



SIRS Government Reporter[®] Educator's Guide

Tools to Increase Student Achievement
Tools to Increase Teacher Effectiveness

INCLUDES:

- Suggestions for various educational activities that utilize the wide range of information available on Government Reporter
- Educators can use lesson plans and activity sheets to meet their curriculum's specific needs
- Links to relevant important U.S. Supreme Court cases
- Index to the Constitution
- Supplementary references to the Supreme Court, including Supreme Court Glossary and biographies of Supreme Court Justices, past and present



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1. The Database

SIRS Government Reporter is a comprehensive student resource for the study of all aspects of U.S. federal government. It contains thousands of full-text documents, summaries, and graphics covering a wide variety of topics including health, science, economics, environment, politics, foreign affairs, business, and industry. All the articles and graphics are carefully selected according to strict SIRS criteria for content reliability, relevance, and age-appropriateness. Users can easily retrieve information by subject heading, topic browse, and keyword searches. The articles are indexed according to Library of Congress subject headings to ensure the best search results and can be printed, saved, and emailed.

Government Reporter Features

Editor's Top Pick: regularly recognizes an article and accompanying graphic for its research value

Country Profiles: U.S. State Department profiles of nearly 200 countries. Information about the people, history, government, economy, and geography is provided. Maps of each country are available in a printable format.

Federal Agencies: contact and background information for hundreds of federal departments and agencies

Historic Documents: selected full-text documents and speeches of exceptional historic value

National Archives Documents: primary sources from the National Archives and Records Administration that illustrate social, political, and cultural themes in U.S. history

U.S. Congress: data on members of the U.S. Senate and House of Representatives

U.S. Presidents: a brief biographical description and photograph or portrait of each U.S. president, as well as information about presidential libraries, burial sites, and families

U.S. Supreme Court: hundreds of full-text opinions, both landmark and recent, dating back to the inception of the Court, plus a directory of Supreme Court justices

Spotlight of the Month: provides comprehensive articles focusing on a monthly topic chosen for its timeliness and interest

Suggested Research Topics: helps researchers find information by offering keywords, subject headings, and topic browse paths that link directly to coverage of hot topics and timely issues

Document Selection Process

The carefully selected documents on SIRS Government Reporter reflect a cross section of materials published by the federal government. Every article is personally reviewed before it is selected for inclusion.

SIRS editors select documents according to research value and appropriateness of the information for student use. We look for sources that:

- include well-documented information
- include the latest information on ever-changing fields
- include issues of both local and global importance
- use graphics to help clarify information
- are clear, comprehensive, reliable, and relevant
- avoid needless duplication

U.S. Supreme Court decisions are selected according to whether the cases alter existing law or illustrate the role played by the U.S. Supreme Court in shaping our society. Every year, the U.S. Supreme Court receives thousands of requests for review; it accepts less than 200 cases. The Court decisions on SIRS Government Reporter have been carefully selected and indexed. Landmark cases that have significantly altered constitutional doctrines are included.



2. Partners in Research

Teachers and librarians have always helped students conduct research for assignments. With research on SIRS Government Reporter, this becomes a three-way partnership:

- The teacher plans and presents the research assignment;
- The librarian facilitates the research process and guides students to appropriate library resources;
- The student searches SIRS Government Reporter and then applies relevant information to the assignment.

This chapter provides specific suggestions for various educational activities that utilize the wide range of information on SIRS Government Reporter. Recommendations for customizing class assignments into lesson plans and activity sheets (that include research on SIRS Government Reporter) are provided. At the end of this section are seven lesson plans and activity sheets on an assortment of topics.

Librarians can encourage teachers to utilize SIRS Government Reporter by:

- Passing along this guide;
- Distributing a memo that draws attention to the advantages of SIRS Government Reporter;
- Providing photocopies of activity sheets for students to use in the library; and
- Scheduling an in-school workshop on SIRS Government Reporter to familiarize the teachers with this easy and valuable research resource.

Librarians can encourage students to utilize SIRS Government Reporter by:

- Informing them about the wide range of topics provided by government sources;
- Directing them to the on-screen “Help & Tips” for an overview of the program;
- Providing photocopies of the activity sheets; and
- Emphasizing the time-saving and note-taking advantages.

In addition to guiding students to research sources, librarians are often asked to teach students how to search on SIRS Government Reporter. The search methods are easy to learn and on-screen context-sensitive help is available.

Teachers can encourage students to use SIRS Government Reporter by:

- Photocopying the activity sheets and distributing them to the students before an assignment;
- Allowing class time for students to familiarize themselves with the SIRS Research Procedure, search strategies, and to ask questions;
- Pointing out the time-saving and note-taking advantages of electronic research; and
- Assigning research tasks on SIRS Government Reporter.

As partners in research, teachers also need to provide different types of assignments, taking into account what is now available to their students on SIRS Government Reporter. With so much available information, students want educational activities that challenge and utilize their new research skills.

The next section outlines the SIRS Research Procedure. This procedure is for teachers (to incorporate into class assignments), for librarians (to help students target their searches), and for students (to follow).

SIRS RESEARCH PROCEDURE

Knowing how to find relevant information is a fundamental skill for researching any class assignment. Often, students require a suggested pathway. The SIRS Research Procedure is such a pathway; it begins with the research assignment and continues as the student works through the search methods on SIRS Government Reporter to the relevant information. The student is asked to identify, organize, and manage information, in a pathway that is broken down into five steps.

1. Identify

- A. What is your idea for the research assignment?
- B. Brainstorm words that describe your research topic.
- C. Access SIRS Government Reporter.

2. Explore

- A. Select a search method.
- B. Begin your search using words from your brainstorm activity.

3. Determine

- A. Locate relevant articles and information.
- B. Verify that the information you have found is relevant to your research topic.

- For U.S. Government Documents, check summary, source, and descriptors.
- For U.S. Supreme Court Decisions, check syllabus/miscellaneous and descriptors.

4. Process

- A. Define and narrow your topic.
- B. Read relevant articles and take notes utilizing the print and e-mail features of the database.
- C. Organize the information gathered to your research topic and develop a thesis statement.

5. Evaluate

- A. Do you need more information to support your thesis? If so, what type of information do you need?
- B. List any additional information you will need.
- C. Seek additional information by:
 - Searching other components or features of the Government Reporter database;
 - Using other keywords, databases, and search methods;
 - Locating non-database resources (i.e., field experts, community groups, websites, other publications).

CUSTOMIZING CLASS ASSIGNMENTS

This Educator's Guide includes seven lesson plans and accompanying activity sheets. Using the lesson plans as a guide, educators can simply print and/or photocopy and assign the activity sheets. Alternatively, educators can use these lesson plans and activity sheets to meet their curriculum's specific needs.

Lesson Plan: Importance

A lesson plan is essentially a map that helps teachers reach specific, predetermined points when giving students new information. With a lesson plan, teachers can plan ahead to present new material in a way that maximizes students' use of instructional resources as well as their participation in classroom activities. SIRS Lesson Plans each have seven sections: educational goal, motivation, educational objectives, discussion, assignment directions, evaluation, and key terms.

Lesson Plan: Educational Goal

A lesson plan should always be aimed at reaching specific educational goals. For example, the educational goal for "U.S. Supreme Court Decisions," SIRS Lesson Plan #6, and "Search and Seizure," SIRS Activity Sheet #6, is threefold: getting students to identify a legal issue that has personal relevance (in this case, a student's rights when a school official demands to look inside his or her backpack); getting students to understand the pros and cons of the law, as it now stands; and, finally, showing students how government is responding to this multifaceted issue (by accessing Supreme Court rulings on a variety of cases involving search and seizure).

Lesson Plan: Educational Objectives

A good lesson plan's educational objectives are essentially stepping stones that lead to an educational goal, spelling out exactly what students will be able to do after successfully completing their research on SIRS Government Reporter. When setting an educational objective, it's helpful to consider the students' ages, interests, abilities, attitudes, socioeconomic background, and general living environment.

