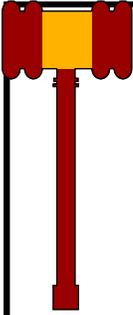


Gibbons
v.
Ogden



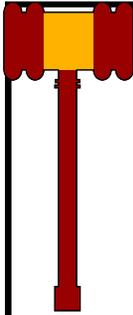
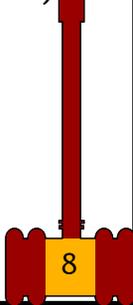
In 1824, the Supreme Court was asked to interpret Congress’ power under the commerce clause of Article I, Section 8 of the Constitution which authorized Congress to regulate commerce with foreign nations and among the states. The Court defined commerce broadly to mean not only traffic, buying and selling, and interchange of commodities, but also the transportation of those goods from one point to another. If “commerce” commences in one state and crosses over into another, Congress has the power to regulate it. The Court stated that Congress’ power under the commerce clause “is complete in itself, may be exercised to its utmost extent, and knows no limitations other than those prescribed by the Constitution.”





Dred Scott v. Sandford*

(Sanford's name is misspelled in official
Supreme Court records as Sandford)



In 1857, the Court ruled that slaves were not citizens and therefore could not bring suit in the nation's courts. The

Court also ruled that just because a slave had resided in an area where

slavery was forbidden as a result of the Missouri

Compromise of 1820, he was still not free. By this ruling, the Court declared the

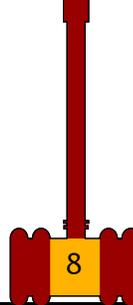
Missouri Compromise unconstitutional. This was only the second time in history the

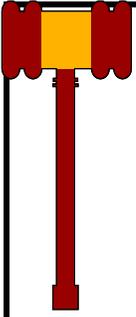
Court had used its power of judicial review to strike down an act of Congress. The first

sentence of Section 1 of the Fourteenth Amendment was later added to the U. S.

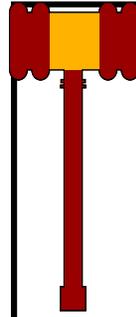
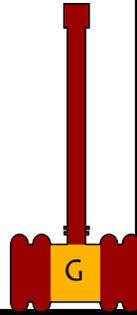
Constitution for the purpose of overruling the Court's

decision in this case.

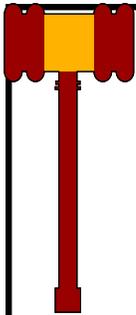
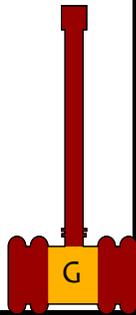




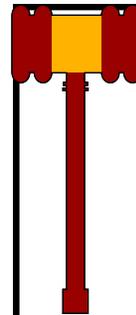
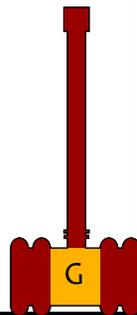
Engel v. Vitale



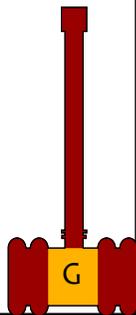
In this 1962 case the Court ruled that a public school district's policy requiring students to begin their day by reciting a government composed prayer was a violation of the no establishment of religion clause of the First Amendment.

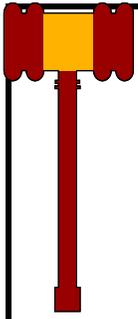


Grutter v. Bollinger

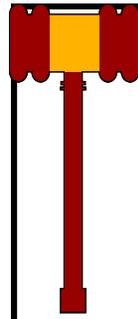
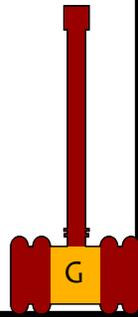


In this 2003 case the Court ruled that in making admissions decisions, a state university's law school can consider an applicant's race as long as race is not the only factor considered and as long as there are no quotas.

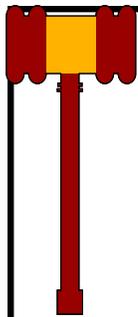
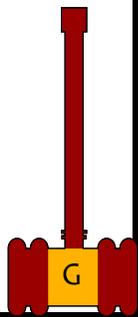




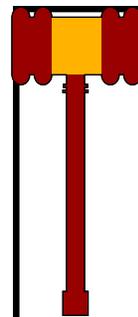
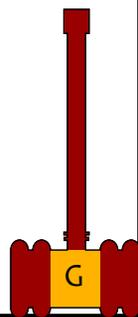
Baker v. Carr



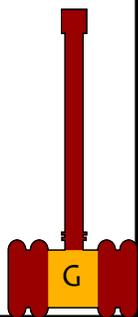
In this 1962 case the Court overruled its own past decision that the drawing of legislative districts was “a political question” and thus federal courts could not hear cases involving the drawing of those districts. From now on, the Court ruled, federal courts could hear and decide such cases.

