

A political question in regard to the federal courts	The courts will not hear a case to solve a political controversy, only legal and constitutional questions
Amicus curiae brief	when someone who is not a party to a case volunteers information on a point of law or some other aspect of the case to assist the court in deciding a matter before it
Baker v. Carr	Case that established the principle of "one man, one vote" **created guidelines for drawing congressional districts **guaranteed an equitable representation to the citizens of each state
Regents of the University of California v. Bakke	**Barred quota systems in college admissions **but affirmed the constitutionality of affirmative action programs giving advantages to minorities
Brandenburg v. Ohio	Held that the government cannot punish inflammatory speech unless it is directed to inciting and likely to incite imminent lawless action
Bush v. Gore	Held that a ballot recount being conducted in certain counties in the state of Florida was to be stopped due to Equal Protection issues arising from the lack of consistent standard across counties
Coalition building	**the bringing together of individuals and groups in support of an issue **An alliance between different factions to achieve some political goal
Colegrove v. Green	Held that the Illinois districts were constitutional, largely because existing laws imposed no requirements "as to the compactness, contiguity and equality in population of districts"
Committee chairs (rules for selection)	committee chairs are selected as a result of the seniority system, whomever has served the longest and is a member of the majority party is selected
Committee of the Whole	a legislative body is considered one large committee. All members of the legislative body are members of such a committee. this is usually done for the purposes of

	discussion and debate without the worry that anyone will try to make a motion.
Constitutional courts	courts that were formed to carry out the direction in the constitution so that the courts would exercise their judicial power
Content Neutral Doctrine	any restriction on speech, such as a requirement that parades or demonstrations should not disrupt other people in the exercise of their rights must be neutral- that is, not favor one group more than another
Cracking election districts	involves spreading out voters of a particular type among many districts in order to reduce their representation by denying them a sufficiently large voting block in any particular district
Doctrine of Incorporation	the legal doctrine by which portions of the U.S. Bill of Rights are applied to the states through the Due Process Clause of the 14th Amendment
Procedural Due Process Rights	<p>**procedural due process is essentially based on the concept of "fundamental fairness"</p> <p>**it includes an individual's right to be adequately notified of charges or proceedings, and the opportunity to be heard at these proceedings</p> <p>**it has also been an important factor in the development of the law of personal jurisdiction</p>
Substantive Due Process Rights, and cases involved, ect	<p>**Substantive due process doctrine protects rights such as the right to privacy under which rights of</p> <p>**private sexual activity (Laurence v. Texas)</p> <p>**contraception (Griswold v. Connecticut)</p> <p>**abortion (Roe v. Wade) fall</p> <p>**as well as most of the substantive protections of the Bill of Rights</p>
Ear Mark	<p>**pushing legislation for special interest groups</p> <p>**supposedly banned now, sketchy practice</p>
Establishment Clause	<p>part of the first amendment</p> <p>"Congress shall make no law respecting the establishment of religion."</p>

Everson v. New Jersey	<p>**applied the establishment clause to the states by way of the due process clause of the 14th amendment</p> <p>**was the beginning of a powerful separationist drive by the court, during which many programs and practices given government sanction were found to have religious purposes or effects and thus invalidated</p>
Exclusionary clause	a legal principle holding that evidence collected or analyzed in violation of the constitution is void in a criminal prosecution
Executive Agreement	an international agreement made by the president alone
Federal Analogy and Reynolds v. Sims	<p>**state legislature districts had to be roughly equal in population</p> <p>**overturned ruling of Baker v. Carr</p> <p>**the court corrected egregious examples of malapportionment that were serious enough to undermine the premises of voting</p>
Filibuster	an attempt to extend debate on a proposal in order to delay or completely prevent a vote on its passage
Fourteenth Amendment	guarantees due process rights under the law, and immunities, as well as equal protection
Free exercise of religion	<p>**first amendment right that says the state shall not impose on one's religion</p> <p>**"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."</p>
Fundamental Fairness	allows the states to choose any specific way they want to hear the facts in a case, as long as the state provides the rudiments of a fair trial
Gerrymandering	a form of redistricting in which electoral district or constituency boundaries are manipulated for an electoral advantage
Gitlow v. NY	Gitlow distributed "left-wing manifesto" so NY had to decide whether his distribution of materials counted as a crime, since it actually didn't tell people to do anything directly or incite violence
Hazelwood case	Principals have the right to edit school newspapers created by the student body