SIRS lesson plans list educational objectives based on the following four A-B-C-D components: "Audience" is the targeted class, "Behavior" is the assigned action, "Conditions" are researching on SIRS Government Reporter and "Degree" is the amount of work needed to complete the assignment.

Lesson Plan: Classroom Discussion

In the classroom, the educator presents material that has been selected after relating its level of complexity to the

students' abilities and needs. Look carefully at the motivating elements and key terms given in the lesson plans so that they can be integrated into classroom discussion. SIRS Lesson Plans and Activity Sheets are organized according to guidelines from the SIRS Research Procedure (page 5); questions are constructed specifically to help students identify, organize, and manage the information they have found on SIRS Government Reporter. With every lesson plan, an evaluation or end-of-project checklist is provided. It may be helpful to read this list to the class in the project's early stages. Knowing the criteria by which their research skills and applications will be evaluated can help students understand what is expected of them.

Activity Sheets: Guidelines for Customizing

Good activity sheet questions reflect both the cognitive and affective spheres of learning. Some tips for stimulating activity sheet questions:

- Use natural language;
- Use short, simple questions; avoid long, modifying clauses and phrases;
- Use key terms in the question; these are clues that can help reinforce and explain key concepts;
- Use reinforcing phrases (i.e., "most important," "as a result") to emphasize main concepts;
- Include words and/or phrases that organize ideas (i.e., first, second) or create conceptual bridges (i.e., an example of, the reason for);
- Avoid abstract or overly technical wording; or make sure a short, clear example is provided; and
- Avoid questions that start with a statement and end with an interrogative or fill-in blank.

Customizing activity sheet questions to lead into a search on SIRS Government Reporter requires a careful assessment of students' study skills. To facilitate that assessment, it is helpful to break down the study skills needed for research assignments on SIRS Government Reporter into three distinct levels. (Not all students will go all the way to Level Three.)

Basic Study Skills

Level One: Recalling Facts

- list facts
- identify research assignment's main ideas
- find relevant document
- describe/outline document
- report research results

At this level, the student is directed to find and report on relevant sources in SIRS Government Reporter. Students should be able to find a relevant document, and then recount its most salient facts. Questions on activity sheets at this level should simply ask the student to recall the

facts. For an example, see Activity Sheet #1, which asks such simple questions as: List words and phrases used in the cartoon; and, how many cartoon frames are shown? Because these questions are easy to answer, students are encouraged to continue on to the next question. In addition to helping them recall facts, these questions help students filter out pertinent information. For some students, answering easy questions like these may comprise the entire assignment.

Some BASIC Activity Sheet Ideas:

- Fill in the blanks
- List ideas under specified headings
- Complete a partially given outline

Average Study Skills

Level Two: Exploring Themes

- compare two sources
- rate importance of sources
- examine meaning of sources
- formulate questions

At this level, the student is directed to combine database research with other skills (i.e., using information to compose a letter or recognize discrepancies between documents). Students can be given tips on how to develop additional study skills. For example, in Activity Sheet #1, the student is asked to “write a sentence identifying the cartoon’s main ideas,” and then, “Do you agree with the cartoonist?” Activity sheet questions must be presented in clear, informative steps.

Some AVERAGE Activity Sheet Ideas:

- Compare two sets of facts
- Determine relevant criteria by which to evaluate research material
- Organize questions so they lead students to analyze the two sets of facts

Above Average Study Skills

Level Three: Critical Thinking

- distinguish fact from opinion
- compare topics
- evaluate evidence
- understand cause and effect
- synthesize concepts

At this advanced level, research should provide a foundation that enables students to come up with new ideas. Students have obtained the necessary information from their database research; now, they must use it to evaluate, compare, predict, judge, and, finally, come up with their own concepts.

Some ABOVE AVERAGE Activity Sheet Ideas:

- Place the student in a similar situation to that described in research documents on SIRS Government Reporter
- Predict how a situation described in documents on SIRS Government Reporter changes the lives of those people immediately affected by it
- Write a new concept, based on research information from SIRS Government Reporter, that will initiate change

RESEARCH THEMES

SIRS Government Reporter provides a wealth of information on a wide range of topics that can provide research themes for many different classes (i.e., suggestions for writing themes in English, information for papers in science, health, economics, values, and history). The following research themes, which synthesize social studies and governmental issues, have been selected to help educators determine how documents found on SIRS Government Reporter can be incorporated into their curriculum.

Cultural Pluralism—The United States system of government has evolved from all the diverse cultures that thrive in this nation. In Country Profiles (Background Notes), students can explore the countries where these cultures originated. Many of the U.S. Government Documents acknowledge the contributions of our multicultural heritage; U.S. Supreme Court Decisions have Court cases dealing with the legal rights of people from the diverse cultures that make up our society.

Growth of Democracy—American democracy today has evolved over time and is the product of the dedication and courage of its citizens. Students need to realize that it is their responsibility to become educated citizens who participate actively in their democracy. The primary sources in SIRS Government Reporter give students a glimpse into decisive events, issues, and people who have had an impact on our democracy's development. To help students evaluate the work of a member of Congress, the Congressional Directory reports on his or her educational background, election history, and committee involvement. Country Profiles (Background Notes) offer examples of the growth of democracy in other countries, and U.S. Supreme Court Decisions cite case opinions that test democratic issues. In addition, Historic Documents and National Archives Documents provide full-text documents and primary sources that significantly influenced the growth of democracy.

Separation of Powers—Throughout the world, the American system of spreading power between state and national governments (Federalism) and its system of dividing the national power into three branches of government (Executive, Judicial, and Legislative) has become a model for developing nations. By identifying and analyzing how the U.S. government deals with domestic and foreign problems, students can recognize the strengths and weaknesses of this imperfect system.

Civil Rights—Throughout history, the American government has expanded its authority to guarantee individual freedoms, promote equal rights, and protect against discrimination. To promote a healthy democracy, students

must understand the need for everyone to participate in political, economic, and social processes.

Comparative Government—The study of the American political and economic system is enhanced by comparing its counterparts to those of other nations. Country Profiles (Background Notes) give information about the governments of different countries.

Global Connections—The world's nations are becoming increasingly interdependent. Any action taken by a nation is reflected far beyond its borders. Students can locate information on foreign policy, national security, and international interdependence, and begin to identify the role the United States plays in world affairs.

Free Enterprise—The momentum behind the acceptance of democracy in nations today comes from the American economic system of free enterprise. By examining information in SIRS Government Reporter, students can investigate what issues influence the free market economy; including labor, money, product consumption, taxes, and environmental restrictions.

Public Policy—Society's problems are regulated—well beyond the actions of the Congress, the executive branch or the election process—by a continuous federal bureaucracy. Documents by Department/Agency and the Federal Agency Directory will help students gain insight into the workings and thinkings of these governmental institutions.

American Political System—While the vast majority of American citizens can vote, citizen participation in the political process remains low. Reasons cited include the lack of significant differences between opposing candidates and the negative tone of some campaigns. Others contend that well-financed Political Action Committees (PACs) wield an excessive amount of influence over the political process, marginalizing the voice of individual voters and activists. Despite this seeming apathy, both political parties spend millions of dollars on campaign advertising, utilizing television, radio, and Internet to get their message across. To encourage a realistic understanding of the American political system, students can look at articles under the SIRS Government Reporter Topic Tree branch of Federal Elections, under the branch Federal Procedures.

Constitutional Interpretations—Our Constitution is a living and growing document; while the letter has remained virtually unchanged, the spirit has changed constantly to accommodate the social changes of the past two centuries, changes that the framers could never have anticipated. By interpreting and amending the Constitution, the Supreme Court and Congress strive to meet the needs of contemporary society. In SIRS Government Reporter, students can research constitutional issues as they are

dealt with on a real basis by the various governmental agencies. Students can access, by constitutional issue, subject or case name, Supreme Court cases that show how the Constitution is applied to resolve social issues. Students can also compare the U.S. Constitution to other ruling documents through the Historic Documents section. Following is a list of possible issues that may be of interest to students, along with suggested Supreme Court opinions dealing with each particular issue. This list may trigger some additional ideas for educational activities.

