



JOHN B. GOLDHAMER

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**The Three Branches of the Federal Government,
U.S. Constitution, and the Relationship to Our
Founding Fathers Hats** - Revised

Presentation to the Byrd (Quioccasin) Middle School;
including Mrs. W's fourth grade class in the year 2000
(Johnny Goldhamer is in this class)

(Put on Corvette Hat)



Hello, I'm **Johnny's Dad**, John Goldhamer, and we are
the proud owners of our 1986 Gold Corvette that I
restored and that Johnny talks about!

(Take off Corvette Hat)

Today I'm going to talk about the **Three Branches of
The Federal Government defined in the U.S.
Constitution**, but first let me tell you a little about me.

I have worked for the State of Virginia for almost 24
years as an Auditor or Accountant, which means I work
with Numbers and Tax Law. I received this lapel pin for
20 years of service with the Commonwealth of Virginia.

"I learned, I taught, and I wrote what I learned!"

(Now Retired from Virginia after 30-years of Service)

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(Put on Graduation Cap)



I have *Education and Experience in all Business Disciplines*; including a Bachelor's degree in Finance and Marketing, Accounting courses, Master's Degree in Business (MBA), and a J.D., Juris Doctorate Equivalent Legal Education. I have been essentially a Tax Lawyer for many years, so I work with *Numbers, Words, and Laws. I also used to manage 150 people.*

Currently, I audit the largest companies in the World, for Virginia Corporation Income Tax and travel the entire U.S. by airplane about every other week. The last two months I was in **Miami, FL, Dallas, TX, Nashville, TN and Milwaukee, Wisconsin.** In the next couple of months I will be in **Atlanta, Denver, Chicago, and New York City.** I have also worked as a staff volunteer on many political campaigns for people running for office.

(Take off Graduation Cap)

(Hold up book cover)

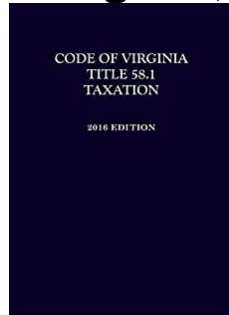
I wrote a 500-page book titled, "**Reflections From Afar**," (*Unpublished*) which is about *Space, Law and Politics; three things seldom related.* I am writing the sequel titled "**Considerations from Within**," which is also about *Space, Law and Politics,* and has a spaceship to Mars. I'm creative with lots of imagination!

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OK, can anyone tell me a rule that they have to follow?

Good. When these rules are written down in a book,
they become a law.

(Lift up Tax Code of Virginia, Title 58.1 Taxation)



This is Title 58.1 of the Code of Virginia, which has all
the Virginia tax laws. I work with this book every day.

But how are laws written in a law book or code?

(Put on Three-Cornered Hat)



Does anyone know what kind of hat we call this, and
who used to wear them?

That's right. It is called a Three-Cornered Hat and in
colonial times, men wore this type of hat.

The Founding Fathers of the United States wore this
type of hat too.

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Can anyone name any of the people we call the
Founding Fathers? There were six!

George Washington

John Adams

Thomas Jefferson

James Madison

Alexander Hamilton

Benjamin Franklin

James Madison, who was a Virginia Attorney, is called:
"The Father of the Constitution" because he had a
major role in writing the **U. S. Constitution** that defines
the checks and balances in our system of government.

In fact, before he helped write the constitution, he wrote
the Virginia Declaration of Rights, and the Virginia
Statute of Religious Freedom. James Madison was a
very good writer, and designed very unusual ideas for
the time.

The U. S. Constitution was the first one in the World!

The U. S. Constitution *Preamble* or beginning starts:

"We the People of the United States, in order to
form a more perfect Union, establish Justice, insure
domestic Tranquility, provide for the common
defense, promote the General Welfare, and secure
the Blessings of Liberty to ourselves and our
Posterity, do ordain and establish this Constitution
for the United States of America."

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Sounds complex, but let's look at it differentially.
(Take off Three-Cornered Hat)



Let's look at my hat:

As you can see, my hat has three corners. Each corner is equal in size, and no corner of the hat is any higher than the other sides; just like the Founding Fathers' idea for a new form of government.

It is interesting that the *Founding Fathers created an idea for a new form of government similar to the hats that they wore.*

Perhaps they took off their hats, laid them on the table, and then modeled their new government after their hats.

