Judicial Review



Name _____ Date _____

1 Recall, then make a connection.

Start from memory. Write a meaning or quick example for each term.

judicial review	jurisdiction	remedy

Distinguish judicial review, jurisdiction, and remedy. Why could identifying a constitutional problem be different from deciding that a particular court may grant the requested relief?

Context for the task

Judicial review is the authority of courts to examine whether government action is consistent with the Constitution in a case they can decide. It differs from a legislature voting on whether a policy is desirable. A court must consider the legal question, relevant facts, applicable law, and its jurisdiction. A public controversy alone does not mean every court can decide it in any form or at any time.

2 Organize the records.

Three questions on the clerk's pad

Classify the questions a legal analysis must keep separate.

Sort each question.

A. Right or legal claim **B.** Court's authority **C.** Requested relief

Write the category letter beside each record.

1. ___ What legal entitlement does the person claim was violated?

2. ___ Does this court have authority to hear this type of case through this procedure?

3. ___ What order is the person asking the court to issue?

4. ___ Which constitutional protection is the challenged rule alleged to violate?

5. ___ Is the requested order available from this court in this proceeding?

Evidence, application & transfer.



3 Read the evidence closely.

Build a relevant case record

In a fictional exercise, a court with stated jurisdiction considers whether a government rule improperly restricts protected speech. The file does not ask whether the official is popular.

Select every record directly relevant to that constitutional question.

A. The actual rule's wording and the record of how it was applied to the speaker.

B. The relevant constitutional provision and applicable judicial reasoning supplied for the exercise.

C. A poll ranking the official's personality.

D. An unrelated budget document about road repairs.

Selections: _____ Explain your reasoning:

4 Apply the idea.

The editor's final correction

A draft says, "Judicial review lets judges erase any law they personally dislike."

Which correction belongs in the guide?

A. Judicial review concerns constitutional and legal analysis within judicial authority, not simply a judge's personal policy preference.

B. Judicial review means courts introduce and pass ordinary bills.

C. A court ruling automatically changes the words of the Constitution.

My choice: _____ Explain why it fits:

5 Carry the idea forward.

Explain why Marbury matters even though the Court did not issue the order he wanted. Use the terms jurisdiction and judicial review, then identify what evidence a new constitutional case would require.