- **Abortion**—*Ohio v. Akron Center for Reproductive Health, Planned Parenthood v. Casey, Roe v. Wade*
- **Affirmative Action**—*Gratz v. Bollinger, Grutter v. Bollinger, Regents of the University of California v. Bakke*
- **Birth Control/Privacy**—*Griswold v. Connecticut, Lawrence v. Texas*
- **Capital Punishment**—*Furman v. Georgia, Godinez v. Moran, Gregg v. Georgia, McCollum v. North Carolina, North Carolina v. Alford, Riggins v. Nevada, Victor v. Nebraska*
- **Church and State**—*Agostini v. Felton, Lemon v. Kurtzman, Lukumi Babalu Aye v. City of Hialeah, Wallace v. Jaffree, Zobrest v. Catalina Foothills School District*
- **Civil Rights**—*Beecham v. United States, Buchanan v. Warley, Dred Scott v. Sandford, Rivers v. Roadway Express, San Antonio Independent School District v. Rodriguez, Twining v. State of New Jersey*
- **Clean Water Act**—*Jefferson County v. Washington Department of Ecology*
- **Drunk Driving**—*Craig v. Boren, Nichols v. United States, United States v. Nachtigal*
- **Endangered Species**—*Lujan v. Defenders of Wildlife, Tennessee Valley Authority v. Hill*
- **Equality Protection of the Law**—*Brown v. Board of Education, Craig v. Boren, J.E.B. v. Alabama, Korematsu v. United States, Leathers v. Medlock, Loving v. United States, Plyler v. Doe, Sweatt v. Painter, United States v. Fordice, Yick Wo v. Hopkins*
- **Executive Power**—*Clinton v. Jones, Dalton v. Specter, Franklin v. Massachusetts, Korematsu v. United States, Youngstown Sheet & Tube v. Sawyer*
- **Freedom of Religion**—*Kiryas Joel v. Grumet, Lamb's Chapel v. Center Moriches, School District of Abington Township v. Schempp, Wisconsin v. Yoder*
- **Freedom of the Press**—*Abrams v. United States, Cincinnati v. Discovery Network, Gertz v. Robert Welch Inc., Ginsberg v. New York, Gitlow v. New York, Hustler Magazine v. Falwell, New York Times v. Sullivan, Turner Broadcasting System v. Federal Communications Commission*
- **Hazardous Wastes**—*Chemical Waste Management v. Hunt, Fort Gratiot Sanitary Landfill v. Michigan, United States v. Bestfoods*
- **Illegal Aliens**—*Plyler v. Doe, Reno v. Flores, Sale v. Haitian Centers Council*
- **Indians of North America**—*Hagen v. Utah, Idaho v. Coeur d'Alene Tribe of Idaho, Johnson & Graham's Lessee v. McIntosh, New York v. Milhelm Attea & Brothers*
- **Insanity Defense**—*Foucha v. Louisiana, Riggins v. Nevada, Shannon v. United States*
- **Police Questioning**—*Miranda v. Arizona, Pennsylvania v. Muniz*
- **Prayer in the Public Schools**—*Engel v. Vitale, Lee v. Weisman, Wallace v. Jaffree*
- **Privacy Rights**—*Cruzan v. Missouri Department of Health, Katz v. United States, Planned Parenthood v. Casey, Roe v. Wade, United States v. Federal Labor Relations Authority, Vernonia School District v. Acton*
- **Rape**—*Breard v. Greene, Furman v. Georgia, Powell v. Alabama, Stansbury v. California*
- **Right to Die**—*Cruzan v. Missouri Department of Health, Washington v. Glucksberg*
- **Sex Discrimination**—*Automobile Workers v. Johnson Controls, Burlington Industries v. Ellerth, Craig v. Boren, Faragher v. City of Boca Raton, Frontiero v. Richardson, Gebser v. Lago Vista Independent School District, Miller v. Albright, Oncale v. Sundowner Offshore Services, United States v. Burke*
- **Victims of Crimes**—*Payne v. Tennessee*
- **Whistle Blowing**—*Hawaiian Airlines v. Norris*

Another source of ideas for educational activities is the Constitutional Index in Chapter 3 of this guide (page 27), where sections of the Constitution are listed by topics. Students can review the index and find out how certain topics are handled or what topics are not covered.

LESSON PLAN 1

The Role of the Individual in Government

Students should realize that the expression of an individual can be a powerful tool in educating citizens and affecting governmental decision-making.

Motivation

As a result of the visual bombardment of mass media, students today are very visually oriented. The political cartoon offers an easy and fun medium for students to learn to evaluate current political issues and to realize the power of this medium to influence government.

Educational Objectives

After researching on SIRS Government Reporter, the students will be able to:

1. List and interpret the components of a given political cartoon;
2. Identify how a political cartoon sways citizens' opinions;
3. Select a political issue about the president from a SIRS Government Reporter document;
4. Write an idea for a cartoon using the information found in SIRS Government Reporter.

Discussion

Begin the discussion on political cartoons by talking about what is humorous. Images are often humorous because they exaggerate a concept, contrasting it to what exists, or because they repeat a contemporary saying or familiar behavior, transferring it onto a political situation. Ask the students to suggest other ways to make something funny.

The U.S. Constitution guarantees its citizens the freedom of expression. As a result of this freedom, mass media often provides new perspectives on current issues. Political cartoons can do this in a humorous way.

Assignment Directions

As informed citizens, you are asked to read and evaluate a political cartoon. First, recall the facts of the cartoon; decide what it is saying and why it is funny. With the help of SIRS Government Reporter, select a document with a political issue similar to the cartoon's, find the information you need and in one sentence write your idea for a political cartoon.

Evaluation

The student has:

1. Identified the basic facts of a given cartoon;
2. Found a document dealing with a political issue similar to the cartoon's;
3. Interpreted the meaning of the cartoon correctly;
4. Transferred the essential meaning of the cartoon to another similar topic;
5. Written another idea for a political cartoon; and
6. Initiated alternative discussions about the political power of individual expression.

Key Terms

Mass media: A means of communication, such as newspapers, popular magazines, radio, and television, used to reach and influence large numbers of people.

Political cartoon: A drawing of a political idea in a newspaper or magazine that caricatures or criticizes in a humorous manner.

Humor: The ability to express something that is funny, amusing, or ludicrous.

Political issue: A question concerning the government or politics.

Perspective: A specific point of view in understanding or judging things or events.

ACTIVITY SHEET 1

Interpreting Political Cartoons

Directions

As informed citizens, read and evaluate the given political cartoon and answer the following questions on a separate piece of paper. Using SIRS Government Reporter, find a government document that deals with a political issue similar to the central issue in the given cartoon.



1. How is this cartoon exaggerated to make it funny?

2. Write a few sentences with your interpretation of the cartoon's main ideas. Do you agree with the point the cartoonist is making?

3. In SIRS Government Reporter, what search methods will you use to find a government document on this topic or a different issue?

4. What political issue and document have you chosen?

5. Write a sentence about the new perspective on this issue that you want to promote in a cartoon.

6. How can you make this issue funny? Which comedic method will you use?

- a. exaggeration
- b. contrast
- c. reverse order
- d. copy a current phrase or action
- e. unusual prediction of results
- f. other _____

7. Do you have all the information you need in SIRS Government Reporter, or should you search other resources listed below?

- SIRS Researcher
- SKS WebSelect
- text on political cartoons
- newspaper editorial on a political issue
- interview with an expert
- other

8. Create a cartoon expressing your chosen issue.

LESSON PLAN 2

Government—The Executive Branch

Students should investigate the role of the cabinet of the president of the United States in policy decision-making by examining its structure, function, and responsibilities.

