Who Gets Heard?

How independent courts protect the right to speak

8.C.4.5.F "Explain the importance of an independent judicial system to the interpretation and defense of citizens' rights and liberties."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the sentence that explains why the speech rule treats critics unfairly, circle the sentence that shows how independence affects the judge, and number two details showing how the court defends residents' speech.

A Rule at City Hall

1. At a city council meeting, the chair announces a new rule for public comments: residents may praise a proposed bus plan, but they may not criticize it. When Maya tries to explain why the plan would cut off her neighborhood, the chair turns off her microphone. Maya challenges the rule in court. The First Amendment protects freedom of speech, but a court must interpret how that protection applies in this setting. It must consider both the council's need to run an orderly meeting and the rule's different treatment of praise and criticism.

2. The mayor, who supports the bus plan, asks the judge to dismiss Maya's case. An independent judge does not take orders from the mayor or decide cases to keep popular officials happy. Instead, the judge listens to both sides, studies the Constitution and relevant law, and gives reasons for a decision. Rules that limit speaking time equally can help a meeting run smoothly. A rule allowing praise while banning criticism treats speakers differently because of their views. Judicial independence makes a fair review possible even when city leaders oppose it.

3. After hearing the case, the judge rules that the council cannot keep the praise-only rule. The court orders the council to stop enforcing that rule, so Maya and other residents can criticize the plan during public comments, as long as they follow fair limits on speaking time. This decision does not give anyone the right to interrupt the meeting or speak forever. It protects a liberty by requiring officials to respect constitutional limits on their power. Without an independent court, leaders could silence critics and avoid a serious challenge.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why does the judge need to consider both orderly meetings and the treatment of different views when interpreting Maya's speech right?

2. How could taking orders from the mayor prevent a fair decision about Maya's rights?

3. Why might an equal speaking-time limit be allowed when the council's ban on criticism is not?

4. How does the court's order defend residents' speech without giving them unlimited time to speak?

3 YOUR TURN

Your own words

A mayor tells police to search the homes of residents who signed a petition against a new tax, with no evidence of a crime or other legal reason for a search. In four to five sentences, explain what a judge should consider about the residents' Fourth Amendment rights, why independence matters, and one way a court could defend those rights.

ANSWER KEY

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GRADE 8 · 8.C.4.5.F

PART 1 · READ AND MARK

Underline the sentence that explains why the speech rule treats critics unfairly, circle the sentence that shows how independence affects the judge, and number two details showing how the court defends residents' speech. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why does the judge need to consider both orderly meetings and the treatment of different views when interpreting Maya's speech right?	**The council may use fair limits to keep meetings orderly, but it cannot allow praise while banning criticism because of a speaker's view.**
2	How could taking orders from the mayor prevent a fair decision about Maya's rights?	**The mayor supports the plan and wants the case dismissed. Following his orders would keep the judge from independently reviewing the speech rule.**
3	Why might an equal speaking-time limit be allowed when the council's ban on criticism is not?	**An equal time limit helps run the meeting without favoring a view. The ban treats criticism differently from praise.**
4	How does the court's order defend residents' speech without giving them unlimited time to speak?	**The order stops the council from banning criticism, but residents must still follow fair speaking-time limits.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The Fourth Amendment protects people from unreasonable searches, so the judge should ask whether police have a lawful reason to enter these homes. Signing a petition against a tax does not by itself give police such a reason. An independent judge can decide the case without obeying the mayor's wishes. If the searches are planned, the court could order officials not to carry them out without lawful grounds.

Accept answers that distinguish fair, view-neutral meeting limits from a ban on criticism. For Your Turn, look for an explanation of unreasonable searches, independent review, and a possible court order protecting residents.