

Chapter 1 The Law and the Courts

Section 1.1 The Foundations of Law



Note Taking

Directions As you read, write notes, facts, and main ideas in the Note Taking column. Write key words and short phrases in the Cues column. Then summarize the section in the Summary box.

| Cues | Note Taking |
|---|--|
| <ul style="list-style-type: none"> • Morality: values about right and wrong | <p>ETHICS AND MORALITY</p> <ul style="list-style-type: none"> • People use different methods to decide on the right thing to do. <p>ETHICS AND LAW</p> <ul style="list-style-type: none"> • Following ethical rules helps deal with moral questions. Ethics are subjective, laws are objective. • Five main sources of U.S. law: |
| <p style="text-align: center;">Summary</p> <p>Laws are necessary and are created because people do not always do what they are supposed to do.</p> | |

Chapter 1 The Law and the Courts

Section 1.1 The Foundations of Law



Social Studies **Articles of the Constitution**

Directions The U.S. Constitution was created to describe the three branches of government, to set limits within which the government may pass laws, and to define the rights of the people. Explain how each of the seven Articles accomplishes this by writing your answers on the lines provided.

1. Article I

2. Article II

3. Article III

4. Article IV

5. Article V

6. Article VI

7. Article VII

Chapter 1 The Law and the Courts

Section 1.1 The Foundations of Law



Study Skills Paraphrasing

Directions Read the box below. Then read each paragraph that follows and paraphrase it on the lines provided.

| PARAPHRASING |
|--|
| <p>Paraphrasing means restating a main idea in your own words. It helps you learn to take notes as you read. Paraphrasing helps you focus on the main idea and not get bogged down by all the details. When you paraphrase a reading passage, you do the following:</p> <ul style="list-style-type: none">• Distinguish between important and unimportant information.• Use your own words to write down the main idea.• Use words and phrases instead of sentences. |

The Golden Rule says, "Do unto others as you would have them do unto you." Many people prefer this rule because it works in many situations. The heart of the Golden Rule is empathy. Empathy means putting yourself in another person's position. One way to test whether an action is right or wrong under the Golden Rule is to ask, "Would I want to be treated this way?" If your answer is no, then the action breaks the Golden Rule.

In the early days of England's history, the king tried to centralize the English court system. Judges traveled around the country deciding cases. Because there was no written law, judges made decisions based on the customs and traditions of the people. Judges shared their decisions with one another so that the same laws would be applied everywhere in the country. This practice formed the basis of common law.

Chapter 1 The Law and the Courts

Section 1.1 The Foundations of Law



Test Taking Multiple-Choice Tests

Directions Read the tips below. Then fill in the circle next to the word or phrase that best answers each question.

MULTIPLE-CHOICE TEST TIPS

- Read each answer choice carefully.
- Eliminate the choices you know are incorrect.
- For each remaining choice, ask yourself if it is a good answer or not a good answer.
- Be careful. An answer choice may be a true statement, but not the best answer to the question.

1. What do you call the values that govern a group's ideas about right and wrong?
 ethics opinions
 morality greatest good
2. What do you call the moral rules that most people know without thinking about them?
 real-world ethics opinions
 character traits integrity
3. Laws are created to do all of the following except
 define the legal rights and responsibilities of the people.
 require certain actions or forbid others.
 instill personal values and views on ethics and morality.
 enforce the rights and duties of people through the police.
4. Which of the following is not one of the five main sources of U.S. law?
 court decisions morality
 common law statutes
5. A past case that a court follows when making a present decision is called
 common law. civil law.
 a precedent. a statute.

Chapter 1 The Law and the Courts

Section 1.2 The Court System and Trial Procedures



Note Taking

Directions As you read, write notes, facts, and main ideas in the Note Taking column. Write key words and short phrases in the Cues column. Then summarize the section in the Summary box.

| Cues | Note Taking |
|--|--|
| <ul style="list-style-type: none"> Two U.S. court systems: federal and state | <p>FEDERAL AND STATE COURT SYSTEMS</p> <ul style="list-style-type: none"> Federal courts hear cases with federal subjects and cases involving people from different states or another country. <p>CIVIL TRIAL PROCEDURE</p> <ul style="list-style-type: none"> Civil law governs the relationships between two individual parties. <p>CRIMINAL TRIAL PROCEDURE</p> <ul style="list-style-type: none"> Criminal cases begin with an arrest. |
| <p style="text-align: center;">Summary</p> <p>The federal and state courts are divided into various levels.</p> | |

Chapter 1 The Law and the Courts

Section 1.2 The Court System and Trial Procedures



English Language Arts Compare and Contrast

Directions Civil court cases and criminal court cases have different purposes and procedures. Complete the chart to compare and contrast the two types of court cases. The first one has been done for you.

