

Teacher's Name:  
Employee Number:  
School:

**Social Studies Lesson Plan- SS.5.C.3.6**

**Examine the foundations of the United States legal system by recognizing the role of the courts in interpreting law and settling conflicts.**

1. **Title: The Federal Court System – Fifth Grade**
2. **Overview - Big Ideas:**

Enduring Understandings

- Identify the basic levels and functions of the judicial branch.
- Understand that the American judicial system is actually made up of two separate court systems: the federal court system and the state court systems.
- Recognize the different federal Courts.
- Comprehend the structure of the Federal Court system.
- Appreciate the importance of the US Supreme Court.
- Understand the jurisdiction of the courts.
- Compare and contrast the Court of Appeals and the Supreme Court using a Venn diagram

Essential Questions – (What provocative questions will you use to foster inquiry, understanding and transfer of learning?)

- How many courts does the federal judicial system have?
- How are these courts alike and how are they different?
- Why do people appeal their cases?
- Why are there two court systems in United States?
- How do the different courts share jurisdiction?
- Who chooses or appoints federal judges?
- Why does the US Supreme Court choose such a small number of cases?

**3. Lesson Objectives:**

Standards - Next Generation Sunshine State Standards for Social Studies

Fifth Grade NGSSS-SS Benchmarks

- SS.5.C.3.6 Examine the foundations of the United States legal system by recognizing the role of the courts in interpreting law and settling conflicts.

Tested Seventh Grade NGSSS-SS Benchmarks Relevant to this Lesson

- SS.7.C.3.11 Diagram the levels, functions, and powers of courts at the state and federal levels.
- SS.7.C.3.12 Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, Marbury v. Madison, Plessy v. Ferguson, Brown v. Board of Education, Gideon v. Wainwright, Miranda v. Arizona, in re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmer, United States v. Nixon, and Bush v. Gore.

**4. Key Vocabulary:**

appeal, appeals, appellate jurisdiction, Civil, jurisdiction, Courts of appeals, criminal, diplomats, district courts, judicial review, justices, Original jurisdiction, trial court.

**5. Evidence of Student Understanding (Assessment) in this Lesson:**

***What key knowledge and skills will students acquire as a result of this lesson?***

After students complete this lesson, they will be able to identify the basic functions and structure of the judicial branch. They will be able to analyze the impact that the federal courts could have in their everyday lives. Furthermore, students will be able to understand that the American judicial system is actually made up of two separate court systems: the federal court system and the state court systems. Students should be able to articulate the similarities and differences between the three federal courts. They should also be able to understand the importance of the US Supreme Court as the supreme court of the United States.

***What will students be able to do as a result of such knowledge and skills?***

As a result of acquiring the knowledge and skills addressed in this lesson, the student will be able to complete the attached graphic organizers: analyzing key vocabulary relevant to this lesson; describing the basic functions of the federal court system; and comparing and contrasting the U.S. Court of Appeals to the U.S. Supreme Court. Students should also be able to discuss the importance of the appeal process and explain how courts help settle disputes and protect individual rights. Students should be able to write a journal entry explaining what qualifications they would use when appointing federal judges. Additionally, students will be able to correctly answer the questions that are part of the formal assessment included with this lesson.

Both **formative and summative assessments** are **included**

**6. Materials Needed:**

- Attachment A: Reading #1: The ABC's of the Federal Court System
- Attachment B: Graphic Organizer: The three levels of the Federal Court System
- Attachment C: Graphic Organizer: Word web
- Attachment D: Graphic Organizer: Cause and Effect
- Attachment E: Graphic Organizer: Compare and Contrast
- Attachment F: What I learned about the Supreme Court
- Attachment G: Post Quiz

**7. Steps to Deliver the Lesson:**

*A detailed, step by step description of how to deliver the lesson and achieve the lesson plan objectives.*

- a. Lesson Opening: Briefly review the lesson on Federalism. Ask students if they can name the three branches of government as stated in the United States Constitution. Make a chart on white board of the three branches based on student responses. Explain that our form of government has different levels of government: National (entire US); State (50 individual state governments); and local (City or county). Note that levels are

different than branches. Tell students that they are going to start learning about the judicial branch at the National or Federal level. Ask them if they have ever been in a court room or if they have seen one on TV. Ask students to share their experience (if they feel comfortable with sharing) or ask them to draw a courtroom i.e. bench, judge with black robe, bailiff, attorney, accused, etc.