For the first time in history, they created **Three Equal Branches of Government**; **and each one was no greater than the others.**

So, the "**Federal Government Hat**" has three corners.

Does anyone know the Three Branches of the Federal Government?

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That's right! Executive, Legislative, and Judicial

Can anyone name the head of the Executive branch?
(Put on Presidential Top Hat)



That's right, it is the **President**. Our current President is Bill Clinton (2000).

The **President** is called "**The Chief Executive**."

The **President** is also the "**Commander in Chief**" of **the Armed Forces**," which are:

Army, Navy, Marines, Airforce, and Coast Guard

(Show Armed Forces Hats)



The **President's** power to declare war is limited by **Congress**. He can only declare War, but **Congress** has to approve it.

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(Hold up the Three-Cornered Hat)



The next corner of the "**Federal Government Hat**" is
Congress.

(Put on Brown Fedora Hat)



Congress is divided between the **House of Representatives**, and the **Senate**. Each state has the number of Representatives in **Congress** according to the population or the number of people in the state.

For example, California, which has the largest population; more than any other state, has more Representatives than Delaware, which is a much smaller state.

Our local Virginia Delegate to the Virginia House of Delegates, Eric Cantor is currently running a campaign to become our Congressman from this area (2000).

Each state also has two Senators no matter how big or small the state.

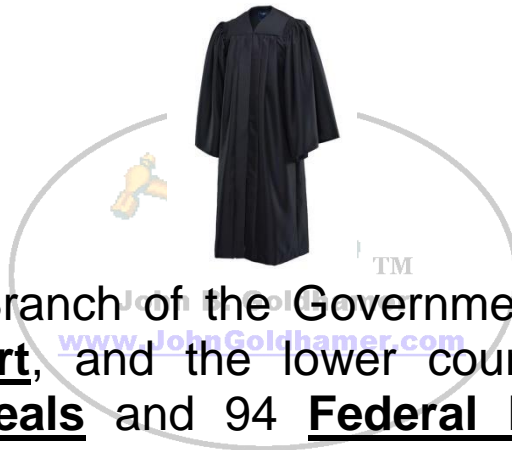
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(Hold up Three-Cornered Hat)



The next corner of the "**Federal Government Hat**" is
the **Judicial**.

(Put on Judicial Robe)



The **Judicial** Branch of the Government has the **U.S. Supreme Court**, and the lower courts; 13 **Federal Court of Appeals** and 94 **Federal District Courts** around the nation. The people who decide are called **Judges**. In the courtroom they wear a Judicial Robe.

(Hold up "Lady Justice with the Scales of Justice")



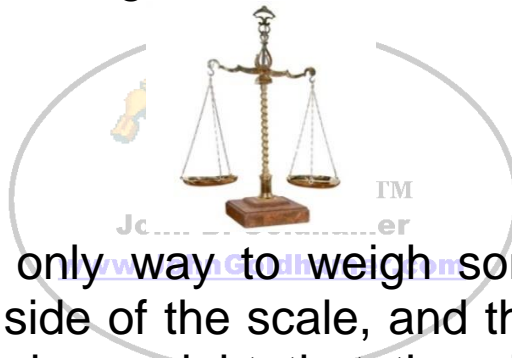
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The symbol for justice is "**Lady Justice**," a statute of a lady with a cloth over her eyes, so she cannot see; showing that Judges do not look at person's race, religion, nationality, or how much money they have, which is expressed by the statement "**Justice is Blind.**"

Does anyone know what this woman is holding?

Let me give you a hint. What do we use when we want to weigh something?

That's right. We use a Scale!



Years ago the only way to weigh something was to place it on one side of the scale, and then on the other side they placed a weight that they knew the exact amount it weighed. Then, by adding or removing different weights, they could determine the exact weight of the item they wanted to weigh; like a pound of flour for a pound cake.

Judges do something similar. Judges weigh, or consider both sides of an issue by putting themselves in the middle of the scale and carefully listening, watching, and being fair to both sides. Then the Judge considers which side they believe is right. That is why they call this the "**Scales of Justice.**"

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“**Lady Justice**” holds the “**Scales of Justice**,” showing that decisions are made by weighing the evidence fairly.

Judges are concerned with the truth, being fair to both sides, and then ordering justice.

The Founding Fathers created this new form of government with three equal sides. They had to put this new idea in writing. So, the paper they wrote is called our “**U.S. Constitution**,” which is our basic laws of the United States.