Motivation

Role-playing as members of the cabinet, students must assume the responsibility of advising the president of the United States. This will stimulate them to search the database for the best information from which to formulate their voiced opinions.

Educational Objective

After researching on SIRS Government Reporter, the students will be able to:

1. Find information on a given domestic issue;
2. List the important facts about the issue;
3. Formulate an opinion on a domestic issue based on the information obtained in SIRS Government Reporter;
4. Acknowledge the advantages and disadvantages of their stated opinion;
5. Advise the teacher (who is acting as the president) in a written statement; and
6. Participate in a simulated cabinet meeting.

Discussion

The U.S. Constitution does not mention a presidential advisory board or cabinet, so it is up to the individual president to determine its membership and its influence on presidential decisions. Usually, the cabinet is composed of the heads of federal departments (i.e., State, Treasury, Defense, etc.) and the Attorney General. Because the cabinet has grown so large, various presidents have created interdepartmental committees or special task forces to study a given question.

The staff of the cabinet or a special advisory committee research primary source material for relevant information to use to formulate a position. Gathered together in a cabinet meeting, the president hears their opinions. The president or any other cabinet member can challenge an opinion.

Assignment Directions

You will be assigned a position in the cabinet or on a special advisory committee. The teacher is the president of the United States. Your job is to tackle a current domestic issue and advise the president about how this issue will influence any policy-making decisions.

Evaluation

The student has:

1. Found two documents on the issue;
2. Identified the main facts important to the issue;
3. Written a statement of opinion on the issue with supporting reasons for the president to consider; and
4. Shared opinions with the class and participated in the class cabinet meeting discussion.

Key Terms

Presidential cabinet: A group of people, appointed heads of the federal government, advisors, and staff members who make recommendations to the president of the United States on policy-making decisions.

Domestic issue: A question to be decided that affects the internal affairs of the United States.

Position paper: A written statement prepared by the staff of a cabinet secretary or advisor giving an opinion on an issue supported by relevant facts.

ACTIVITY SHEET 2

Cabinet Simulation

Directions

Your teacher is now the president of the United States and will assign you a position as a member in the cabinet or on a special advisory committee. You will be given a domestic issue to research and asked to advise the president about how the issue will influence any policy-making decisions. Answer the following questions on a separate piece of paper:

1. Your position on the cabinet or advisory committee is:
2. The issue you have been assigned to research is:
3. Researching on SIRS Government Reporter, identify the Database Features and search methods you will use initially to find information on your assigned domestic issue.
4. Describe the controversy that needs to be resolved.
5. Select two document titles that might be relevant to your issue.
6. After reading the documents, do you agree or disagree with what you have read?
7. Identify the advantages and disadvantages of pursuing different policies related to the issue.
8. What other sources could you investigate (i.e., community offices, personal interviews, SIRS Researcher, SKS WebSelect, special interest group meetings, newspapers, etc.) to learn more about the issue?
9. Compose a statement that will give your position on the issue and note your reasons.
10. Assuming you were the president in a cabinet meeting, how would you challenge your own position statement? Can you identify weak points in your opinion?

LESSON PLAN 3

Constitutional Amendments

Students should understand that the United States' system of government constantly evolves. It revolves around the Constitution, which is a living document that can be amended.

Motivation

Amending the Constitution is an important topic. Today, newspapers, the Internet, and TV news shows present the various sides to any proposed amendments. By searching the primary source documents in SIRS Government Reporter, students will locate the underlying facts and feel confident to voice their opinions.

Educational Objectives

After researching on SIRS Government Reporter, the students will be able to:

1. Identify the issues involved with a selected proposed amendment by locating two SIRS government documents;
2. Distinguish information that favors from information that opposes the amendment;
3. Evaluate this information to determine the proposed amendment's impact on the everyday life of American citizens; and
4. Write an opinion expressing agreement or disagreement with a proposed amendment to the Constitution.

Discussion

In the past 200+ years, the Constitution has been changed or amended only 27 times. An amendment has two stages: its proposal in Congress and its approval or ratification by the states. The Bill of Rights, ratified in 1791, featured the first ten amendments to make it through Congress. The 104th Congress proposed three amendments: a balanced budget, term limits on members of

Congress, and school prayer. The balanced budget amendment would force Congress to balance the federal budget; the term limits amendment would limit the time members of Congress could serve; and the school prayer amendment would overturn previous Supreme Court rulings and permit organized prayer in school.

Assignment Directions

Select one of the proposed amendments (the balanced budget, term limits on members of Congress or school prayer). After reviewing the information in two documents from SIRS Government Reporter, write your opinion. Do you agree or disagree that there is a need for this Constitutional amendment?

Evaluation

The student has:

1. Located two documents in SIRS Government Reporter on the issues relating to a selected proposed amendment;
2. Identified important facts revealing various sides of the issue;
3. Interpreted how the proposed amendment would impact the lives of American citizens; and
4. Written an opinion expressing agreement or disagreement with the selected proposed amendment.

Key Terms

Proposed amendment: As stated in Article V of the Constitution, amendments are proposed by a two-thirds majority of both houses of Congress.

Ratification of an amendment: As stated in Article V of the Constitution, a majority of three-quarters in state legislatures (or three-quarters at a state's convention) approves an amendment.

ACTIVITY SHEET 3

Constitutional Amendments

Directions

Select one of the proposed amendments to the Constitution and answer the following questions:

1. Circle the proposed amendment you will consider:
 - a. Balanced Budget
 - b. Term Limits
 - c. School Prayer
 - d. Other (state the amendment)

2. Which databases or search methods on SIRS Government Reporter will you use?

3. After reviewing the information on SIRS Government Reporter, make two lists: one containing information that favors the amendment and one containing information that opposes the amendment.

4. Explain how the information in the above lists will impact the lives of citizens (1 is low impact and 5 is high impact). Rate them according to their potential effects.

5. Evaluate the two lists and write a statement about why you favor or oppose your selected amendment.

LESSON PLAN 4

Science—An Environmental Problem

Students should acknowledge the various factors involved in an environmental problem and in protecting our environment.

Motivation

Newsletters are a popular and familiar way to disseminate information. By creating a newsletter, students can tackle a serious issue, such as an environmental problem, and exercise computer skills as well.

Educational Objectives

After researching on SIRS Government Reporter, the students will be able to:

1. Choose an environmental problem;
2. List the facts involved with the selected problem;
3. Identify the cause and effect of the selected problem;
4. Recognize what authorities are involved with the problem; and
5. Write an idea for a newsletter based on the selected environmental problem.

Discussion

Environmental problems can result from situations that are easy or difficult to resolve. Often, the first task is to inform the public that the environmental problem does indeed exist. A second task is to suggest nonviolent ways to resolve the problem (i.e., proposing laws for environmental protection or new scientific regulations).

Arrange students into small groups, allowing time to choose an environmental issue, such as pollution, recy-

cling, or environmental conservation. Discussions should include a list of questions that must be answered on the topic, and content ideas and format for a newsletter.

Assignment Directions

You and your group have been asked to create a newsletter focusing on your selected environmental issue. By using SIRS Government Reporter, find at least three documents that provide sufficient information to create a “newsworthy” letter to be sent to other students, faculty, or local officials. Be sure to include the facts, causes, effects, and potential remedies involved in your issue, as well as bibliographic references supporting your data.

Evaluation

The student has:

1. Selected an environmental problem;
2. Identified the facts, causes, effects, and solutions involved in the environmental problem;
3. Cited the search strategy used in retrieving the information from SIRS Government Reporter;
4. Defined the format and length of the newsletter according to the components of the environmental problem; and
5. Created a newsletter using the information found on SIRS Government Reporter.

Key Terms

Environmental problem: An issue needing to be addressed regarding the conditions concerning life on Earth.

