

Amendments

3rd Amendment	no troops can be put in a house w/out consent in war/peace
4th Amendment	right of the people to be secure
5th Amendment	right to not testify against yourself
6th Amendment	accused have a speedy & public trial
7th Amendment	if accused of a crime over \$20(230 now), then right to a jury
8th Amendment	no excessive bail, fines, or cruel & unusual punishments
9th Amendment	just because it's not in the constitution doesn't mean it's legal/illegal
10th Amendment	powers not delegated by Constitution are reserved to states respectively
13th Amendment	no slavery or involuntary servitude
14th Amendment	all persons born or naturalized in U.S. are subject to jurisdiction
15th Amendment	rights will not be denied by race, color, or previous condition

Amendment Cases

Gideon vs Wayne Wright	everybody is allowed to a court attorney
Forman vs Georgia	determines that execution is not cruel & unusual
Kelso Case	state is allowed to take property

Article 1

Section 1	creates legislative branch; bicameral govt. created
Section 2	representative must be 25 years old, 7 years U.S. Citizen
general assembly	legislative body in which each member has one vote
Section 3	2 senators from each state serves 6 years, 1 vote;
Senator requirements	30 years old, 9 years a citizen
Section 5	a journal is kept and published unless secrecy is needed
Quorum	minimum number of people for entity to work
Section 6	law determines how much officials

Article 1 (cont)

Section 7	process of bills
Section 8	Congress can lay & collect taxes
Letter of Marque & Reprisal	formal declaration of war against a nation
House of Representative Powers	war, tax, treaty ratification, impeach
Section 9	no title of nobility will work
Section 10	restriction on certain state powers
habeas corpus	someone must be told what they are charged with
Ex Post Facto	prosecuting someone with something that was legal but is now illegal
Bill of attainder	condemn someone w/out due process

Article 2

Section 1	creates executive power
Presidency Requirements	35 years old, 14 years a citizen
Case of Removal	VP acts in place of president
Section 2	Civilian is in commander in chief of armed forces
Section 3	State of the Union address
Section 4	civil Officers can be removed from office on impeachment for high crimes

Article 3

Section 1	creation of judicial branch
Section 2	judicial power extends to all cases
Section 3	treason cases

Speech and Finance Cases and Terms

Zenger Case	Zenger accused governor Cosby of corruption; accused of libel but later acquitted
libel	written lies that cause damage
slander	spoken lies
Buckley vs Valego	Money is speech

Speech and Finance Cases and Terms (cont)

SpeechNow vs FEC	contribution limits were unconstitutional
Citizens United Decision	allowed corporations to spend unlimited money
Texas vs Johnson	burning a U.S. flag counts as protest
PAC	can give money to parties (\$2600)
SuperPAC	cannot give money to parties but may pay for ads
McCutcheon vs FEC	allows giving of money to infinite of people
Shank and Deb Cases	(1920) Clear and present danger clause
Gitlo vs NY	(1925) accused of breaking criminal anarchy act by creating a left wing pamphlet
Chief Justice during Shank and Deb	Oliver Wendell Holmes Jr.
Debs and Shank broke what law?	Sedition Act of 1917
Clear & Present Danger Test	1st speech test; speech is unprotected if it causes a disturbance
Bad Tendency Test	speech is restricted if it can incite illegal activity
Clear & Present Danger w/eminence	3rd Speech test; extension of proximity and degree(more urgency)
Public vs Private Speech	4th speech test; some people enjoy more latitude than others
prior restraint	suppression of speech that would be broadcasted and may cause harm
Tinker vs Des Moines Case	speech is protected even if it is unpopular

Obscenity and Porn Cases

What is porn or obscenity?	no definite answer
Chaplinsky vs New Hampshire	(1942) Supreme Court rules porn has no redeeming social value
Roth Case vs U.S.	(1957) sex appealing to pruriant manner (no social value)
Stanley vs Georgia	courts ruled it was ok to watch porn in your own home
Miller vs California	(1973) no definite answer for porn



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