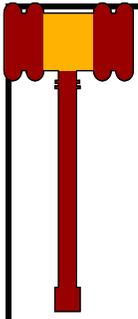


Gideon v. Wainwright

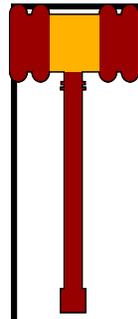
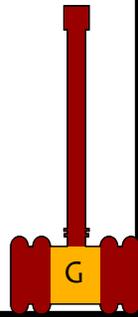


In this 1963 case the Court ruled that in serious criminal cases in state courts the Sixth Amendment’s right to counsel requires the states to provide defendants with a lawyer if they cannot afford one.

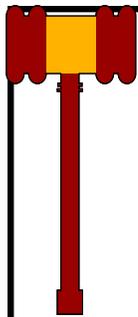
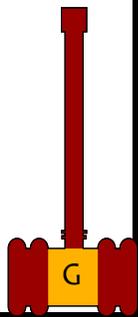




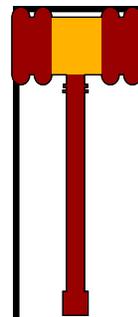
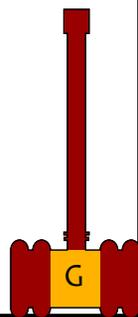
Mapp v. Ohio



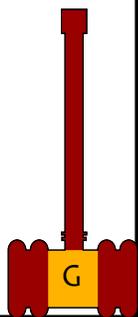
In this 1961 case the Court overruled its own past decision and decided that “the exclusionary rule” now applies to the states. This means that evidence seized illegally in violation of the Fourth Amendment is now inadmissible in a state court.

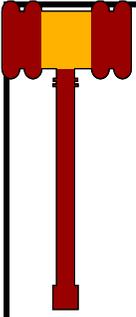


Miranda v. Arizona

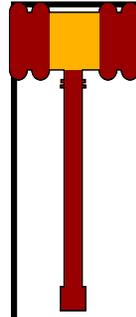
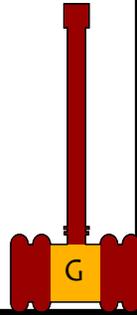


In this 1966 case the Court ruled that before a suspect in police custody can be interrogated, the Fifth Amendment’s no self-incrimination clause requires that he/she must be informed that he/she has a right to remain silent, that he/she has a right to an attorney, etc.

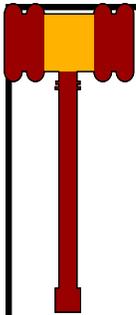
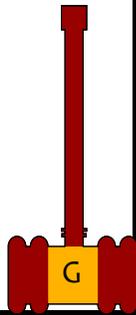




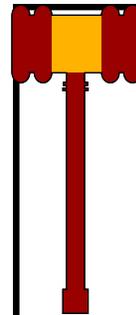
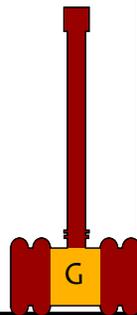
Roe v. Wade



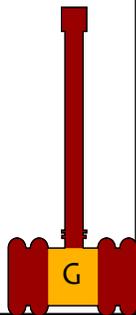
In this 1973 case the Court declared unconstitutional a state law making abortion a criminal offense unless the mother's life was in danger as a result of the pregnancy. The Court also announced the so-called "Trimester Test" under which a state may only outlaw abortions, except where the mother's health or life is in danger, in the final trimester of a pregnancy.

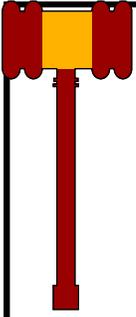


Schenck v. United States

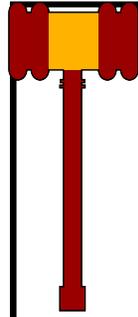
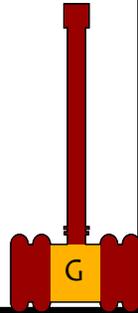


In this 1919 case the Court ruled that the conviction of a defendant for sending a leaflet to draftees when the nation was at war urging them peacefully to resist the draft was not a violation of the First Amendment. In doing so, the Court announced the "clear and present danger test" to be used to judge cases involving freedom of speech.

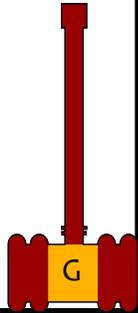


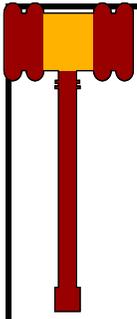


Texas
v.
Johnson

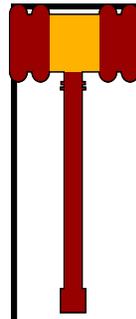
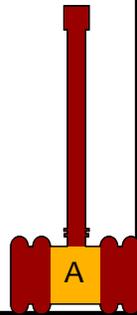


In this 1989 case the Court ruled that burning the American flag is speech protected by the freedom of speech clause of the First Amendment.

