

THE CASE:

Harriet Williams owned a valuable antique watch that was given to her by her grandmother. One day Harriet discovers that the watch is missing. Several days later, she notices that her neighbor, Mary Martin is wearing a watch that looks just like the one that Harriet was missing. Mary denies the accusation and says that the watch is hers. Several other neighbors have been complaining about missing items.

Since this is a _____ case, Harriet calls the police.

Can the police arrest Mary? Why or why not?

The police want to search Mary’s house to look for the stolen items.

Does Mary have to allow them into her house?

AMENDMENT 4 states _____ --

The police make sure to get a _____ by showing _____ which is issued by the _____.

Do students have the same rights?

NEW JERSEY v TLO

BACKGROUND _____

THE QUESTION? _____

THE SUPREME COURT DECISION? _____ --

THE REASONING _____

The police search Mary's house and find many items that have been reported missing, The police obtain an _____ warrant. Before Mary can be arrested , the police must

_____.

Why? _____

Supreme Court decision: MIRANDA V ARIZONA

Background _____

Amendment 5 _____

Issue: _____

Supreme Court decision: _____

MIRANDA WARNING:

Back to Mary Martin.- The police read her the warning. Mary is arrested. Later she is brought to the court house.

What happens the first time at the court house? P.233

1. _____

2. _____

3. _____

The judge gives the case over to a prosecuting attorney who is paid by the government . The prosecutor will prepare the case of the government against Mary. The prosecuting attorney is also known as the _____ . He will have to gather the evidence against Mary since Mary is _____ until _____ .

Mary appears in front of a judge at a preliminary hearing. The judge decided that there is enough evidence to go ahead with a trial.

Mary complains that she has no money for a lawyer. Is she entitled to a lawyer?

Which amendment guarantees this right? _____ -

What if she cannot afford one?

Gideon v Wainwright

Background _____ -

_____ -----

_____ ---

What was the law before this case? _____ -----

Issue: _____

The Supreme Court decision: _____ -

The reasoning: _____ -

When does the right to a lawyer begin?

Escobedo v Illinois

Background _____ -

The issue: _____ --

Supreme Court decision _____ -

Reasoning: _____ -

Back to Mary.....

The court assigns a lawyer to Mary. This lawyer is called a _____.

This lawyer will defend Mary in court. Once she has a lawyer, she returns to court for an

_____ where is indicted which means she is

_____.

Which amendment guarantees this right? _____

If Mary's case was very serious, the a grand jury would be called . This is a group of 16-23 people who determine if _____.

Which amendment guarantees the right to a grand jury? _____

At the indictment , Mary would enter a plea of _____,

_____ or _____.