

Chief Justice Marshall's Court & Cases

High School US/VA Government

Objectives: Students should be able to:

- analyze, interpret, and synthesize evidence from primary and secondary resources;
- analyze multiple connections across time and place; and
- access a variety of media, including online resources.

Standards

Virginia: GOVT.10b Evaluating How the Marshall Court Established the Supreme Court as an Independent Branch of Government Through its Opinion in *Marbury v. Madison*;

GOVT.10e Investigating and Evaluating How the Judiciary Influences Public Policy by Delineating the Power of Government and Safeguarding the Rights of the Individual

National: NSS-USH.5-12.4 Era 4 Expansion & Reform (1801-1861)
NSS-C.5-8.3 Principles of Democracy

Approx. Time: One and one-half 90 minute blocks or three 45 minute blocks

HOOK: Show students the video clip (below) about the Supreme Court decision to uphold the Affordable Care Act. If students are not aware of it or the details give them some background before you show the clip. After viewing the clip (2.5 minutes), have students discuss whether or not they agree with the decision. Allow for as much time as you believe you need to get them all engaged in the discussion. After that, ask them one last question.

“Where does the Supreme Court get the power to declare a law, like the ACA, constitutional?”

Again, allow for discussion. You may get many answers like “The Constitution” or “I don’t know,” and you may just get a “*Marbury v. Madison*/judicial review.”

If students cannot figure it out, tell them they will discover the answer today.

SCOTUS ACA Decision video clip (Approx. two to two and one half minutes):

I Link: <https://goo.gl/gisPpu>

Today, you will learn that this power came from one of the most important decisions of the Supreme Court - *Marbury v. Madison*. You will also learn how Chief Justice John Marshall’s decision defined the role of the judicial branch giving it the power to review all laws and actions of the federal government and declare them unconstitutional, if necessary.

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Struggling Learners: If students have trouble understanding the documents or drawing conclusions, you should have them work in pairs or small groups to discuss answers. Pairs or groups will share their answers with the class to guide the others.

Post Assessment:

Struggling Learners: Twitter Poll—create a question in Twitter with up to four choices and get instant feedback. You and the students must have a Twitter account to participate but it is EASY, fun, and interactive. Instructions can be found here: <https://goo.gl/6hgu5w>

Advanced Learners: Use the online article (below) about Supreme Court cases every teenager should know. Have students

- select a case,
- create a poster for that case, and
- explain how it is an example of judicial review. Have them share with the class and allow sufficient discussion about the cases. (This is great for class discussion!)

Link: <https://goo.gl/ZAiPae>