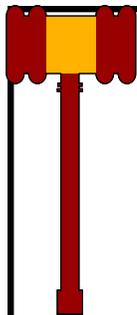
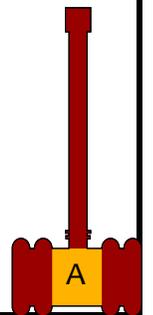




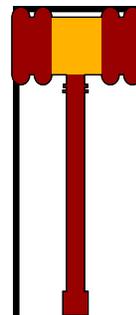
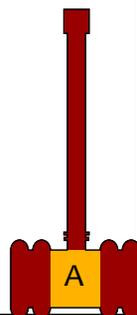
Plessy v. Ferguson



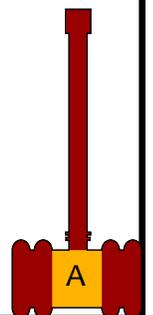
In this 1896 case the U. S. Supreme Court ruled that state laws requiring “equal but separate” railway accommodations for African Americans and whites did not violate either the U. S. Constitution’s Thirteenth Amendment’s prohibition of slavery or the equal protection of the laws clause of the Fourteenth Amendment.

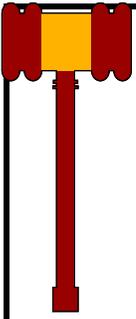


Sweatt v. Painter

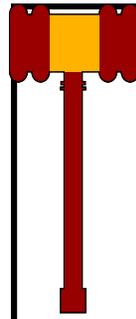
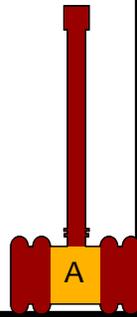


In this 1950 case the U. S. Supreme Court ruled that the equal protection of the laws clause of the U. S. Constitution’s Fourteenth Amendment required that an African American applicant be admitted to the University of Texas Law School since there was no “separate but equal” state law school for African Americans.

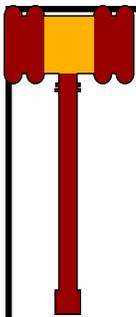
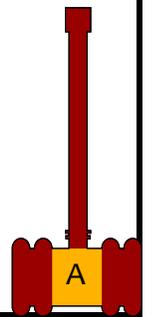




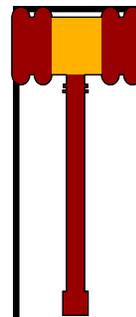
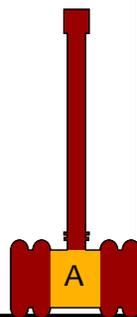
Brown v. Board of Education



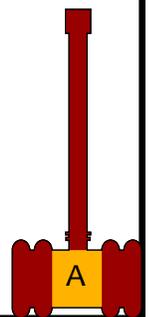
In this 1954 case the U. S. Supreme Court unanimously overruled the Court's 1896 decision in **Plessy v Ferguson** and in doing so declared that racial segregation by state law in public schools, even though the separate schools may be equal, violates the equal protection of the laws guaranteed by the U. S. Constitution's Fourteenth Amendment.

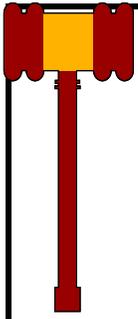


Hernandez v. Texas

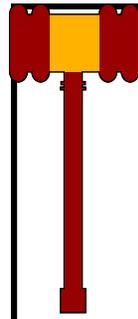
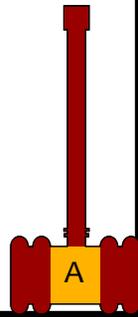


In this 1954 case the U. S. Supreme Court unanimously ruled that the equal protection of the laws clause of the U. S. Constitution's Fourteenth Amendment is violated when a state tries a person of a particular race or ancestry before a jury from which all persons of that race or ancestry have been excluded from serving.

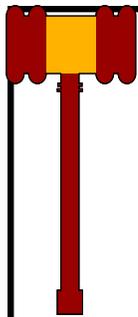
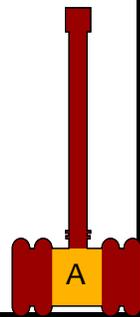




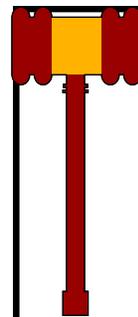
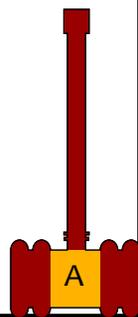
Tinker v. Des Moines School District



In this 1969 case the U.S. Supreme Court ruled that public school students do have rights protected by the U. S. Constitution and that a school district had violated students' First Amendment freedom of speech when it suspended them for wearing black armbands to school in silent protest of the Vietnam War.



Wisconsin v. Yoder



In this 1972 case the U.S. Supreme Court ruled that a state law requiring all children to attend school until the age of sixteen violated the Amish's free exercise of religion as guaranteed by the U. S. Constitution's First Amendment.

