

# Utah's Judicial Branch

## Summary

### **Enduring Understanding:**

Students will understand that the judicial branch of Utah's government:

- interprets laws and
- reviews the constitutionality of laws.

### **Essential Questions:**

1. What is the judicial branch of government?
2. Why was the judicial branch created?
3. What is the function of the judicial branch?
4. How does the judicial branch operate within the system of checks and balances.

## Instructional Procedures

Adapted from the New York Times Learning Network

### **Utah's Judicial Branch**

**Grade:** 7

**Subjects:** Utah Studies, Government

**Overview of Lesson Plan:** In this lesson, students investigate how the judicial branch of Utah's government:

- interprets laws and
- finds laws both constitutional and unconstitutional.

**Suggested Time Allowance:** 1 hour

### **Objectives:**

Students will:

1. Define and describe the judicial branch of Utah's state government and the system of checks and balances based on their prior knowledge.
2. Examine what issues surround how a court interprets a law.
3. Investigate how a court can determine whether a law is constitutional or unconstitutional.
4. Investigate how the legislative and executive branches of Utah's state government can be affected by Utah's courts.
5. Develop and present a poster illustrating how Utah's Legislative and Executive branches of government can be affected by Utah's courts, as well as offering ideal descriptions of judges; analyze the characteristics of judges and defend which type of judge would serve the citizens of Utah most fairly.

### **Resources / Materials:**

- student journals
- pens/pencils
- paper
- classroom blackboard
- resources about the United States government, Utah state government, courts, Supreme Court, United States Constitution, Utah Constitution, judges and related information (Utah Studies textbooks, computers with Internet access, periodicals, library resources)
- pieces of poster board or construction paper (one per small group)
- markers

**Background:** In order to best understand the reasons for and outcomes of the historical development of Utah's judicial branch, students should have a basic understanding of the three branches of American government, the system of checks and balances, and the judicial system before working with this lesson plan to assure their complete comprehension of its concepts. Several online

encyclopedias have good, easy-to-understand information; try Encarta Online (<http://encarta.msn.com/EncartaHome.asp>) or Britannica (<http://www.britannica.com>), and search for "Judicial Branch", "Justice System," or "Supreme Court."

**Activities / Procedures:**

1. WARM-UP/DO NOW: Students respond to the following prompt in their journals (written on the board prior to class): "Set up a column in your journal. Label the column "Judicial Branch". Then, list the ways in which that branch maintains and ensures the democratic process." After a few minutes, allow students to share their responses, and write student responses on the board in one column. Discuss the following questions: Does the judicial branch have the same power as the other two branches of Utah's government? How does each branch represent the beliefs and opinions of the citizens of Utah? Does it matter if a branch does not do what the public wants? Why or why not? How do decisions in the judicial branch impact the two other branches?

2. Divide students into three groups. Explain that each group will be assigned to one of the three branches of Utah's state government (legislative, executive, and judicial). Students should use all available classroom resources to research the following questions as they relate to their branches point-of-view: -What are the main roles and functions of the judicial branch in Utah's government as a whole?

-How does the judicial branch of Utah's government maintain and ensure the democratic process?  
-Where within the Utah Constitution are the roles and responsibilities of the judicial branch outlined or defined?

-How does the judicial branch of Utah's government maintain the system of checks and balances?

-At the present time, who are the members of the Utah Supreme Court?

After groups complete their research, "jigsaw" students so that they form groups of three, each group having one member representing each branch of government. Each member of the group should present his or her assigned branch of government to the other students in the group, focusing on the questions answered through the larger group research.

4. WRAP-UP/HOMEWORK: Each small group creates an illustrated poster showing how the legislative and executive branches of Utah's state government is affected by the decisions of the judicial branch. Each group should also identify characteristics that they feel an ideal judge should possess, based on the research gathered during class. In a future class, each group will present their poster and qualities of a judge to the class. As a follow-up after all the groups have presented, each student should prepare a detailed explanation in response to the following question: "Which type of judge would you nominate to sit on a court? Why would this candidate's qualities best serve Utah's democratic process?" Students should present their opinions, and the class should vote to appoint their ideal judge. Results may be posted for each class.

**Further Questions for Discussion:**

-What role does objectivity play in the nomination and appointment of a judge?

-How long is the term of a judge, and why?

-How long is the term of a Utah Supreme Court justice, and why?

-Why is choosing a judge such an important matter?

**Evaluation / Assessment:**

Authors

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