

Court Power in Action

Trace how Supreme Court rulings changed the role of courts.

CE.5.d "explaining the effects of Supreme Court cases affecting the judiciary including, but not limited to Marbury v. Madison."

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Circle each Supreme Court case name. Then underline one sentence connected to each case that explains how the ruling affected the judiciary or other courts.

Rulings That Shaped Courts

- ① In 1803, the Supreme Court decided Marbury v. Madison after William Marbury asked the Court to order Secretary of State James Madison to deliver his commission. Chief Justice John Marshall wrote that part of the Judiciary Act of 1789 gave the Court power that the Constitution did not give it. The Court could not issue Marbury's requested order. More important, the decision established judicial review, the power of courts to decide whether laws conflict with the Constitution.
- ② Judicial review changed the judiciary's role in government. Courts did not write laws or enforce them, but they could examine laws and government actions in cases brought before them. If a court found a conflict with the Constitution, it could refuse to apply that law or action in the case. This power helped the judicial branch serve as a check on the legislative and executive branches. It also made Supreme Court decisions important guides for lower federal and state courts.
- ③ Later cases showed how Supreme Court rulings can affect courts and the country. In Brown v. Board of Education (1954), the Court ruled that racial segregation in public schools violated the Fourteenth Amendment's Equal Protection Clause. The ruling rejected the separate-but-equal rule used in earlier school cases. Federal courts later heard disputes about carrying out desegregation orders. Brown showed that the Supreme Court can interpret constitutional rights, and that lower courts may use those interpretations when deciding related cases.

2 ANSWER WITH EVIDENCE _____ Use the passage

1 What did Chief Justice Marshall say was wrong with part of the Judiciary Act of 1789?

2 What power did Marbury v. Madison establish, and what does that power allow courts to do?

3 How did judicial review change the role of the judicial branch in relation to the legislative and executive branches?

4 What did Brown v. Board of Education rule, and how did the ruling affect federal courts later?

3 YOUR TURN _____ Your own words

Imagine the Supreme Court finds that a state law violates the First Amendment. Write three sentences explaining the power the Court uses, what could happen to the law in the case, and one effect on other courts or branches of government.

PART 1 • READ AND MARK

Circle each Supreme Court case name. Then underline one sentence connected to each case that explains how the ruling affected the judiciary or other courts. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	What did Chief Justice Marshall say was wrong with part of the Judiciary Act of 1789?	It gave the Supreme Court power that the Constitution did not give it.
2	What power did Marbury v. Madison establish, and what does that power allow courts to do?	It established judicial review, which allows courts to decide whether laws conflict with the Constitution.
3	How did judicial review change the role of the judicial branch in relation to the legislative and executive branches?	It allowed courts to examine laws and government actions and serve as a check on the legislative and executive branches.
4	What did Brown v. Board of Education rule, and how did the ruling affect federal courts later?	Brown ruled that racial segregation in public schools violated the Equal Protection Clause. Federal courts later heard disputes about carrying out desegregation orders.

PART 3 • YOUR TURN (SAMPLE ANSWER)

The Court uses judicial review to compare the state law with the First Amendment. It can refuse to apply the unconstitutional law in the case before it. The ruling guides lower courts and shows the judiciary checking another branch of government.

Accept equivalent explanations that judicial review lets courts judge laws or government actions against the Constitution. For the open response, require all three parts: judicial review, a case-level result for the law, and an effect on courts or another branch.