

FP.C&G.5.2

Analyze state and federal courts by outlining their jurisdictions and the adversarial nature of the judicial process (e.g., Appellate, Exclusive, Concurrent, Original, types of federal courts, types of state courts, oral argument, courtroom rules, Supreme Court, opinions, Court Docket, Prosecutor/Prosecution, Complaint, Defendant, Plaintiff, hearing, bail, indictment, sentencing, appeal, etc.).

Students will understand:

1. Legal systems can be structured to allow courts the authority to hear and decide cases. (Structure of government, separation of powers with checks and balances)
2. Separation of powers and checks and balances may slow down the process of enforcing and interpreting laws, which often insures better outcomes. (Structure of government, separation of powers with checks and balances)
3. Independent courts in a democratic system often exist to provide interpretation to the legality of executive and legislative actions. ("...excerpts or portions of decisions of the Supreme Court of the United States)
4. The adversarial process within the judicial system of a democratic nation is intended to provide both for the protection of the individual defendant and the interests of the state or plaintiff in the pursuit of justice.

Students will know:

1. The structure of the court system (federal, state and local). (Structure of government, separation of powers with checks and balances, federalism)
2. Constitutional checks and balances between the courts and the other two branches at the state and federal levels. (structure of government, separation of powers with checks and balances)
3. The types of jurisdictions among both North Carolina and federal courts. (federalism)
4. Controversies over court jurisdiction.
 - a. For example: some arguments have been made that the courts should be limited in the types of cases that they may hear.
5. The types of law
6. The contextual meaning of "adversarial."
7. How conflicts are resolved through the judicial process at the state and federal level.
8. How and why the US Supreme Court chooses to hear a case.
9. Examples of how the concept of judicial review has been applied over time.