

## Review-study, in preparation for your final quiz

Read the instructions and complete the below preparation for Quiz Three.

Below, are various activities developed to provide a look inside one of the most publicly insulated and shielded of the three main institutional branches, the *U.S. Supreme Court*.

**Selected items for the quiz will come from the different information sources, including this page.**

**Directions** (briefly review all the activities/exercises below **A. – E.**, before starting – you may want to go to each of the sites for an overview of this assignment, then return, and begin the steps below:

Below are two brief articles (**A.** and **B.**) - they are from the U.S. Supreme Court's 'official' website. For each article (**A.** and **B.**), after accessing (CLICK the respective links), carefully review and read the salient points presented.

**NOTE:** In order to open the **PDF** documents, you will need to have *Acrobat Reader*. If the computer you are using does not have this program, you may download a **free** copy @ <http://www.adobe.com/products/acrobat/readstep2.html>

### **A:**

1. GO TO the U.S. Supreme Court HOME PAGE, <http://www.supremecourtus.gov/index.html>

2. CLICK "About the Supreme Court" <http://www.supremecourtus.gov/about/about.html>

3. CLICK the PDF: "The Court and Constitutional Interpretation"

4. Read and underline areas of significance.

*Optional:* take a [virtual tour](#) of the Supreme Court [**note**, most links/tours work, some do not, at least the last time I tried]

### **B:**

1. USE your 'back arrow' to again access the U.S. Supreme Court HOME PAGE, <http://www.supremecourtus.gov/index.html>

2. CLICK "About the Supreme Court" <http://www.supremecourtus.gov/about/about.html>

3. CLICK the PDF: "The Court and Traditions"

4. Read and underline areas of significance.

### **C:**

1. USE your 'back arrow' to again access the U.S. Supreme Court HOME PAGE, <http://www.supremecourtus.gov/index.html>

2. CLICK "Visiting the Court" <http://www.supremecourtus.gov/visiting/visiting.html>

3. CLICK (this is a PDF document) "Visitor's Guide to Oral Arguments"

4. Read/review this introduction and overview to oral arguments BEFORE going on to the next and final exercise.

**D:** Every Congress since 1989, has contemplated an amendment to make the burning of the American flag, unconstitutional. Although the U.S. Supreme Court ruled on this issue in 1989, it did not stop the controversy. For this exercise, you will be reading and reviewing primary source material from the case that started the controversy in motion.

SELECTED items for the quiz will primarily come from (1) **Syllabus**; (2) **how the justices voted**, and (3) **Opinions** summary below\*.

WHEN READY:

1. CLICK [About the case and who cast what vote/opinion](#): <<< IF THIS SITE IS NOT WORKING, go [here](#)

*Texas v. Johnson*

491 U.S. 397 (1989)

Docket Number: 88-155

2. Read/review the summary description of the case, noting what the case is about and other relevant facts and information; **also** use the more detailed preview @ [Syllabus](#) where the **majority opinion** is synopsised - although **not** required, you may also review the [full transcript and full opinion](#). NOTE: If you move your mouse over the "photographs" of the respective justices, how they voted (*opinion*) will be revealed.

[\*Opinions are of three types:

>> **Majority Opinion** (at least 5 of the 9 reach the same conclusion)

>> **Concurring Opinion** (part of the majority, but, reaches the same conclusion through different reasoning)

>> **Dissenting Opinion** (*minority* opinion, disagrees with the majority opinion, fewer than five)]

---

**E:** Generally, justices of the U.S. Supreme Court enjoy a relatively private (when not on the bench) life - something other national public servants (the president and members of Congress) do not.

Part of this insulation from direct public (and personal) scrutiny, can be explained by the justices own reluctance to engage in discussions and interviews with the media, as well as the secret proceedings behind closed doors when they are deliberating - where there is no public record.

On occasion, revelations do surface whether from the writings of a former clerk or a book authored by one of the justices. In March of 2004, the late former Associate Justice, **Harry Blackmun**, provided one of those rare glimpses into the inner workings of the highest court in the land.

WHEN READY:

1. CLICK the below links (**A.** = Part One; **B.** = Part Two) which will take you to segments of the Online (Lehrer) NewsHour - once arriving, you will be able to **read, listen** and **watch** a streaming video of two interviews with the late, Harry Blackmun.

A. [http://www.pbs.org/newshour/bb/law/jan-june04/blackmun\\_3-04.html](http://www.pbs.org/newshour/bb/law/jan-june04/blackmun_3-04.html)

B. [http://www.pbs.org/newshour/bb/law/jan-june04/blackback\\_03-05.html](http://www.pbs.org/newshour/bb/law/jan-june04/blackback_03-05.html)

(person's appearing as the main interviewers/interviewees)

> *Ray Suarez, NewsHour moderator*

> *Harold Koh, professor and chair (Yale University);* ((although this will not be on the exam , if interested in Koh's vitae, go to: [About Harold Koh](#)

> *Harry Blackmun, Associate Justice of the U.S. Supreme Court*

((although this will not be on the take home exam , if interested in Blackmun's background; go to: [http://www.oyez.org/oyez/resource/legal\\_entity/98/](http://www.oyez.org/oyez/resource/legal_entity/98/)

2. Identify the more salient areas of the respective two-part interviews/news story.

---

**UPON completing the above you should be ready for Quiz Three.**