Imminent danger and the courts	punishment for uttering inflammatory sentiments will be allowed only if there is an imminent danger that the utterances will incite any unlawful act
Imperial presidency	the president's power has increased to such a degree that he can now perform duties akin to that of kingship
Impoundment	an action taken by the president in which he or she proposes not to spend all or part of a sum of money appropriated by Congress
Iron Triangle	**A close relationship between an agency, a congressional committee, and an interest group that often becomes a mutually advantageous alliance to resist the president **cabinet -- special interest -- congressional committee
pork barrel	**pushing legislation for constituents **basically the goal of congress, to give back to those that voted them in
Logrolling	one legislator supporting another's pet project in the appropriations bill, in return to the latter's support of his
gridlock	when one branch shuts down the actions of another LIKE THE PRESIDENTIAL VETO! :D
5 things a committee can do with a bill	1. pigeon hole it- a bill gets lost and dies ("oops...") 2. report it favorably 3. report it in amended form, or marking it up, changing wording, other tweaking 4. report it unfavorably, usually if the constituents want it, but the committee is like "eh." 5. committee reports it so marked up that it doesn't resemble original bill
germane rule	IN THE HOUSE, talk about a subject must stick to the subject why we don't have this in the senate, i don't know, it seems pretty ridiculous when all the earmarks from the senate get in the way, and then the bill has to be the same from both houses in order to get passed :/
rider	a provision added to a piece of legislation that is not germane to the bill

	can be used as a passive-aggressive way to get the president to sign as a compromise, or not sign if the president finds it objectionable
riders are not germane provisions, whereas amendments are	germane provisions that change or add.
why is a filibuster a good tool for the senate?	**the senate only has one calendar, or way to debate bills, so a filibuster would back up the other bills waiting to be debated **the senate would be forced to kill a bill or negotiate
sine die	**all bills not approved by a time limit automatically die **ahem, the mechanism for a pocket veto.
Jefferson and the courts	**believed that the courts could overthrow the people if they were not kept on a tight leash
Hamilton and the courts	**believed that even though the courts were given the power to decide whether laws were constitutional or not, they were no "formidable" and not to be feared or watched **kind of a dumb idea, alexander.
Describe the three leadership committees of congress	**standing committees (permanent committees with specific legislative duties) **select committees (groups appointed for a limited time) **joint committees (both the house and senate are in on it)
least drastic means	if the courts must restrict a right, they do what is least drastic to the person's rights
legislative courts	a court that is created by congress for some specialized purpose and staffed with judges who are not appointed for life
legislative oversight	when congress supervises the business of the executive branch departments
legislative veto	the rejection of a presidential or administrative agency action by vote of one or both houses of congress without the consent of the president
legislative process	**bill goes to committee. then, one of the five avenues. bill goes to congress. bill gets approved by H and S bill gets approved by the president.

	<p>**if bill is vetoed, congress can pass it anyway.</p>
line item veto and NY v. Clinton	<p>**clinton v. NY said the line item veto was unconstitutional</p> <p>**the line item veto is unconstitutional because the president can use it to eliminate certain porkbarrel legislation, thus defeating the other party</p>
Madison and bill of rights	<p>madison fought for a bill of rights (and for a constitution) and helped form the first bill of rights for the US</p>
Madison and the primary check on the presidents	<p>madison worked to limit power of the federal government, including the president, and thought that there were not enough limits to the power of the president (especially since he was afraid of the president becoming a king figure)</p>
Mapp v. Ohio	<p>**all evidence obtained in an illegal search or seizure cannot be admitted in court</p> <p>**EXCLUSIONARY CLAUSE.</p>
Mark up	<p>reporting the bill in an amended form</p>
Miranda v. Arizona	<p>the person being arrested must be informed of his or her rights prior to being put in jail</p>
One third plus one rule	<p>**a one-third plus one vote in favor of repeal shall be sufficient to repeal legislation</p> <p>**no executive review is required.</p>
Supreme court majority opinion	<p>the majority opinion reflects the majority of the court's view</p>
Supreme court concurring opinion	<p>an opinion by one or more justices who agree with the majority's conclusions, but for different reasons</p>
Supreme court dissenting opinion	<p>the opinion of the justices dissenting with majority opinion, they are on the losing side</p>
Packing election districts	<p>packing is putting a bunch of people in one district so that their votes don't count when added to all the other districts</p>
Plessy v. Ferguson and Brown v. Board of Education	<p>**Plessy v. Ferguson said that separate but equal is unconstitutional</p> <p>**Brown v. Board of Education reversed that ruling</p>

