

Teacher Notes



The Federal Court System

Activity 3: Developing a New Nation and the Power of Federal Courts

Activity Overview

In this activity, students will research and prepare a persuasive paper on how federal courts should be constructed in a new country. Students are to consider themselves part of a panel that will develop a new government after living under a tyrannical dictatorship for many years. Using the Federalist Papers, the U.S. Constitution, and *Marbury v. Madison* as primary sources, the students will decide whether they should model the new country's federal courts after the United States' court system or create a new type of federal court system. Students will also demonstrate how the power of the federal courts in this new country will be limited so that the judicial branch of the government does not take over too much of the power.

Activity at a Glance

- ◆ **Subject:** Social Studies
- ◆ **Subject Area:** Civics/Government
- ◆ **Category:** The Federal Government
- ◆ **Topic:** Federal Court System
- ◆ **Grade Level:** 10 – 12
- ◆ **Prerequisites:** Understanding of checks and balances and powers of the federal courts
- ◆ **Total Teaching Time:** 120 minutes

Materials

- ◆ TI-84 Plus/TI-83 Plus
- ◆ TI-Navigator™ classroom network
- ◆ Unit-to-unit link cables
- ◆ NoteFolio™ application
- ◆ LearningCheck™ application
- ◆ LearningCheck™ AppVar:
COURTPAP.edc
- ◆ Activity 3-1 Student Handout
(Directions)

Directions

Before the Activity Begins

1. Ensure that each student has a TI-84 Plus/TI-83 Plus with the NoteFolio™ and LearningCheck™ applications.
2. Students should be familiar with navigating within the NoteFolio™ and LearningCheck™ applications.
3. Download the LearningCheck™ AppVar, **COURTPAP.edc**, to each of the graphing calculators using the TI-Navigator™ classroom network.
4. This activity requires the students to write persuasive essays using the information that is given in class. Review the components of a persuasive essay so that the students will know what is expected of them. Inform them that they must support their arguments with evidence from the Federalist Papers, United States Constitution, and *Marbury v. Madison*. This will make their arguments more persuasive, and it will prepare them for a substantive conversation when the class reconvenes.
5. Explain to the students that this activity encompasses two class periods. During the first class period, the students research and prepare a persuasive essay on constructing federal courts within a new country. During the second class period, the students hold a classroom substantive conversation on constructing federal courts within a new country. For this conversation, the instructor could discuss what is happening in Iraq. How should the new government be formed in Iraq? Should it resemble the U.S. government?
6. Distribute Activity 3-1 Student Handout (Directions). Both the directions and the scenario are contained in the LearningCheck™ AppVar, **COURTPAP.edc**. The students will construct their paper in NoteFolio™, so that their ideas can be presented to the class.

During the Activity

1. Monitor students' progress.
2. When the students have the answers to Part 1, ask them to send their answers to the instructor's TI-84 Plus/TI-83 Plus using either the unit-to-unit link cables or the TI-Navigator™ classroom network.
3. Ask the students to write their persuasive essays.

After the Activity

1. Ask students to send their persuasive essays to the instructor's TI-84 Plus/TI-83 Plus using either the unit-to-unit link cables or the TI-Navigator™ classroom network.
2. Have students prepare for a substantive classroom conversation by using the primary sources distributed in class and their own persuasive essays.

**Activity 3-1 Student Handout
(Directions)**

Name: _____

Date: _____

Constructing federal courts within a new country

Scenario:

You have just been transformed into a citizen of a developing nation called Lamponia. After years of living under a tyrannical dictator, an international task force dedicated to freeing the oppressed people of the world has freed you and the rest of the Lamponians. For the last two months, your country has been living in anarchy because the citizens of your country have failed to form any type of new government.

Recently, you and a large group of Lamponians came together to debate on a national government for the people. Since you studied Political Science and Government in the United States and Britain, you were selected to sit on a special task force that would help create new branches of the Lamponian government upon approval of the people. Since your area of expertise is with the judicial branch, your job is to design a federal judiciary system.

Upon receiving your assignment to create a federal judiciary system, you are told by other representatives that it is imperative that the courts have strong but limited power. In the past, the former dictator and members of her family bribed the courts with no recourse for people who were wronged. If a judge failed to exercise his or her duty, the dictator was the only person who could remove the judge. Under the new government, Lamponians want to protect judges from political pressure but also make them accountable to the people.

Part 1:

Note: Use the LearningCheck™ AppVar, **COURTPAP.edc**, with this assignment.

Create a federal judiciary for the people of Lamponia. You have four main tasks:

1. Determine how judges will be selected and length of their tenure.
2. Determine what type of jurisdiction the federal courts in Lamponia will have.
3. Determine whether the Supreme Court of Lamponia will have the power of judicial review, under which they can determine whether a law is unconstitutional.
4. Outline the checks and balances of federal courts with that of the Executive and Legislative branches. Assume that Lamponia's Executive and Legislative branches have the same powers as U.S. Executive and Legislative branches.

Part 2:

In creating this federal judiciary, you are to write a persuasive essay detailing the four requirements outlined above. The Federalist Papers, the United States Constitution, and *Marbury v. Madison* should be used as sources for your essay. This paper should not merely be a reflection of what you believe, but instead should demonstrate your ability to understand the purpose and powers of a federal judiciary. For example, if you think federal judges in Lamponia should be elected or that they should serve only for a certain number of years, you must be able to support your argument with justifications.