| Civil Court Cases | Criminal Court Cases |
|---|---|
| Used to govern the relationships between two individual parties | Used to determine if a person committed a crime |
| | Are brought by the government |
| | Can be settled only through the courts |
| Can be tried by a jury or a judge | |
| | Lawyers begin trial with opening statements, present evidence, give closing statements, and jury or judge renders a decision. |
| Decision of jury may not need to be unanimous. | |
| | If defendant is found guilty, defendant is sentenced. |
| Judgment of the court must be carried out, or executed. | |
| A lower court decision can be appealed to a higher court. | |

Chapter 1 The Law and the Courts

Section 1.2 The Court System and Trial Procedures



Study Skills Using Reading Strategies

Directions Read the tips below. For each numbered heading that follows, restate each into a question. Then answer the questions based on the text. The first one has been done for you.

| TIPS FOR READING TEXT | |
|-----------------------|---|
| Preread | <ul style="list-style-type: none"> • Think about what you already know. • Read the chapter title, section titles, section opening pages (Reading Guide, What You'll Learn, Why It's Important), all headings, and summary for each chapter. • Look at the visuals. Read the captions. |
| Question | <ul style="list-style-type: none"> • Ask questions as you read each heading. • Change each heading into one or more questions. Use the words <i>who</i>, <i>what</i>, <i>when</i>, <i>where</i>, <i>why</i>, or <i>how</i> in your question. • Write the questions in your study notebook. • Leave space for the answers. |
| Read | <ul style="list-style-type: none"> • Read your text to find the answers to the questions you asked. |
| Write | <ul style="list-style-type: none"> • In your notebook, write the answer under each question. |

1. Courts of Appeals

What are courts of appeals? They are courts that hear appeals and review cases from the lower courts.

2. Juvenile Courts

3. Alternative Dispute Resolution

4. Remedies

5. Arraignment

Chapter 1 The Law and the Courts

Section 1.2 The Court System and Trial Procedures



Test Taking Reducing Test Anxiety

Directions Read the tips below. Then answer the questions that follow by writing the correct answer in the space provided.

TIPS FOR REDUCING TEST ANXIETY

- Avoid talking to other students about the test. Saying you are scared—or hearing others say they are scared—causes more anxiety.
- Take three deep breaths as you begin the test and whenever you feel anxiety during the test.
- Concentrate on one test question at a time. If you lose your concentration, do not panic. Breathe and bring your focus back to the question.

1. Which of the following is not part of the federal court system?

| | |
|--------------------|----------------------|
| a. district courts | c. courts of appeals |
| b. juvenile courts | d. Supreme Court |

2. Why does the Supreme Court decide to hear a case?
 - a. two of the nine justices decide to hear the case
 - b. the Chief Justice decides to hear the case
 - c. lower courts disagree on how to resolve the case
 - d. the President of the United States refers the case to the Supreme Court

3. What are the time limits for when a plaintiff may sue a defendant called?

| | |
|---------------------------|----------------|
| a. statutes of limitation | c. litigation |
| b. survival statutes | d. arbitration |

4. What is conciliation?
 - a. a negotiation where each party appoints a person as a representative
 - b. a negotiation where the intermediary brings the parties together
 - c. a negotiation where only the intermediary makes the final decision
 - d. a negotiation where the intermediary meets separately with the parties involved

5. Which is not a step in a trial?

| | |
|---------------------------|-------------------------|
| a. selecting a jury | c. arbitration |
| b. arguments and evidence | d. verdict and judgment |

Chapter 1 The Law and the Courts

Chapter Content Vocabulary



English Language Arts Writing

Directions Select ten words from the list below. Use each in a sentence that shows you understand the meaning of the word.

| | | |
|--------------------------------------|-------------------|--------------|
| administrative law | bail | jurisdiction |
| alternative dispute resolution (ADR) | common law | justice |
| appellate court | constitution | law |
| arraignment | detention hearing | morality |
| arrest | ethics | statute |

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Chapter 1 The Law and the Courts

Chapter Academic Vocabulary



English Language Arts Reading Skills

Directions Circle the letter of the phrase that best completes each sentence.

- Empathy** means
 - to apply to many situations.
 - to lie to save somebody's life.
 - to put yourself in another person's position.
 - to know without thinking.
- Telling a lie to save a person's life might be considered **permissible**, or
 - acceptable.
 - dangerous.
 - wrong.
 - unethical.
- In Europe, the civil law system is **prevalent**, or
 - immoral.
 - unlawful.
 - never used.
 - used widely.
- In juvenile courts, hearings are **informal**, which means they
 - are open to the general public.
 - are more casual and less formal.
 - do not protect the privacy of minors.
 - are not attended by the juvenile offender.
- A **mediator**
 - is hired by the parties to settle a dispute.
 - tries to persuade the parties to compromise.
 - represents each party to try to hammer out an agreement.
 - goes back and forth between parties to seek a consensus.
- According to the principle of double **jeopardy**, a person who is found not guilty
 - may request a second trial.
 - cannot be tried twice for the same crime in the same kind of court.
 - may be fined twice the amount.
 - cannot ever receive the death penalty.