Preferred position doctrine	the right of free expression occupies a higher, more preferred position than many other constitutional rights
Presidential establishment and its growth	the expansion of the role of the president occurred because of **national emergencies **the physical growth of the White House staff as the business of the government increased (social problems, wars, ect.)
Presidential veto and rules governing	**if the president does not approve of a bill, he must return it unsigned within ten days to the house of Congress in which it originated **a presidential veto can be overridden by a 2/3 majority vote of each house
President and his cabinet's prestige	the president and his cabinet members are both part of the executive branch, although the president is closer to the members of the EOP than his cabinet members
Probable cause	if there is a reasonable belief that crime has or is being committed, it is the basis for all lawful searches and arrests
Reapportionment act of 1929	a combined census and reapportionment bill passed by Congress which established a permanent method for apportioning U.S. House of Representatives seats according to each census. the bill neither repealed nor restated the requirements of the previous apportionment acts, that districts be contiguous, compact, and equally populated
Rule of Four	a US Supreme Court rule that requires four votes out of nine justices to grant a writ of certiorari
total incorporation	**all the Bill of Rights and the attendant case laws interpreting them are applied to the states **an approach never adopted by the majority of the Supreme Court
selected incorporation	**select guarantees in the bill of rights and their related case law are applied to the states
Solicitor general	**an official of the department of justice. **He or she decides which court decisions from lower courts the federal government should

	<p>bring to the Supreme Court for reviews.</p> <p>**decides the official federal government position on cases held by the Supreme Court, and represents the United States when cases are brought against it in the Supreme Court</p>
stare decisis	Once a decision has been made on a certain set of facts, that precedent will be applied to all subsequent cases which have the same facts
Strict scrutinizing doctrine	strict scrutiny is the penultimate standard of judicial review used by the US courts reviewing federal law
lemon test	<p>details requirements for legislation concerning religion</p> <ol style="list-style-type: none"> 1. the government's action must have secular purpose 2. the government must not advance or inhibit any religion 3. the government must not result in "excessive government entanglement" with religion
The Palko doctrine	the 5th amendment right to protection against double jeopardy is not a fundamental right incorporated by the 14th amendment TO INDIVIDUAL STATES
The Republican Revolution	1994 take-over of the US Congress by the GOP, due to influx of very conservative Republican Representatives under command of Newt Gingrich, speaker of the house at the time.
Undue burden test	a test by which a mother seeking abortion discerns if keeping the child would result in an undue burden or any significant difficulty
Vagueness doctrine and the chilling effect	vagueness doctrine created when a law is so poorly written that it cannot be executed consistently, which creates the chilling effect, or the exclusion of the law from general practice
VMI v. United States	State of Virginia's exclusion of women from the Virginia Military Institute violated the Equal Protection Clause of the 14th Amendment
War making power and Congress	<p>**Only Congress has the exclusive power to declare war.</p> <p>**Because of this, most presidents often have not sought formal declarations of war, instead they maintained that they have the</p>

	constitutional authority as commander in chief to use the military for "police actions"
War Powers Resolution	limits the power of the President to wage war without approval of congress ("police actions")
Weeks v. US	the warrantless seizure of documents from a private home violated the Fourth Amendment prohibition against unreasonable searches and seizures, and evidence obtained in this manner is excluded from use in federal criminal prosecutions (THIS RULING BACKED UP THE EXCLUSIONARY RULE)
Wesberry v. Sanders	**a case involving congressional districts in Georgia **Supreme court ruled that districts have to be approximately equal in population.
White house aides and criticism of	White house aides are part of the EOP, and advise the president directly. they are not really part of the executive branch, but really are part of the president's staff. they are often involved in controversies because of their involvement in the president's affairs
Writ of Certiorari	issued by US Supreme Court ordering a case to be brought before it from a lower court, for the purpose of reviewing issues of law
Writ of Habeas Corpus	**the remedy used by a person who is incarcerated or restrained in his liberty **petitions the court to hear evidence as to the legality of his restraint or incarceration in hopes of being released.
Writ of Madamus	a judicial order directing a government official to perform a duty of his or her office.