Judicial Branch Study Guide (2017) Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Briefly describe the importance of the case *Gideon v. Wainwright.*
2. Briefly describe the importance of the case *Marbury v. Madison.*
3. Which Supreme Court Chief Justice of the United States Supreme Court’s opinions helped lay the basis for [United States constitutional law](https://en.wikipedia.org/wiki/United_States_constitutional_law) and many say made the [Supreme Court of the United States](https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) a coequal [branch of government](https://en.wikipedia.org/wiki/Separation_of_powers_under_the_United_States_Constitution) along with the legislative and executive branches?

4. Briefly describe the importance of the case *McCulloch v. Maryland.*

1. What is the difference between criminal and civil law?
2. What is the difference between felonies and misdemeanors?
3. Who is the defendant in a case?
4. Who is the plaintiff in a case?
5. What does granting certiorari mean? How many justices have to agree to hear a case?
6. What is the term for documents that lawyers file with the court to explain his or her arguments?
7. The 4th Amendment protects against what?
8. The 8th Amendment protects against this types of punishment.
9. What happens to most cases appealed to the Supreme Court?
10. These are written documents issued by the Supreme Court explaining the reasoning behind its decision. There is always a majority one, concurring one, and dissenting one.
11. Define precedent.
12. This very rare occasion happens when all the judges from an appeals court (or a large group of them) hear a case again to reconsider the decision.
13. What is the charge for deliberately lying during trial?
14. When a judge or jury acquits someone, are they guilty or not guilty?
15. What are the 5th Amendment protections?
16. This 6th Amendment guarantees a defendant this type of trial.
17. What is the difference in judicial restraint and judicial activism?
18. What is original jurisdiction?
19. What is appellate jurisdiction?
20. How is a Supreme Court Justice nominated and confirmed?
21. How long do Supreme Justices serve?
22. Some defendants avoid going to trial by accepting this, which is them agreeing to a less serious charge, which generally results in a shorter sentence than he or she would receive if found guilty in a jury trial.
23. What is concurrent jurisdiction?
24. What is exclusive jurisdiction?
25. Which act set up the 3-tiered court system?
26. What does a grand jury do?
27. What does a magistrate judge do?
28. What does a clerk do?
29. What does a U.S. Attorney do?
30. What does a public defender do?
31. What does a U.S. Marshal do?
32. How many justices are on the Supreme Court?
33. How long does each lawyer get to speak during oral arguments at the Supreme Court?
34. Who are the current 9 justices on the Supreme Court?