

**Handout 4**  
*Court Procedure and Core Democratic Values*

**Directions:** Consider the following values and principles. Then, for each democratic value or principle listed, select one court procedure and explain how it reflects that value or principle.

<b>Democratic Value or Principle</b>	<b>Exemplary Quotations</b>	<b>Court Procedures</b>	<b>Explain <i>how</i> the procedure you selected reflects the value or principle</b>
<p><b>Rule of Law.</b> This principle means that both the government and the governed should be subject to the law. Laws, not individual rulers, should govern—and the laws should apply to everyone.</p>	<p><i>If men were angels, no government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.</i> —James Madison, Federalist Paper No. 51 (1788)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Complaint</li> <li><input type="checkbox"/> Pre-Trial Process</li> <li><input type="checkbox"/> Jury Selection</li> <li><input type="checkbox"/> Opening Statements &amp; Closing Arguments</li> <li><input type="checkbox"/> Direct Examination &amp; Cross Examination</li> <li><input type="checkbox"/> Rules of Evidence</li> <li><input type="checkbox"/> Deliberation &amp; Verdict</li> <li><input type="checkbox"/> Appellate Review</li> </ul>	
<p><b>Justice.</b> People should be treated fairly in the distribution of the benefits and burdens of society. One important component of justice is “<b>desert</b>”—people should be treated in accordance with the praiseworthiness or blameworthiness of their conduct.</p>	<p><i>Justice renders to every one their due.</i> —Cicero, De Legibus (43 B.C.) <i>I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.</i> —Martin Luther King, Jr. (1963)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Complaint</li> <li><input type="checkbox"/> Pre-Trial Process</li> <li><input type="checkbox"/> Jury Selection</li> <li><input type="checkbox"/> Opening Statements &amp; Closing Arguments</li> <li><input type="checkbox"/> Direct Examination &amp; Cross Examination</li> <li><input type="checkbox"/> Rules of Evidence</li> <li><input type="checkbox"/> Deliberation &amp; Verdict</li> <li><input type="checkbox"/> Appellate Review</li> </ul>	

Unit 1: Lesson 2  
Introduction to Civil Rights and Litigation

<p><b>Due Process.</b> This is a constitutional right granted to citizens by clauses of the Fifth and Fourteenth Amendments of the United States Constitution. All persons have rights to “life, liberty, [and] property,” and the government cannot take away any of those rights unless it observes “due process of law.” The government must follow fair procedures in taking action with respect to an individual and their liberty or property.</p>	<p><i>No person shall...be deprived of life, liberty, or property, without due process of law...</i> —Fifth Amendment, U.S. Constitution (1791)</p> <p><i>...[N]or shall any State deprive any person of life, liberty, or property, without due process of law...</i> —Fourteenth Amendment, U.S. Constitution (1868)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Complaint</li> <li><input type="checkbox"/> Pre-Trial Process</li> <li><input type="checkbox"/> Jury Selection</li> <li><input type="checkbox"/> Opening Statements &amp; Closing Arguments</li> <li><input type="checkbox"/> Direct Examination &amp; Cross Examination</li> <li><input type="checkbox"/> Rules of Evidence</li> <li><input type="checkbox"/> Deliberation &amp; Verdict</li> <li><input type="checkbox"/> Appellate Review</li> </ul>	
<p><b>Equality.</b> The government must treat similarly situated people the same. This clause of the Fourteenth Amendment has been the source of the expansion of rights and antidiscrimination battles during the past half century.</p>	<p><i>No State shall...deny to any person within its jurisdiction the equal protection of the laws.</i> —Fourteenth Amendment, U.S. Constitution (1868)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Complaint</li> <li><input type="checkbox"/> Pre-Trial Process</li> <li><input type="checkbox"/> Jury Selection</li> <li><input type="checkbox"/> Opening Statements &amp; Closing Arguments</li> <li><input type="checkbox"/> Direct Examination &amp; Cross Examination</li> <li><input type="checkbox"/> Rules of Evidence</li> <li><input type="checkbox"/> Deliberation &amp; Verdict</li> <li><input type="checkbox"/> Appellate Review</li> </ul>	