- b. Reading: Use jump in reading strategies or other effective reading strategies appropriate for your class to read attachment A: “The ABC’s of the Federal Court System.” Stop, discuss, and check for understanding during appropriate points in the reading. Invite students to ask provocative questions.
- c. Have students define important vocabulary words (bold letters in attachment A) using the word web graphic organizer attachment C. It is very important that students understand these words.
- d. Distribute and discuss the graphic organizer (Attachment B): Chart of the three levels of Federal Courts. Have students fill in the spaces with important information about each court. Work with students to complete the graphic organizer. Go over the answers with them using a smart board or a projector.
- e. Distribute (**Attachment E**): A Venn Diagram comparing and contrasting the two appellate courts of the federal court system: The US Courts of Appeals and the U.S. Supreme Court. **Note**: the first two pages of attachment E are for students; the last one has the answers (for teachers only). Discuss the answers with students. You could also play a game with teams to see which team had the correct answers. Students may use attachment A to find answers.
- f. Have students complete the independent writing assignment listed in #7 below.
- g. Have students take the post-quiz associated with this lesson (Attachment G). Go over the quiz with students. Check for understanding and re-teach any concepts not understood.

## 8. **Specific Activities: (From Guided to Independent)**

*Activities designed to facilitate the gradual release of teacher responsibility, from teacher-led to independent.*

- a. After students have completed the reading assignment and the different graphic organizers (Attachments B, C). Have students write information

about what have they learned about the Supreme Court. Use **attachment F** to have students imagine that they have just been elected president of the United States and have to select the next Supreme Court Justice. Write an entry listing qualifications are you looking for and noting why these are important qualities for a Supreme Court Justice to possess.

- b. Pair students who are struggling readers and/or English Language Learners with another student for assistance.
- c. Circulate the room to monitor students' abilities in writing the journal entry. If students have difficulty with this assignment, model a sample journal entry on the white board.
- d. Have students share their completed journal entries (Attachment F) with the class.

**9. Differentiated Instruction Strategies:**

*How to accommodate a variety of student learning needs, remediation strategies as well as enrichment strategies.*

- a. As students are completing the graphic organizers, work individually with students who are having difficulty with this task. For the vocabulary web, choose three or four words for students to complete.
- b. While students are completing the journal entry, work on an individual basis with students who are having difficulty.
- c. For students who are visual learners go to different civics activities listed in the *Technology Integration* section below and have them try some of the games.

**10. Technology Integration:**

*Activities incorporating technology; e.g., address lesson content through online resources.*

- a. Have students visit the website [icivics.org](http://www.icivics.org) and follow directions to play a version of go-fish game:  
<http://www.icivics.org/teachers/lesson-plans/trial-court-go-fish>
- b. Have students access the federal courts website for further reading:  
<http://www.uscourts.gov/EducationalResources>

- c. To understand how the Supreme Court works have the students visit icivics.org and play a game called “Supreme Court decision”:  
<http://www.icivics.org/games/supreme-decision>
- d. Have students access icivics.org to play a game which simulates a person arguing before the Supreme Court:  
<http://www.icivics.org/games/argument-wars>
- e. For more information on the Supreme Court have students access Ben’s Guide to Government:  
<http://bensguide.gpo.gov/3-5/government/national/scourt.html>
- f. Have students access the official website of the Supreme Court to learn more about each Justice and the Building itself:  
<http://www.supremecourt.gov/about/courtbuilding.aspx>

**11. Lesson Closure:**

*Methods to draw ideas together, review concepts, etc.*

- a. After completing and reviewing the post quiz with students, ask students the following questions to conclude the lesson:
  - What are the three courts of the Federal Judicial system?
  - What is the main purpose of these courts?
  - Why does the Supreme Court only hear a few cases?
  - How do courts share their jurisdiction?
  - What does it mean for a law or action to be constitutional?
- b. For home learning, distribute and discuss Attachment D – Have students explore some actions of the different courts and the different effects that it has .Examples could be: Cause: Only a few cases are heard every year in the US Supreme Court. What are the effects? Thousands of cases are not heard, they have to settle with the decision of the lower court (Court of appeals) and others. Students should be prepared to share their work with the class.