A **Constitution** is a basic set of rules that govern a country and provides:

1. The form of government
2. The limits of government powers.
3. The rights and liberties of the citizens.

If this seems a little complicated, let me give you an example.

(Put on Busch Gardens Hat)



How many of you have been to Busch Gardens?

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Let's say that a Congressman heard that children were charged too much. Then he wants to pass a law that all theme parks like Busch Gardens are free to all children all the time, but that other types of entertainment, such as Movies Theaters, or Arcades still could charge children.

(Hold up Three-Cornered Hat)



The first corner of our "**Federal Government Hat**" is **Congress**. A Congressman or Congresswoman in the **House of Representatives** might listen what people want and **Draft (Write), Sponsor, and Introduce** a "**Bill**" by giving it to the Clerk of the House, titled:

**H.R. 2000 - A Bill To Make All Theme Parks
in the U.S. Free for All Children**

(Show Brown and Pink Fedora Hats)



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He or she might give a speech.

"Fellow Congressmen, and Congresswomen, it has come to my attention that the children of this nation are paying too much money to go to theme parks in America. Therefore, today I am sponsoring a "Bill" in Congress to prevent theme parks from charging money for children.

When this "Bill" is passed by Congress, and signed by the President, it will become one the best laws in the United States and allow our Citizen Children to attend theme parks for free, and enable our Young Citizens to have more fun in the United States. Thank you."

Next, the Speaker of the House (leader) assigns the "Bill" to the House Rules Committee for their review.



If passed by the House Rules Committee the "Bill" is then presented to the floor of the full House of Representatives for discussion and voting.

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In the House of Representatives a Representative said:

"Congressmen and Congresswomen have we no shame? Why should we only allow children into theme parks for free? Why not help all the citizens and make them free for everyone?"

Another Representative might say:

"Congressmen and Congresswomen how can we do this to the poor Theme Parks? These people have spent their lives making children happy, and now you suggest taking away their ability to charge money for children? I, for one, am not going to allow us the pass laws that will affect the outcome of profit for these Theme Parks."

A third Representative might say:

"Congressmen and Congresswomen I am not sure this law is "Constitutional," but I still might vote for it to help the children."

If passed, by 218 of the 435 members of the House of Representatives, then the "Bill" moves to the Senate.

In the Senate, first a "Bill" must be introduced by a Senator who is recognized to announce the "Bill" by the Presiding Officer, which is usually the Vice President.

*The Majority Leader chooses when to schedule a "Bill" to the Senate Floor. If scheduled, then the Presiding Officer will assign the "Bill" to a "Senate Committee for further discussion. *If not scheduled, the "Bill" stops.**

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If passed by the “**Senate Committee**” the “**Bill**” is presented to the *Senate Floor* for discussion and voting.

If passed in the **Senate** by a simple majority of 51 of 100 Senators, then the “**Bill**” moves to a “**Joint Conference Committee**” of Senators and Representatives to resolve their differences in the “**Bill**”

The “**Joint Conference Committee**” will send the revised “**Bill**” back to the Senate and the House of Representatives for their final approval.

Once approved, the “**Bill**,” is printed and is now called an “**Enrolled Bill**,” signed by the **Speaker of the House** and the **Vice President** of the United States and sent to the **President** for consideration.

If the **President** signs the “**Enrolled Bill**” showing he agrees with it, then it becomes “**Law**,” or the **President** can “**Veto**” the “**Enrolled Bill**” and send it back to **Congress** for further review.

Let's say the **President** signs the “**Enrolled Bill**” titled:

**H.R. 2000 - A Bill To Make All Theme Parks
in the U.S. Free for All Children**

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(Put on Presidential Top Hat)



The **President** might give a speech to the press:

“Ladies and Gentlemen and of course the children of America. I am very pleased today to announce to you that I have signed a Congressional Bill to prevent Theme Parks in the United States from charging a fee for Children's admission. With this Bill and now a U.S. Law, children throughout America will be able to attend Theme Parks for free.

This will get them off the streets during the summer months and lower crime at the same time. In fact, my advisors tell me that it might even help working Parents who have no place to take their children when they are working.

Yes, America, I am very pleased with this new law, and believe it is for the good of the American children everywhere. Thank you.”

(Take off Top Hat)
(Hold up the Three-Cornered Hat)

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So far we used two of the three corners of the "**Federal Government Hat.**" The third corner is the "**Judicial.**"

The **Judicial Process** is the series of steps a legal dispute goes through in the court system. Every person or corporation has the right to a fair trial before a competent judge.