Newsletter: A printed report providing news or information on one or more topics of special interest to a particular group. A newsletter is usually brief, to-the-point, and contains facts, references, graphics, and suggested activities.

ACTIVITY SHEET 4

The Environment—Newsletter or Web Site

Directions

You and your group have been asked to create a newsletter or web site focusing on your selected environmental issue. By using SIRS Government Reporter, find at least three documents that provide sufficient information to create a “newsworthy” letter/web site to be sent to other students, faculty, or local officials. Be sure to include the facts, causes, effects, and potential remedies involved in your issue, as well as bibliographic references supporting your data. Answers to the following statements will help you get started.

1. Name your selected environmental issue.
2. List basic words or synonyms that describe this problem.
3. Determine which SIRS Government Reporter search methods you will use to locate pertinent information.
4. Identify three or more documents containing information on your topic.
5. Define the environmental problem.
6. List causes of the problem.
7. List effects of the problem.
8. List possible solutions to the problem.
9. Determine who you will send your newsletter/web site to.
10. Create a format and design for your newsletter/web site.

LESSON PLAN 5

Values/Ethics—Bioethics

Students need to analyze the ethical issues associated with biological research and new medical technologies.

Motivation

Every day students are exposed to news stories about breakthroughs in research and medical treatments; they see our courts presented with cases about euthanasia, cloning, or genetic engineering. Debating the ethics of these issues will encourage students to wrestle with some very difficult questions.

Educational Objectives

After researching on SIRS Government Reporter, the students will be able to:

1. Identify three questions concerning bioethics;
2. Choose one question to research and debate;
3. List the basic facts involved in the question;
4. Evaluate the morality of this question and how it affects citizens and society; and
5. Write a debate statement about whether or not the government should support biomedical research and advanced medical technology.

Discussion

Bioethics involves the merging of moral principles into the world of biomedical research and new medical technologies. Who decides what is right and wrong when it comes to treating patients using these advances in medicine? Who should pay—the scientist, doctor, patient, or society? Should the government take on this responsibility?

Congress has debated creating a bioethic entity that would handle such life-and-death decisions. Should the federal

government direct and support these types of biomedical research? Should it pay for services through Medicare/Medicaid?

Assignment Directions

You are on a debate team discussing bioethics. Prepare the information needed to answer a bioethical question so that you can write a debate statement about whether you support having the federal government control the development and/or use of a given biomedical research subject or new medical treatment.

Evaluation

The student has:

1. Researched SIRS Government Reporter and identified three documents that pertain to a bioethical question;
2. Composed a list of important facts;
3. Written a debate statement with supporting facts and reasoning on the question of federal involvement in bioethics; and
4. Debated in class the researched bioethical question of federal involvement in bioethics, supporting his/her position with information from SIRS Government Reporter.

Key Terms

Bioethics: The ethics of all biomedical sciences, excluding environmental implications and animal experimentation.

Debate statement: Declared position for or against a questionable issue, including supporting facts and reasoning.

Medical technologies: A scientific method of diagnosing, treating, curing, relieving pain, and preventing disease to improve and preserve health.

ACTIVITY SHEET 5

Bioethics

Directions

You are on a debate team discussing bioethics—a bioethical system of moral behavior for all biomedical sciences, excluding environmental implications and animal experimentation. Using SIRS Government Reporter, find three documents that describe a bioethical question. Answer the following questions:

1. Which SIRS Government Reporter features and search methods will you use?

2. What bioethical question did you decide to research?

3. What three documents did you find that discussed your selected bioethical question?

4. What are the important facts involved in the bioethical question?

5. Make three columns and title them: facts, individual, society. In column one, list the basic facts involved in the bioethical question. In column two, label each fact beneficial (B) or harmful (H) to the individual; and in column three, label the fact beneficial (B) or harmful (H) to society.

6. Using the above facts, prepare a written statement about why you agree or disagree that the federal government should support the biomedical research and advanced medical technologies involved in your selected bioethical question.

7. Organize into debate teams and take turns defending your position.

LESSON PLAN 6

U.S. Supreme Court Decisions

Students need to realize that the function of the Supreme Court is to interpret the U.S. Constitution, which tells the federal government specifically what it can and cannot do.

Motivation

In learning about individual rights, students will want to know how the Fourth Amendment of the Constitution and the Supreme Court's interpretation of constitutional issues protect them in situations dealing with search and seizure.

Educational Objectives

After researching on SIRS Government Reporter, the students will be able to:

1. Locate a Supreme Court case and relate it to the Fourth Amendment of the Constitution;
2. Identify the opinions about this Court case;
3. State what the concurring and dissenting opinions say about this Court case; and
4. Describe in this particular Court case how the Supreme Court has applied the Constitution to the needs of our present-day society.

Discussion

The U.S. Constitution is a relatively simple and short document, yet it applies to today's society by both setting forth and limiting the power of the federal government. Any powers not enumerated in the U.S. Constitution belong to the states or to the people. The Supreme Court is the judicial branch of the federal government that interprets the Constitution; it has the power to reverse lower court decisions based on fact, law, or procedure.

Assignment Directions

You have been called out of class by the school adminis-

tration. The school police say they were told you have stolen a final exam and demand that you open your backpack for inspection. If you refuse, they will immediately seize the backpack and open it. What rights do you have?

Using SIRS Government Reporter, find and read the Fourth Amendment of the Constitution. Locate the Supreme Court case *California v. Acevedo*, which deals with the issue of search and seizure. Find out how the Supreme Court's interpretation of this case relates to your backpack situation.

Evaluation

The student has:

1. Read and restated in his/her own words the meaning of the Fourth Amendment of the U.S. Constitution;
2. Located the Supreme Court case, *California v. Acevedo*, dealing with search and seizure;
3. Recognized the different opinions expressed in this case; and
4. Written a statement answering the question of how the Supreme Court's interpretation of this case relates to the issue of seizing and searching a student's backpack.

Key Terms

Concurring Opinion: A judgment agreeing with the conclusion of a majority opinion of the Supreme Court, but not necessarily in agreement with the logic.

Dissenting Opinion: A judgment disagreeing with the majority opinion of the Supreme Court.

Privacy: In a legal sense, the threshold beyond which government is barred from intruding into its citizens' lives.

Probable cause: A reasonable ground for suspicion, supported by circumstances which would cause a cautious person to believe that a particular thing is true, or that a particular event will occur.

ACTIVITY SHEET 6

Search and Seizure

Directions

You have been called out of class by the school administration. The school police say they were told that you have a stolen final exam in your backpack. They demand that you open your backpack for inspection or they will immediately seize and open it. What are your rights?

Answer the following questions:

1. In Historic Documents, read the Fourth Amendment of the U.S. Constitution and, in your own words, restate what rights the Fourth Amendment safeguards.
2. Locate the Supreme Court case *California v. Acevedo* on SIRS Government Reporter and read it.
3. On what date was *California v. Acevedo* argued and decided?
4. What is the name of the justice who delivered the Court's opinion? Who filed concurring and dissenting opinions?
5. Describe briefly the search and seizure situation in *California v. Acevedo*.
6. What is the difference between the two cited cases: *United States v. Chadwick* and *United States v. Ross*?
7. In *California v. Acevedo*, what is the dissenting opinion? Do you agree or disagree with the opinion of the Court?
8. What does "motion to suppress marijuana" mean? Why is it important to *California v. Acevedo*? If the motion had been granted rather than denied, what would the result have been?
9. What does the Fourth Amendment say about your rights regarding the seized contents of your backpack?
10. Does it make a difference that your private property is on public school property?
11. In *California v. Acevedo*, do you feel that the judges of the Supreme Court have interpreted the Fourth Amendment to meet the current needs of society?

LESSON PLAN 7

Supreme Court Decisions: Due Process and Equal Protection

Students should understand that the concepts of Due Process of Law and Equal Protection under the law are central to the definition of what it means to be a U.S. citizen. These concepts have evolved over time.