## The ABC's of The Federal Court System

The third branch of the US government is the judicial branch. The Founding Fathers created the federal court system in Article III of the Constitution. This article created the US Supreme Court but it also gave power to Congress to create lower federal courts. There are three levels of federal courts. There are two systems of courts in the United States. The federal court system deals with disputes about laws that apply to the entire United States. The State court systems mostly deal with disputes about state laws. We have fifty state court systems. Each state has its own laws and courts.

### United States District Courts

There are 94 U.S. District Courts in the United States. Every state has at least one district court, and some large states, such as California, have as many as four. In the Federal system, the trial court is called a District Court. A trial court is the court that hears a case for the first time. All federal cases start here because these courts have **original jurisdiction** (the authority to hear cases for the first time). District courts are the only federal courts in which witnesses testify and juries hear cases. They hear both **civil** (disputes among citizens) or **criminal** (relating to crimes).

### United States Courts of Appeals

Some people who lose their cases in the U.S. District Court might **appeal** to the next level which is the U.S. courts of Appeals. These courts have an **appellate jurisdiction** (power to review decisions made by lower courts). Most Court of Appeals cases are heard by a three-judge panel. There is never a jury. The three judges review the case to see if the trial court made a mistake, the judges do not decide if a defendant is guilty or not simply they decide if the original trial court was fair and if the law was interpreted correctly. There are 12 United States courts of Appeals. Each one covers a particular area called circuit. Furthermore, there is a thirteenth appeals court: The U.S. Court of Appeals for the Federal Circuit (the 13th Court) sits in Washington.

### The United States Supreme Court

The highest court of the land is the **United States** Supreme Court which meets in Washington D.C. It is mainly an **appeals court** (it reviews cases that have been heard before) but it also has original jurisdiction (the authority to hear cases for the first time) in certain cases involving **diplomats** (representatives of other countries) and in cases between states. The Court decides whether to accept cases. Each year, the Court accepts between 100 and 150 of the some 7,000 cases it is asked to hear for argument. It carefully chooses which cases it hears. It is made out of nine **Justices** (judges); eight associate justices and one chief justice. Often, cases that make it to the Supreme Court are disputes about whether a law goes against the US Constitution. The US president appoints all federal judges. The Supreme Court has many powers, one of the most important, is the power to decide if laws or decisions are constitutional this is called **Judicial Review**. Once the Supreme Court has struck down a law that is unconstitutional, that's it! No more appeals.

**U.S.  
Supreme  
Court**

**U.S. Courts of Appeals**

**U.S. District Courts**

Attachment B



Attachment C

Definition

What is it like?

- 1.
- 2.
- 3.

What is it not like?

Word

Drawing

What is it not like?

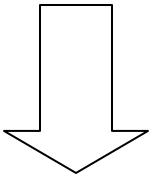
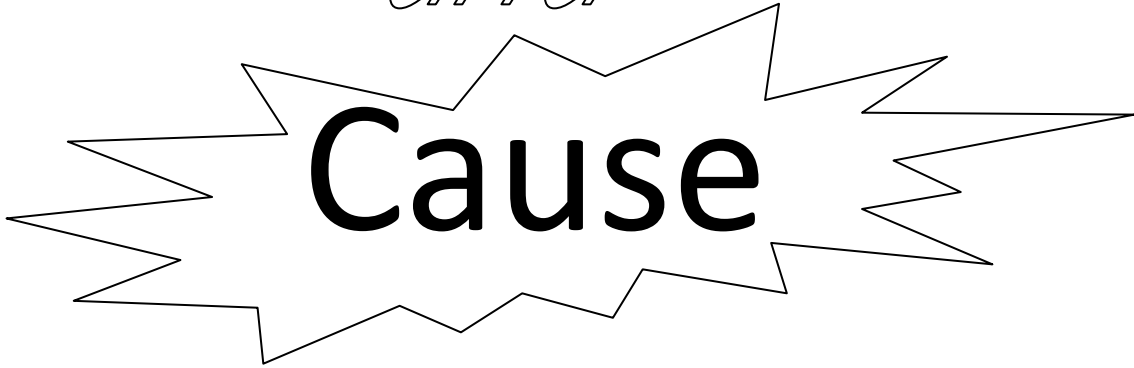
What is it like?