Let's say the Anheuser - Busch Corporation in St. Louis, Missouri, which owns of Busch Gardens, is very upset with this new law. With the new law Busch Gardens has to now:

1. Let all Children under 18 in for free, so it has less income.
2. Hire extra workers and security, so it has more expenses.
3. With less income and more expenses, there is little or no profit.

The President of Anheuser - Busch Corp. might hire an Attorney to challenge the law in **Federal District Court.** The Attorney will write a "**Legal Brief**" which is a legal paper that explains an attorneys' opinion, based on the *Facts, Laws, and Previous Court Decisions* for review by a court. *Personally*, I have written many legal briefs; including one that went to the U.S. Supreme Court.

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(An Example of a Legal Brief)
(Put on Gray Fedora Hat)



In the **Federal District Court** in “**Oral Arguments**” the Attorney might say:

"Your Honor, we have provided evidence, including a *Timeline of Events* showing that as a result of this law my client's theme park is losing money daily. We clearly demonstrated in our “**Legal Brief**” that as a result of this law my client cannot afford to pay his Theme Park staff, including the Bird Trainers and *they had to send the Talking Parrots to a bird sanctuary in Florida!*

This new and outrageous law is contrary to the Commerce Clause of the U.S. Constitution.”

If the **Federal District Court Judge** disagrees with the Anheuser - Busch Corp. Attorney, then they have the *right to appeal* to the **Federal Court of Appeals** and write another “**Legal Brief.**”

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In **Federal Court of Appeals** in "**Oral Arguments**" the Attorney might say:

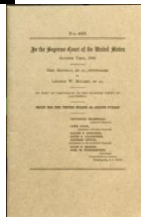
"Your Honors, clearly the Commerce Clause of the U.S. Constitution prevents Congress from passing laws that stops commerce, or making money.

Clearly, this new law for the free access to my client's Theme Park is costing him millions of dollars of lost revenue and greater expenses. While Movie Theaters and Arcades are not governed by this new law and are able to charge children a fee, my client is losing money daily!"

If the **Federal Court of Appeals Judge** disagrees with the Anheuser - Busch Corp. Attorney, then they have the *right to appeal* to the **U.S. Supreme Court**; the *highest court in the United States*.

All these courts are under the **Judicial Branch** of the **Three Branches of The Federal Government**, but still *equal to* the **President**, and **Congress** on our "**Federal Government Hat**."

The Attorney representing Anheuser - Busch Corp. will write a special "**Legal Brief**" called a "**Writ of Certiorari**" for review by the Nine "**Justices**" of the **U.S. Supreme Court**.



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Other theme parks, like *Kings Dominion* might also write a legal brief called **Amicus Curiae Brief that** in Latin language means "*Friend of the Court*" showing it was a national problem. *Many legal words are in Latin.*



The Attorney will also be allowed a short time to present the case in "**Oral Arguments**" in front of the nine "**Justices**" of the **U.S. Supreme Court** and might say:

"Your Honors, clearly the U. S. Constitution prevents one person or corporation from being treated differently than other people or corporations. In otherwise, when a law creates people with a "**Have**" and others with a "**Have Not**," it must be *Unconstitutional*.

Here the Movie Theaters are the "Have" since they are allowed to charge children, and the Theme Parks are the "Have Not" because they are not allowed by this new law to charge children.

In conclusion your Honors, there can be no doubt that this new law which makes **All Theme Parks in the U.S. Free for All Children** is *Unconstitutional*, and therefore the law must be struck down and declared void because it conflicts with the U.S. Constitution, and allow my client and other Theme Parks to charge children who enter. Thank you."

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“Unconstitutional” means a law does not follow the
laws written in the U.S. Constitution.

(Put on Judicial Robe)



In the ruling by the U.S. Supreme Court the Chief
Justice might state:

“In a unanimous decision, we the Justices of the
Supreme Court of the United States believe that the
Attorney representing Anheuser - Busch Corporation,
and Busch Gardens has clearly demonstrated that **H.R.
2000 - A Bill To Make All Theme Parks in the U.S.
Free for All Children** is *Unconstitutional*.

Therefore, effective within thirty days, Theme Parks
may charge a fee for children who enter their Theme
Parks.