Motivation

Supreme Court decisions do not occur in a vacuum. Supreme Court justices are influenced by the events and attitudes of their historical period. The justices also bring their own personal political and social beliefs into the decision-making process. The decisions Plessy v. Ferguson and Brown v. Board of Education represent examples of the historic evolution of judicial thinking on the concepts of Due Process of Law and Equal Protection Under the Law.

Educational Objectives

After reading and researching content on SIRS Government Reporter, students will be able to:

1. Identify how politics influences Supreme Court decisions;
2. Read and understand the arguments within a Supreme Court decision;
3. Explain what Due Process and Equal Protection of the Law means;
4. Write answers to questions relating to the motivations and impact behind these two conflicting decisions.

Discussion

The U.S. Supreme Court opinions in *Plessy v. Ferguson* and *Brown v. Board of Education* are considered landmark cases in American judicial history. They represent contrasting views of the Equal Protection clause of the Fourteenth Amendment to the U.S. Constitution. Each decision led to profound societal changes in the periods in which they were handed down. *Plessy* legitimized practices in the South that allowed for discrimination on the basis of skin color. The *Brown* decision overturned *Plessy*,

making school segregation based on skin color unlawful, and inspired the civil rights movement that expanded the role of African Americans as participants in our society.

Assignment Directions

By using SIRS Government Reporter, access a copy of the United States Constitution. Read and outline the Thirteenth, Fourteenth, and Fifteenth Amendments. Locate the majority and dissenting opinions for *Plessy v. Ferguson* and *Brown v. Board of Education*. Read each opinion and outline the main points.

Evaluation

The student has:

1. Explained the meaning of due process of law and equal protection of the law;
2. Understood and restated the basic facts of both cases;
3. Explained the term separate but equal;
4. Conjectured about how the justices could have conceived the concept separate but equal was fair and legal;
5. Explained the arguments of Justice Harlan's dissent in *Plessy v. Ferguson*; and
6. Explained the arguments of the unanimous opinion in the *Brown v. Board of Education* decision.

Key Terms

Due Process of Law: The principle that an individual cannot be deprived of life, liberty, or property without appropriate legal procedures and safeguards.

Equal Protection Clause: Portion of the Fourteenth Amendment to the U.S. Constitution that prohibits discrimination by state government institutions. The clause grants all people "equal protection of the laws," which means that the states must apply the law equally and cannot give preference to one person or class of persons over another.

Separate but Equal: A doctrine announced by the Supreme Court in the decision *Plessy v. Ferguson* (1896) that racial classification was constitutional if reasonable and was an appropriate exercise of a state's police power.

ACTIVITY SHEET 7

Read the various opinions involved in *Plessy v. Ferguson* and *Brown v. Board of Education* and answer the following questions:

1. Was the *Plessy* majority being honest in citing cases, such as the *Dred Scott* decision, that were decided prior to the passage of the Civil War Amendments, to arrive at their decision?

2. *Plessy* involved discrimination in transportation while *Brown* involved discrimination in education. Is it reasonable to apply the finding in one area (transportation) to another area (education)?

3. In our form of government the courts are not supposed to make the law. Which branch is responsible for this? Does it appear in either of these decisions that the court is overstepping its role and is in fact making law?

4. Justice Harlan, in his *Plessy* dissent, stated that our Constitution is color blind. Does that mean that people must also be color blind?

5. In *Brown v. Board of Education*, why does the Warren court say that the *Plessy* court got it wrong, since we now know that separate but equal is not equal at all?

6. Historians have described *Brown* in terms ranging from “the most important opinion ever handed down” to irrelevant. In characterizing our society over the past fifty years, how influential do you think the decision in *Brown* really is? Why would historians be so far apart in their assessment? Could the race of the historian be a factor in this assessment?



3. Helpful Guidelines

CAPITALIZATION OF GOVERNMENT TERMS

The following information according to *The Chicago Manual of Style*, 15th ed. (which is generally accepted by *The Complete Guide to Citing Government Documents*) helps to explain when to capitalize:

Full names of legislative, administrative, and judicial bodies, departments, bureaus, and offices are usually capitalized. Adjectives derived from them are usually lowercased, except abbreviations.

Not usually capitalized: cabinet; executive; legislative or judicial branch; federal (government, agency, court, powers, etc.); government; state

Judicial: United States Supreme Court; the Supreme Court; the Court; Arizona Supreme Court

Administrative: Department of State; State Department; the department

Legislative: United States Congress; Congress; congressional; Senate (U.S.); the upper house of Congress; House of Representatives; the House; the Foreign Affairs Committee; the committee

Civil Titles: Abraham Lincoln; President Lincoln; president of the United States; the president; vice president; secretary of state; Colin Powell, secretary of state; the speaker; Speaker of the House of Representatives; the chief justice; Chief Justice Rehnquist; William H. Rehnquist, chief justice of the United States; the associate justice; Ruth Bader Ginsburg, associate justice; Justice Ginsburg; Justices Ginsburg and Souter

The following capitalization guide is given by *The Bluebook—A Uniform System of Citation*, 17th ed.:

In headings and titles, capitalize the initial word, the word immediately following a colon (if any), and all other words except articles, conjunctions, and prepositions of four or fewer letters.

Capitalize nouns when they identify specific persons, officials, groups, government offices, or bodies:

- the Agency; the President; Congress, but; the congressional hearings; the presidential veto

Capitalize Court only when naming any court in full or when referring to the United States Supreme Court:

- the California Supreme Court; the supreme court (state supreme court); the Court (the U.S. Supreme Court)

Capitalize Constitution only when naming any constitution in full or when referring to the U.S. Constitution. Also, capitalize parts of the U.S. Constitution when referring to them in textual sentences, but not in citations:

- Fifth Amendment; Bill of Rights; Article 1 of the Constitution; but: see U.S. CONST. art. 1

Capitalize Judge/Justice when giving the name of a specific judge or justice or when referring to a Justice of the U.S. Supreme Court:

- Judge Cedarbaum; Justice Scalia; the Justice (referring to a Justice of the U.S. Supreme Court)

Justices of the U.S. Supreme Court are always listed with the Chief Justice first, and then in order of seniority:

- Chief Justice William H. Rehnquist, Justice John Paul Stevens, Justice Sandra Day O'Connor, Justice Antonin Scalia, Justice Anthony M. Kennedy, Justice David Hackett Souter, Justice Clarence Thomas, Justice Ruth Bader Ginsburg and Justice Stephen G. Breyer

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Harrell, Mary Ann and Anderson, Burnett. *Equal Justice Under Law*. Washington, D.C.: The Supreme Court Historical Society, 1994.

Articles for students

["Longest Sitting U.S. Supreme Court Opens New Term"](#)
Washington File Oct. 8, 2004;4K

["2002 Year-End Report on the Federal Judiciary"](#)
Third Branch Jan. 2003; 12K

["Brown v. Board of Education: The Supreme Court Decision That Changed a Nation"](#)
ISSUES OF DEMOCRACY Sept. 1999; 18K

["How the Supreme Court Selects and Decides Cases"](#)
ISSUES OF DEMOCRACY Sept. 1999; 5K

["How Our Laws Are Made, 22nd Edition"](#)
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Sept. 1999; 172K

["The Founding Fathers: A Brief Overview"](#)
THE FOUNDING FATHERS: A BRIEF OVERVIEW
July 1996; 9K

["The Supreme Court of the United States"](#)
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Articles for educators

["A Free Press"](#)
Principles of Democracy Feb. 2004;3K

["Legal Foundations of Press Freedom in the United States"](#)
GLOBAL ISSUES Feb. 2003; 19K

["1998 Year-End Report of the Federal Judiciary"](#)
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["Supreme Court Sets Guidelines for Scientific Evidence"](#)
CHILD SUPPORT REPORT Nov. 1993; 7K

["Constitutional Constraints on the Use of Force"](#)
FBI Law Enforcement Bulletin Feb. 1992; 44K

["Waiting for Roe II"](#)
CRS Review (Congressional Research Service)
Sept. 1991; 10K

(Note: These are just highlights of the many informative articles about the U.S. government and Supreme Court on SIRS Government Reporter. Please feel free to search the database for other pertinent information.)

