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## The Three Branches of Government || The Judicial Branch

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### *Goals & Objectives*

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**Goal:** Have students understand the powers and responsibilities of the Judicial Branch. Have them also understand the requirements of becoming a Supreme Court Justice.

**Objective:** Have students understand the Judicial Branch by examining FDR's infamous "court packing scheme" and the public's reaction to it. They will analyze the public's reaction through examination of three political cartoons.

### *California State Content Standards*

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12.4.5 Discuss Article III of the Constitution as it relates to judicial power, including the length of terms of judges and the jurisdiction of the Supreme Court.

### *Common Core Literacy Standards*

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CCSS.ELA-Literacy.RH.11-12.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA-Literacy.RH.11-12.5

Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.

CCSS.ELA-Literacy.WHST.11-12.8

Gather relevant information from multiple authoritative print and digital sources, using advanced searches effectively; assess the strengths and limitations of each source in terms of the specific task, purpose, and audience; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and overreliance on any one source and following a standard format for citation.

CCSS.ELA-Literacy.WHST.11-12.9

Draw evidence from informational texts to support analysis, reflection, and research.

### *Driving Historical Question*

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What are the powers of the judicial branch and how were these powers jeopardized by FDR's "court packing scheme?"

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### Lesson Introduction (Anticipatory Set/Hook/Accessing Prior Knowledge) || Time: 10 min

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The teacher facilitates an introductory quiz (10-15 questions) that tests students' prior knowledge of the judicial branch and set the tone for the primary source activity. The students will not be graded on the quiz, however, they will need to write out the question and answer for each question they got wrong as a review tool. This will be due by the end of the unit and will be a credit/no credit assignment.

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### Vocabulary (Content Language Development) || Time: NA

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Vocabulary will be taught throughout the lecture and will be included in the presentation. Students will be given a vocabulary chart to fill out as they go through the lesson. In the left box, they will write the word and in the right box they will write the definition.

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### Content Delivery (Method of Instruction) || Time: 45 min

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First, the teacher will provide a brief lecture on the history of the judicial branch and its roles and powers. They will also discuss the number of judiciaries within the Supreme Court and their individual rights and responsibilities. After this, they will introduce FDR's "court packing scheme" of 1937. This will help give the students background information on the primary source activity that they will do later in class. The teacher will discuss what FDR's plan called for and what the purpose of this plan was. They will especially highlight FDR's New Deal plan and how it tied in with the purpose of the "court packing scheme."

Next, students will be given four primary sources. The first source is a letter written by Frank E. Gannett, publisher of Gannett Newspapers. In his letter, he condemned Roosevelt's plan explaining that it would give the president control over the judicial branch. Students will read this letter, highlight/underline any important information and jot down any important information they see.

Students will then analyze the three political cartoons in small groups. With the background information from the lecture and Frank Gannett's letter, they will identify the main themes of each cartoon and examine the symbolism within each.

Lastly, students will have a short class discussion on why they think FDR proposed this plan and what his intended purpose must have been.

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### Student Engagement (Critical Thinking & Student Activities) || Time:

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Students will perform these activities during the lesson:

- Take an introductory quiz
- Take notes on the lecture
- Read and analyze a letter written by Frank E. Gannett (primary source)
- Analyze three political cartoons (primary sources)
- Participate in a class discussion
- Write an exit slip journal

### Lesson Closure || Time: 10 min

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Students will write a journal entry on whether or not FDR's "court packing scheme" was constitutional. They will also describe what they think the judicial branch would look like today if his plan had ever come to fruition. Students will turn this journal entry in as an exit slip.

### Assessments (Formative & Summative)

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Formative:

- Introductory quiz
- Primary source analysis (4 sources total)
- Class discussion

Summative:

- Exit slip

### Accommodations for English Learners, Striving Readers and Students with Special Needs

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English Learners will work in small groups with higher achieving students in order to add support and clarification to their lesson. They will also be given guided notes to use during the lecture if they require them.

Striving readers and students with special needs will also be provided with added support in order to meet their learning needs. In addition to providing students with guided notes, they will also work in small groups and be accommodated with any learning adaptations that their learning style requires. Striving readers can be paired with stronger readers and students with special needs will be accommodated as is necessary.

### Resources (Books, Websites, Handouts, Materials)

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Article III of the US Constitution (Transcript)

<http://constitutioncenter.org/constitution/the-articles/article-iii-the-judicial-branch>

Statement by Frank E. Gannett

<http://www.archives.gov/education/lessons/separation-powers/gannett-statement.html>  
(Transcript)

"He Just Ain't Fast Enough" (Political Cartoon)

<http://xroads.virginia.edu/~ma02/volpe/newdeal/toons/court7.html>

Step by Step (Political Cartoon)

<http://xroads.virginia.edu/~ma02/volpe/newdeal/toons/court3.html>

Qualifying Test (Political Cartoon)

<http://xroads.virginia.edu/~ma02/volpe/newdeal/toons/court4.html>