- 1.
- 2.
- 3.

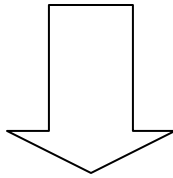
Drawing

Attachment D

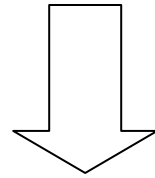
# Cause *and* Effect



**Effect**



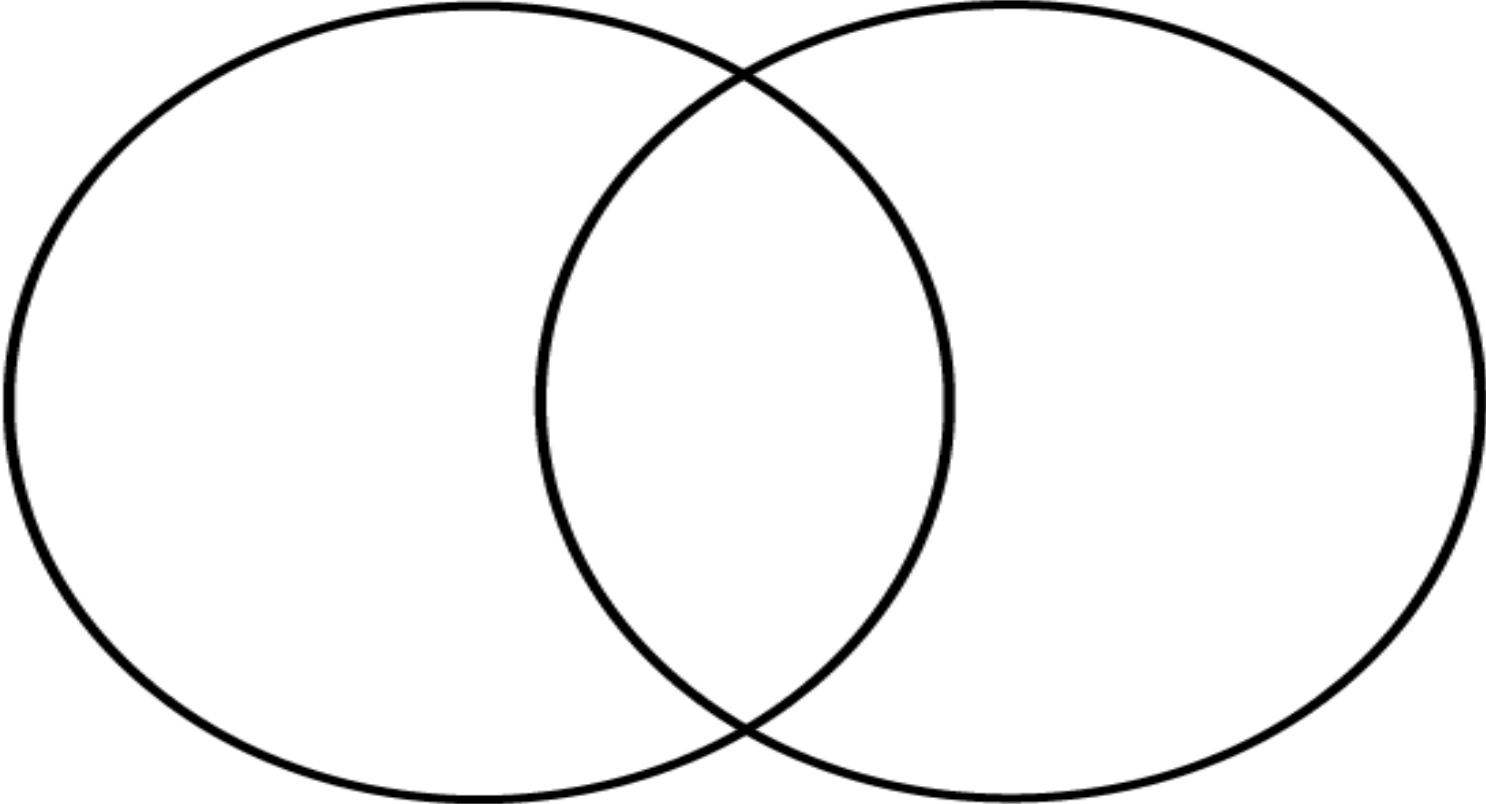
**Effect**



**Effect**

Attachment E

Compare and contrast the Supreme Court to the US Courts of Appeals.

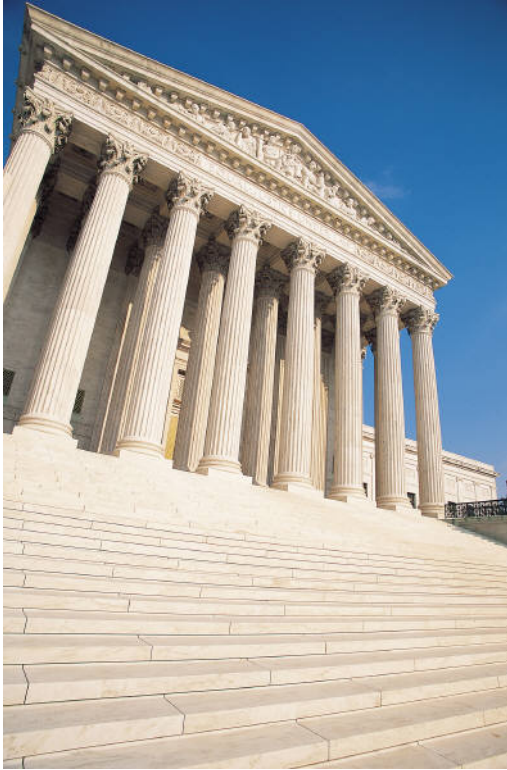


- A. There is no jury
- B. Judges are called "justices"
- C. Issues a written opinion
- D. Must take all cases
- E. Usually has a three-judge panel
- F. Has nine justices
- G. Gets to choose which cases to take
- H. Judges ask the lawyers questions
- I. Requires a majority vote of judges to win
- J. Decisions are precedent for the whole country
- K. Is located in Washington D.C.
- L. There are 13 of such courts.
- M. Could have original jurisdiction in two special cases.
- N. Has appellate jurisdiction.
- O. Has a Chief Justice.

Answer Key for Teachers: 1= Us Court of Appeals 2= Supreme Court 3= Both

- A. 3
- B. 2
- C. 3
- D. 1
- E. 1
- F. 2
- G. 2
- H. 3
- I. 3
- J. 2
- K. 2
- L. 1
- M. 2
- N. 3
- O. 2

## Attachment F



What I learned about the Supreme Court.....

- 1.
- 2.
- 3.
- 4.

Imagine that you have been selected president of the United States of America and now it is your job to nominate the next Supreme Court Justice. What qualifications are you looking for?

1. What does federal court system mean?

- a. Different courts that every state has.
- b. Different courts that a city has?
- c. A court system that the United States of America have.
- d. N/A

2. What does the word jurisdiction mean?

- a. A court's authority to hear or decide cases.
- b. A panel of judges.
- c. How they decide if a case is constitutional.
- d. The jury.

3. The word "federal" refers to:

- a. The entire state of Florida.
- b. The entire county (Miami-Dade).
- c. The entire U.S.
- d. A specific city.