LANDMARK CASES

SIRS Government Reporter includes the following landmark cases that have significantly altered constitutional doctrines. **(Note: This list is only a small sample of the landmark cases available on SIRS Government Reporter.)** The evolution of national social policy can be traced by considering the general area of constitutional guarantees and following the path from the source to the present.

1. Source of the Judiciary and the Marshall Court

Marbury v. Madison (1803)
Fletcher v. Peck (1810)
Dartmouth College v. Woodward (1819)
McCulloch v. Maryland (1819)
Gibbons v. Ogden (1824)

2. Incorporation of the Bill of Rights

Barron v. Baltimore (1833)
Gitlow v. New York (1925)
Palko v. Connecticut (1937)
Benton v. Maryland (1969)

3. Religion: Free Exercise and Establishment Free Exercise of Religion

Wisconsin v. Yoder (1972)

Religious Establishment

Everson v. Board of Education (1947)
Engel v. Vitale (1962)
Wallace v. Jaffree (1985)

4. Freedom of Speech

Pure Speech and Symbolic Expression

Schenck v. United States (1919)
Brandenburg v. Ohio (1969)
Tinker v. Des Moines (1969)

Expression and Public Order

Chaplinsky v. New Hampshire (1942)
Cohen v. California (1971)

5. Right to Privacy

Griswold v. Connecticut (1965)
Roe v. Wade (1973)
Webster v. Reproductive Health Services (1989)
Cruzan v. Missouri Department of Health (1990)
California v. Acevedo (1991)

6. Investigations and Evidence

Searches, Seizures and Warrants

Terry v. Ohio (1968)
Chimel v. California (1969)
Ohio v. Robinette (1996)

Exclusionary Rule

Mapp v. Ohio (1961)

Fifth Amendment and Self-Incrimination

Miranda v. Arizona (1966)

7. Attorneys, Trials and Punishment

Right to Counsel

Gideon v. Wainwright (1963)

Death Penalty

Furman v. Georgia (1972)
Gregg v. Georgia (1976)

8. Civil Rights: Discrimination

Racial Discrimination

Dred Scott v. Sandford (1856)
Yick Wo v. Hopkins (1886)
Plessy v. Ferguson (1896)
Korematsu v. United States (1944)
Shelley v. Kraemer (1948)
Brown v. Board of Education (1954)
Loving v. Virginia (1967)

Sex Discrimination

Frontiero v. Richardson (1973)
Craig v. Boren (1976)
Faragher v. City of Boca Raton (1998)
Oncale v. Sundowner Offshore Services (1998)

Alien Discrimination

Plyler v. Doe (1982)

Discrimination Remedies

Regents of the University of California v. Bakke (1978)

9. Voting Rights

Baker v. Carr (1962)

INDEX TO THE CONSTITUTION

The [U.S. Constitution](#) can be found in the Historic Documents section of Government Reporter.

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SUPREME COURT GLOSSARY

A Priori: A form of reasoning that infers the truth of a proposition from other propositions assumed to be true.

Ad Litem: For the purposes of the suit.

Ad Valorem: According to the value.

Affirmative Action: Any action taken in an attempt to eliminate discriminatory practices in hiring, promotion, or selection based on race, gender, religion or membership in a minority group.

Alienage: The status of having been born in a foreign country.

Amicus Curiae: A friend of the court, generally used in connection with briefs submitted by non-parties expressing views on a pending case.

Ancillary Jurisdiction: A Federal Court's jurisdiction over some matters that are incidental to other matters which are properly before the court.

Arguendo: For the sake of argument.

Bench Trial: A trial in which the final decision is rendered by a judge without the participation of a jury.

Certiorari: A writ issued by a superior court to an inferior court requiring the certification and return of the record and proceedings in order that a record may be corrected by appellate review.

Class Action: An action at law brought by one or more nominal plaintiffs on behalf of a class of persons.

Collateral Estoppel: See Res Judicata.

Common Law: Legal rules or principles developed by the courts on a case-by-case basis, as opposed to statutory law, which is developed by the legislature, and regulatory law, which is developed by the executive branch.

Compensatory Damages: A money award granted by a court to a victim for the purpose of restoring the victim to his/her condition prior to the violation.

Concurring Opinion: An opinion agreeing with the conclusion of a majority opinion, but not necessarily with the logic.

Damages: Money given to a prevailing party in a lawsuit because of the unlawful conduct of the other party.

Declaratory Judgment: A judgment of a court that establishes the rights of the parties or addresses a question of law without ordering that anything be done.

Defendant: In a criminal case, the person accused; in a civil case, the party against whom relief is sought.

Denial of Writ of Certiorari: A case in which certiorari is denied because four Supreme Court justices cannot agree that it should be considered for decision. In SIRS Government Reporter, this case is categorized as Miscellaneous and is not accompanied by a Syllabus.

Discovery: A pretrial procedure by which one party gains information that is held by the other party.

Dissenting Opinion: An opinion disagreeing with the majority opinion.

En Banc: A hearing before all the members of a court.

Estoppel by Judgment: See Res Judicata.

Ex Parte: Application to or proceeding of a court without notice to the adverse party. A single party action, as opposed to Inter Partes.

Exculpatory: Tending to clear of guilt or blame; as opposed to Inculpatory.

Express Language: Words which mandate a particular course of action or direction; as opposed to Precatory Language.

Hearsay: An out-of-court assertion which is being offered in court by a testifying witness, to prove the truth of the matter asserted.

Impeachment: The process by which a public official is removed from office.

In Forma Pauperis: Permission given to an indigent person to proceed with litigation without incurring court costs.

In Personam: Against a person; as opposed to In Rem.

In Rem: Against a thing; as opposed to In Personam.

Inculpatory: Tending to incriminate or indicate guilt; as opposed to Exculpatory.

Indictment: A formal accusation by a grand jury charging one or more persons with a crime.

Injunction: An action in equity which protects the plaintiff from irreparable injury to his property or other rights, of which a court of equity will take cognizance, by prohibiting or commanding the doing of certain acts.

Inter Alia: Among other things or matters.

Inter Partes: Legal action between two parties; as opposed to Ex Parte.

Intermediate Scrutiny: The standard of scrutiny used by the courts to judge equal protection claims which demand neither strict scrutiny nor the rational basis test. The government must show a substantial relationship between the law in question and an important governmental interest.

Invidious: Impermissible; sometimes including a tendency to arouse ill will or animosity.

Judicial Activism: Where judges exceed their appropriate powers and engage in making the law, not merely interpreting it; as opposed to Judicial Restraint.

Judicial Restraint: Where judges resist the temptation to influence public policy in the direction of their own agenda and objectively interpret the law; as opposed to Judicial Activism.

Legislative History: The record of legislative deliberations on a statute prior to its adoption.

Litigation: A lawsuit; a controversy in which legal rights are determined by a court.

Mandamus: A command, by order or writ, issuing from a court of law, in the name of a state or sovereign, requiring the performance of a particular duty which results from the official station of the party to whom the writ is directed.

Mens Rea: Referring to the state of mind during the commission of a crime; evil intent.

Miscellaneous: Used in SIRS Government Reporter to describe a Per Curiam opinion or a Denial of Writ of Certiorari.

Moot Question: A question which is abstract or hypothetical. A question as to which there is no longer any actual controversy existing because the case or controversy is somehow resolved while the case is pending.

Negligence: Failure to act in the way that a reasonable person would, given the same circumstances.

Opinion: The decision in a particular Supreme Court Case reached by the majority.

Overinclusive: A statutory classification is overinclusive if not everyone designated as due similar treatment under the statute is similarly situated with respect to the advancement of the statutory objective.

