

LANDMARK SUPREME COURT CASES

Law, Mock Trial & Justice Studies Unit

Grades 8–12 | 10 Landmark Cases

In-Depth Analysis • Discussion Guides • Debate Activities

This premium unit provides a rigorous and comprehensive exploration of 10 landmark Supreme Court cases shaping American jurisprudence. Covering civil rights, free speech, privacy, and equality, this resource equips educators with structured case analysis packets, oral argument listening guides, vocabulary cards, graphic organizers, a court opinion writing activity, and a comprehensive unit assessment.

SCOTUS VOCABULARY CARDS

Review these essential legal and judicial terms to build a strong foundation for analyzing Supreme Court cases. Cut along the lines to create flashcards or keep them as a reference sheet.

Term & Definition		Term & Definition	
1. Judicial Review The power of the courts to determine whether acts of Congress or the President are constitutional.		2. Writ of Certiorari An order issued by the Supreme Court to review a lower court decision; granted when at least four Justices agree (the 'Rule of Four').	
3. Majority Opinion A judicial opinion agreed to by more than half of the members of a court, setting forth the decision and reasoning of the court.		4. Concurring Opinion A written opinion by one or more judges which agrees with the decision made by the majority but states different reasons.	
5. Dissenting Opinion An opinion in a legal case written by one or more judges expressing disagreement with the majority opinion.		6. Precedent A prior judicial decision that serves as a rule or guide for future decisions in similar cases (stare decisis).	
7. Stare Decisis The legal principle of determining points in litigation according to precedent; 'to stand by things decided.'		8. Appellate Jurisdiction The power of a higher court to review and revise a lower court's decision.	
9. Original Jurisdiction The authority of a court to hear a case for the first time, as opposed to appellate jurisdiction.		10. Due Process The legal requirement that the state must respect all legal rights owed to a person, ensuring fair treatment through the judicial system (5th and 14th Amendments).	
11. Equal Protection Clause A clause in the 14th Amendment prohibiting states from denying any person within its jurisdiction the equal protection of the laws.		12. Establishment Clause The clause in the First Amendment that prohibits the government from establishing an official religion or favoring one religion over another.	

SCOTUS VOCABULARY CARDS (CONTINUED)

Term & Definition	Term & Definition
13. Free Exercise Clause The clause in the First Amendment that prohibits the government from interfering with individuals' right to practice their religion.	14. Symbolic Speech Nonverbal expression of beliefs or ideas through actions, such as wearing armbands or burning a flag; generally protected by the First Amendment.
15. Clear and Present Danger A standard established in <i>Schenck v. US</i> (1919) to determine when speech can be limited; if it poses a immediate threat to public safety or order.	16. Exclusionary Rule A rule that evidence obtained illegally may not be used in a criminal trial, designed to deter police misconduct (<i>Mapp v. Ohio</i>).
17. Right to Privacy A constitutional right inferred from several amendments in the Bill of Rights; protects individuals from governmental intrusion into personal decisions.	18. Incorporation The legal doctrine whereby the Supreme Court applies the Bill of Rights to the states through the Due Process Clause of the 14th Amendment.
19. Strict Scrutiny The highest standard of judicial review; the government must show a compelling interest and that the law is narrowly tailored to achieve that interest.	20. Suspect Classification A class of individuals protected from discrimination, such as based on race or national origin; triggers strict scrutiny.
21. Amicus Curiae Latin for 'friend of the court'; a brief filed by a non-party to offer information or argument to assist the court in making its decision.	22. Standing The legal right of a party to bring a lawsuit; requires showing a direct injury or harm caused by the action being challenged.
23. Per Curiam Opinion An opinion issued by the court as a whole rather than by a specific justice; usually brief and dealing with relatively non-controversial issues.	24. Remand To send a case back to a lower court for further action, often with specific instructions from the appellate court.
25. Petitioner / Respondent Petitioner: The party who petitions the Supreme Court to review a case. Respondent: The party who answers the petition and argues against review.	