4. The U.S. Constitution has seven Articles. In Article III the Founders created the Federal Court system. Which is the only court mention in the Constitution?

- a. The Court of Appeals for the Federal Circuit.
- b. The U.S. District Courts
- c. The State Courts
- d. The U.S. Supreme Court.

5. Which one of the three Federal Courts has the power to hear trial cases?

- a. The U.S. Supreme Court.
- b. U.S. Court of Appeals.
- c. C. US. District Courts.
- d. N/A

6. What is the difference between appellate jurisdiction and original jurisdiction?

- a. Appellate jurisdiction is the right to review decisions made by lower courts and original jurisdiction is when the court has the power or authority to hear cases for the first time.
- b. Original Jurisdiction means that the court can hear and review cases that have been heard before and appellate jurisdiction means that the court has the power or authority to hear cases for the first time.
- c. Both mean the same.
- d. Both mean that they can't hear cases that have been heard before.

7. Former Chief Justice Charles Evans Hughes described the great power of judicial review in the following statement: "We are under a Constitution, but the Constitution is what the Supreme Court says it is"

- a. The power of judicial review means that the Constitution is not the law.
- b. The power of judicial review means that the Supreme Court has the power to interpret the Constitution and has the final say in the U.S. Court System.
- c. That the Constitution has to follow the Supreme Court.
- d. The power of Judicial Review does not exist.

8. The president of the United States nominates the Supreme Court Justices but Congress has the power to approve it, this is an example of what principle of democracy:

- a. The rule of law.
- b. The three branches of government.
- c. The system of checks and balances.
- d. The system of the Federal Courts.

9. The Supreme Court has set the precedent in many cases that have changed the life of every American:

"We conclude that the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." —





Chief Justice Earl Warren

In the above quote the Supreme Court is stating the following:

- a. Blacks and whites can't be together.
- b. Separate schools for white and African American children is not equality.
- c. Separate but equal is the law.
- d. The Supreme Court can't decide on educational issues.

10. "Historically, the judicial branch has often been the sole protector of the rights of minority groups against the will of the popular majority"  
Quote from former U.S. Representative Diane Watson.

What conclusion can you draw from the above quote?

- a. The Supreme Court protects the rights of minorities through different decisions that has made.
- b. When the rights of the minorities are being violated they can take their case through the Federal Court system, and have the Supreme Court have the final say.
- c. Throughout history the Supreme Court has decided on cases that changed the rights of minorities.
- d. All of the above.

Answer Key:

1. C

2. B

3. C

4. D

5. C

6. A

7. B

8. C

9. B

10. D

**Civic Integration**  
**Lesson Plan Quiz Blueprint**

**Lesson #**

**NGSSS-SS Main Benchmark:**

**Title of Lesson:**

**Grade Level:**

**Pacing Guide Connection:**

Question #	Benchmark Grade Level	Benchmark 7 <sup>th</sup> Grade Tested	Answer	Complexity Level
1	SS.5.C.3.6 Examine the foundations of the United States legal system by recognizing the role of the courts in interpreting the laws and settling conflicts.	SS.7.C.3.12 Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, Marbury v. Madison, Plessy v. Ferguson, Brown v. Board of Education, Gideon v. Wainwright, Miranda v. Arizona, in re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmer, United States v. Nixon, and Bush v. Gore.		Low
2	SS.5.C.3.6 Examine the foundations of the United States legal system by recognizing the role of the courts in interpreting the laws and settling conflicts.	SS.7.C.3.12 Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, Marbury v. Madison, Plessy v. Ferguson, Brown v. Board of Education, Gideon v. Wainwright, Miranda v. Arizona, in re Gault, Tinker v. Des Moines, Hazelwood v.		Low

			Kuhlmer, United States v. Nixon, and Bush v. Gore.		
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		and settling conflicts.	Gideon v. Wainwright, Miranda v. Arizona, in re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmer, United States v. Nixon, and Bush v. Gore.		
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	and settling conflicts.	Gideon v. Wainwright, Miranda v. Arizona, in re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmer, United States v. Nixon, and Bush v. Gore.		
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