Per Curiam Opinion: This decision is collectively written by the court or not authored by a specific justice. In SIRS Government Reporter, a per curiam opinion is classified as a Miscellaneous document and is not accompanied by a Syllabus.

Per Se: By itself. As such.

Petitioner: One seeking relief by petition. The party who brings an appeal to the court; as opposed to the Respondent.

Plaintiff: The person or party who sues in a civil case; the complainant.

Plurality Decision: A judgment of a reviewing court that is agreed to by a majority of the judges but that is not supported by any one opinion endorsed by a majority of the judges.

Police Power: The power of governments at all levels to impose restrictions reasonably related to the promotion and maintenance of the health, safety, morals and general welfare of the public.

Precatory Language: Words of request, desire or suggestion; as opposed to Express Language.

Precedent: A previous court decision considered as the authority for a similar or identical case arising at a later time.

Preemption: The doctrine that federal law takes priority over the state and local legislation dealing with the same subject matter.

Preponderance of the Evidence: The general standard of proof in civil cases. Evidence is said to meet this standard if it is more convincing than opposing evidence; more likely to be true than not.

Presumption: An assumption, required by a rule of law, that certain factual claims are true. A presumption may be either "conclusive," in which case no contrary evidence will be considered, or "rebuttable," as is the presumption of innocence.

Pretext: An explanation that serves to disguise or obscure one's real purposes.

Prima Facie: At first sight. A claim sufficiently established by the evidence presented to justify a verdict, provided the opposing party does not rebut such evidence.

Prior Restraint: Administrative and judicial orders forbidding certain communications when issued in advance of the time that such communications are to occur.

Probate: The act or process of proving a will.

Probative: Tending to prove or establish a fact.

Procedural Due Process: Guards against arbitrary governmental action through a notice and hearing requirement, which guarantees every citizen "his day in court with a chance to be heard." Protection of the Fifth and Fourteenth Amendments of the U.S. Constitution to assure a fair procedure when the government imposes a burden on a citizen.

Punitive Damages: A money award granted by a court to a victim for the purpose of expressing its disapproval of the defendant's behavior and for the purpose of deterring others from similar conduct.

Quid Pro Quo: This for that. An arrangement in which parties give one valuable thing in exchange for another.

Rational Basis Scrutiny: The least rigid standard of scrutiny applied by courts in analyzing an equal protection claim. The government must show that the challenged law bears some rational relation to a legitimate legislative purpose.

Rational Relation: A standard used in equal protection cases that requires that the statutory classification be rationally related to the advancement of a legitimate government interest.

Rebuttal: The opportunity to introduce evidence that undermines confidence in the arguments made in support of a claim.

Recusation: A challenge to a judge requesting that he/she be disqualified because of bias, prejudice or partiality.

Remand: To send back for further deliberation or action.

Res Judicata: Literally, the thing has been decided. Once a matter has been adjudicated, Res Judicata acts as a bar to a second litigation by the same parties as to the same claim or demand.

Respondent: The party against whom an appeal is taken to a higher court, having been the successful party in a suit in the lower court; as opposed to Petitioner.

Scienter: Knowledge; particularly knowledge that charges with guilt or liability. Knowledge of a person making a representation who knows at the time of making it that the representation is false.

Standing: A plaintiff has standing to bring suit in the federal courts if he/she can allege a direct injury as a result of violation of a duty arising out of a constitutional or federal legal right.

Stare Decisis: The doctrine that judicial decisions should stand as precedents for guidance in cases arising in the future.

State Action: An act performed by, caused by, or otherwise attributable to a government or to an instrumentality of a government.

Strict Scrutiny: The most rigid standard of scrutiny which the courts will apply in analyzing an equal protection claim. The government must show a compelling interest in support of its law, or it will be held unconstitutional.

Sua Sponte: Of his/her own motion.

Substantive Due Process: Doctrine arising from the Fifth and Fourteenth Amendments of the U.S. Constitution mandating that legislation be fair in content, as well as application.

Summary Judgment: Granted by a court to the mover where there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.

Suspect Classification: A statutory classification that the courts suspect of being used to further discriminatory purposes against certain protected groups. Such classifications are subject to review under the strict scrutiny standard.

Syllabus: Summary or abstract of a case, prepared by the Supreme Court Reporter of Decisions.

Tort: Any civil wrong, independent of contract, resulting from the breach of a legal duty.

Vacate: To set aside or render void.

Venirepersons: Persons who are summoned by a Writ of Venire and are thereby on a jury panel to be chosen as jurors for a particular case.

Writ of Habeas Corpus: An order initiating a proceeding whose function is to release an individual being held illegally by the state or by a private party.

Wrongful Death Action: A suit brought by the beneficiaries, alleging that decedent's death was caused by defendant's wrongful act and seeking to recover economic benefits lost as a result.

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Longest Sitting U.S. Supreme Court Opens New Term

Panel expected to address death penalty, federalism cases

By Alexandra Abboud
Washington File Staff Writer

The U.S. Supreme Court opened its term on October 4 with 49 cases on the docket and two dozen more expected, cases that raise such important legal issues as the death penalty and the use of medical marijuana.

The current group of nine justices is the longest serving Supreme Court since the 1820s: no justice has retired in the last 10 years.

One of the most significant cases on the docket, *Roper v. Simmons* (No. 03-633), asks the Court to decide if the Eighth Amendment to the U.S. Constitution, which prohibits "cruel and unusual punishments," prevents courts from applying the death penalty to defendants who were 16 or 17 years old when they committed their crimes. The test that the Court uses is whether such a punishment offends "evolving standards of decency in a civilized society."

In *Ashcroft v. Raich* (No. 03-1454), the Court will decide the constitutionality of a California law that permits the use of marijuana with a doctor's approval. Eight states currently have laws allowing

marijuana use with medical supervision. At issue in the case before the Supreme Court is whether the federal government has authority over marijuana for medical purposes and therefore can restrict it.

Ashcroft v. Raich presents a clear example of the federalism cases--cases that test the boundaries between state and national authority--that the Supreme Court hears each year. Other federalism issues that the Court will consider during this term include a commerce case that questions whether New York and Michigan can continue to prohibit shippers outside the state from shipping wine directly to consumers. The question in *Granholm v. Heald* (No. 03-1116) and *Swedenburg v. Kelley* (No. 03-1274) hinges on whether the states have the right to regulate the sale of alcohol, or if doing so creates an unconstitutional barrier against commerce.

A criminal law case, *Illinois v. Cabelles* (No. 03-923), asks whether subjecting a vehicle stopped by the police to an inspection by a drug-sniffing dog--even when there is no suspicion of drug possession--is a violation of the Fourth Amendment, which prohibits unlawful search and seizure.

The Court also has agreed to hear cases on age, sex, race and disability discrimination, and might--if it chooses to accept the case filed by the American Civil Liberties Union on October 1--decide the constitutionality of a Florida law that bars gays and lesbians from adopting children.

As the members of highest court in the United States, with authority over all federal courts, the justices and their staff must divide their time among a variety of tasks. This Supreme Court term will continue through June or July 2005. During this time, the nine justices will hear cases and deliver opinions with the aid of their law clerks (lawyers who work for the justices), who assess hundreds of cases each term and write memos on their merits for review. The justices decide which cases to accept, granting review to less than one percent of the appeals that come to them.

During this Court's tenure, clear patterns of how each justice is likely to rule on a particular issue have emerged. Although some cases are decided unanimously by the Court, most cases result in a 5-4 or 6-3 split. The Chief Justice of the Supreme Court, William Rehnquist, along with associate justices Clarence Thomas and Antonin Scalia, generally take a conservative position on issues. Justices John Paul Stevens, Ruth Bader Ginsburg, David Souter and Stephen Breyer are considered to deliver more liberal opinions. As a result of this split, often considered a mirror of the differing opinions of the American public, the more moderate justices, Sandra Day O'Connor and Anthony Kennedy, often hold the deciding votes.

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