Marbury v. Madison

Theme: Judicial Review & Constitutional Foundations

	William Marbury was appointed as a justice of the peace by outgoing President John Adams. The new Secretary of State, James Madison, refused to deliver Marbury's official commission. Marbury petitioned the Supreme Court to issue a writ of mandamus forcing Madison to deliver the document.
	Does the Supreme Court have the authority to order the executive branch to deliver the commission, and does Section 13 of the Judiciary Act of 1789 giving the Court this power violate the Constitution?
	Decision: 4-0 for Madison. Chief Justice John Marshall established that while Marbury had a right to his commission, the Supreme Court did not have the constitutional authority to grant a writ of mandamus in this case. The Court ruled that Section 13 of the Judiciary Act of 1789, which expanded the Court's original jurisdiction, was unconstitutional.
	This case established the principle of judicial review —the power of the federal courts to declare legislative and executive acts unconstitutional. It firmly established the judiciary as a co-equal branch of the United States government.

DISCUSSION GUIDE

1. Why is it significant that the Court gave up a power granted to it by Congress in order to establish a greater power (judicial review)?
2. How does judicial review act as a system of checks and balances in the U.S. government?
3. Could a government function effectively if the judicial branch did not have the power of judicial review? Why or why not?

DEBATE ACTIVITY

Prompt: Should the Supreme Court have the final say on what the Constitution means, or should that power be shared more equally among the three branches of government?

Side A: The Supreme Court must have the final say to ensure uniform interpretation of the Constitution and protect minority rights against majority rule.	Side B: Allowing nine unelected justices the final say creates a judicial oligarchy; the legislative and executive branches should have equal say in constitutional interpretation.
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Brown v. Board of Education of Topeka

Theme: Civil Rights & Equality

	Oliver Brown and several other Black parents sued their local school boards because their children were denied admission to segregated white schools under laws mandating 'separate but equal' facilities. They argued that segregated schools were inherently unequal and violated the 14th Amendment.
	Does the racial segregation of children in public schools violate the Equal Protection Clause of the 14th Amendment?
	Decision: 9-0 for Brown. The Court unanimously ruled that 'separate educational facilities are inherently unequal.' The justices determined that segregated schools generated a feeling of inferiority among Black children that severely undermined their educational opportunities, thus violating the Equal Protection Clause.
	This landmark decision overturned the 'separate but equal' doctrine established by Plessy v. Ferguson (1896) in the context of public education. It became a cornerstone of the Civil Rights Movement and paved the way for desegregation across all public facilities.

DISCUSSION GUIDE

1. How did the Court's use of sociological and psychological data (such as the doll tests by Dr. Kenneth Clark) influence the ruling?
2. Why was a unanimous decision so important for the legitimacy of this ruling?
3. Although the ruling was passed in 1954, many schools remained segregated for years afterward. What does this suggest about the limits of Supreme Court power without executive enforcement?

DEBATE ACTIVITY

Prompt: Did the Court's order to desegregate 'with all deliberate speed' strike the right balance between immediate constitutional rights and practical implementation, or was it an invitation for delay?

Roe v. Wade

Theme: Privacy & Reproductive Rights

	Norma McCorvey ('Jane Roe') challenged the constitutionality of Texas laws that made it a crime to obtain or attempt an abortion, except on medical advice for the purpose of saving the mother's life. She argued the laws violated her right to privacy.
	Does the Constitution protect a woman's right to terminate a pregnancy through abortion?
	Decision: 7-2 for Roe. The Court ruled that the right to privacy under the Due Process Clause of the 14th Amendment extended to a woman's decision to have an abortion. However, the Court also ruled that this right is not absolute and must be balanced against the state's interests in regulating abortions to protect the woman's health and the potentiality of human life.
	This case divided pregnancy into three trimesters, creating a framework balancing the woman's privacy right against the state's interests. It legalized abortion nationwide and became a central focal point of American political and legal debate. <i>Note: The core ruling of Roe v. Wade was later overturned by Dobbs v. Jackson Women's Health Organization in 2022, returning the authority to regulate abortion to the states.</i>

DISCUSSION GUIDE

1. How did the Court justify finding a 'right to privacy' in the Constitution, and what amendments did it rely on?
2. Why is the balancing act between an individual's right to privacy and the state's interest in protecting life so difficult to legislate?
3. What does the eventual overturning of Roe v. Wade suggest about the concept of precedent (stare decisis) in the Supreme Court?

DEBATE ACTIVITY

CASE COMPARISON GRAPHIC ORGANIZER

Analyze the connections between the 10 landmark cases by identifying the core constitutional principles. This organizer helps synthesize how different amendments and doctrines interact across Supreme Court history.

Marbury v. Madison					
Brown v. Board					
Gideon v. Wainwright					
Mapp v. Ohio					
Miranda v. Arizona					
Tinker v. Des Moines					
Roe v. Wade					
Texas v. Johnson					
Obergefell v. Hodges					
Citizens United v. FEC					

LANDMARK SUPREME COURT CASES: UNIT ASSESSMENT

Demonstrate your mastery of the constitutional principles and landmark decisions covered in this unit.

Part I: Multiple Choice

Circle the best answer for each question.

1. Which case established the principle of judicial review, granting the Supreme Court the power to declare acts of Congress unconstitutional?
 - A) Brown v. Board of Education
 - B) Marbury v. Madison
 - C) Gideon v. Wainwright
 - D) Roe v. Wade
2. The exclusionary rule, which prevents illegally obtained evidence from being used in court, was applied to the states in which case?
 - A) Miranda v. Arizona
 - B) Mapp v. Ohio
 - C) Tinker v. Des Moines
 - D) Citizens United v. FEC
3. Which constitutional amendment was primarily relied upon in both Gideon v. Wainwright and Miranda v. Arizona to ensure fair treatment of the accused?
 - A) First Amendment
 - B) Fourth Amendment
 - C) Fifth Amendment
 - D) Sixth Amendment
4. The 'substantial disruption' test, used to determine when a school can limit student speech, was established in:
 - A) Tinker v. Des Moines
 - B) Brown v. Board of Education
 - C) Texas v. Johnson
 - D) Obergefell v. Hodges
5. In Texas v. Johnson, the Court ruled that burning the American flag is protected speech. What reasoning did the Court primarily use?
 - A) Symbolic speech is only protected if it is popular.
 - B) The government cannot prohibit the expression of an idea simply because society finds it offensive.
 - C) Flag burning does not pose a clear and present danger.
 - D) The First Amendment only protects written and spoken words, not actions.
6. Which case overturned the 'separate but equal' doctrine established by Plessy v. Ferguson?

- A) Marbury v. Madison
- B) Brown v. Board of Education
- C) Obergefell v. Hodges
- D) Roe v. Wade

7. Citizens United v. FEC primarily dealt with the intersection of campaign finance and which constitutional protection?

- A) The Right to Privacy
- B) Equal Protection under the Law
- C) Freedom of Speech
- D) The Right to Counsel

8. The right to privacy, while not explicitly written in the Constitution, was inferred from the penumbras of several amendments in the reasoning of Roe v. Wade. Which amendment's Due Process Clause was central to this inference?

- A) First Amendment
- B) Fifth Amendment
- C) Fourteenth Amendment
- D) Fourth Amendment

9. What is the legal doctrine called when the Supreme Court relies on previous court decisions to make a ruling?

- A) Stare decisis
- B) Judicial review
- C) Writ of certiorari
- D) Incorporation

10. In Obergefell v. Hodges, the Court ruled that the fundamental right to marry is guaranteed to same-sex couples under which clause(s) of the 14th Amendment?

- A) The Equal Protection Clause only
- B) The Due Process Clause only
- C) Both the Due Process and Equal Protection Clauses
- D) The Privileges and Immunities Clause

Part II: Short Answer

Answer the following questions in 2-3 sentences.

1. Explain the difference between a majority opinion and a dissenting opinion. Why are dissenting opinions historically important?

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