As to the money lost to the Theme Parks, which cannot
be retrieved from the children, we are allowing the
Theme Parks to recover half of those fees from the
United States Government. Please submit a schedule of
the amount of money lost due this *Unconstitutional* law
to the Federal District Court within ten days. Perhaps
the Talking Parrots can return to your Theme Park.
Thank you.”

(Take off Judicial Robe)

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As you can see in our example, we passed a law in **Congress**, then the **President** signed it, and it became law.

Then the Theme Park hired an Attorney to help them recover the money that they lost because of the law and eventually after being appealed, the **U.S. Supreme Court** found that the new law was *Unconstitutional* and against the rights written in the U.S. Constitution.

That is what we call "**The Balance of Power**" between the branches of Government. Usually, we do not refer to the "*Federal Government Hat*," but they are called:

"The Three Branches of the Federal Government"

(Put on www.JohnGoldhamer.com
We the People Hat)



In conclusion, "***We The People of The United States***" are very glad and proud that we have a document such as the U.S. Constitution to serve and protect us from laws being passed that might harm us.

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I hope you enjoyed my presentation about:

The Three Branches of the Federal Government,
U.S. Constitution, and the Relationship to Our
Founding Fathers Hats

Summary

In my presentation I gave a fun example how a federal law is passed *to allow children free access to theme parks* and the appeal process through the federal courts. On the last few pages it provides 28 Simple Definitions of keywords used in the presentation.

I hope you thought my presentation with images of props and hats representing different characters with amusing speeches was fun.

More importantly, I hope that you learned about the fundamentals of our federal government!

What questions do you have?

OK, now we will watch the video:

"I'm Just A Bill," by Schoolhouse Rock
<https://www.youtube.com/watch?v=FFroMQIKiag>

Thank you again!

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31 Alphabetical Simple Definitions of Keywords in the Presentation

<https://kids-clerk.house.gov/high-school/glossary.html>

https://www.ducksters.com/history/us_government/glossary_and_terms.php

Amicus Curiae Brief – Latin Language meaning, “Friend of the Court.” It is a paper filed by a person who has no relationship to the case while a court case is appealed. It might be written to show that an issue is a national problem.

Appeal – An application or petition to a higher court for a reversal of a decision of a lower court or an authority like a state or local jurisdiction.

Bill – A draft (writing) of a proposed law or statute presented to Congress, but not yet passed into law. Sponsored by Representatives or Senators and perhaps co-sponsors.

Clerk of the House – Primary duty is to act as the chief record keeper for the House of Representatives.

Committee – A group of Representatives or Senators established by the rules of its respective chamber, where a bill's issues are considered and legislation prepared.

Congress – The Legislative Branch of the Federal Government and consists of two chambers: the House of Representatives and the Senate. The Congress meets in the United States Capitol in Washington, D.C.

Enrolled Bill – The final version of a bill that has been voted on in both houses; approved; and signed by the Speaker of the House and the Vice President of the United States. Then the Enrolled Bill is sent to the President for consideration.

Federal Court of Appeals – They hear or listen to cases appealed from Federal District Courts to determine if there was an error made in applying federal law or the U.S. Constitution.

<https://quizlet.com/29757731/judiciary-flash-cards>

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31 Alphabetical Simple Definitions of Keywords in the Presentation

Federal District Court – They are the federal "Trial" courts, meaning that district court judges have the authority to try or hear cases for civil lawsuits, criminal lawsuits, and constitutional issues. There are 94 federal judicial districts and each state has at least one judicial district.
<https://quizlet.com/29757731/judiciary-flash-cards>

H.R. 2000 - A Bill To Make All Theme Parks in the U.S. Free for All Children – A bill sponsored by a Congressman who heard that children were charged too much at theme parks. This bill will make all theme parks like Busch Gardens free to all children all the time, but other types of entertainment, such as Movies Theaters, or Arcades could still charge children.

H.R. prefix indicates a bill has originated in the House of Representatives.

S. prefix indicates that a bill has originated in the Senate.

House of Representatives – A group of elected officials that makes up half of Congress; the Legislative Branch of the Federal Government. The number of representatives from each state is determined by population. There are 435 total members.

House Rules Committee – Responsible for the rules under which bills will be presented to the House of Representatives and influences the introduction and process of legislation.

https://en.wikipedia.org/wiki/United_States_House_Committee_on_Rules

Joint Conference Committee – A group of members from both the House of Representatives and the Senate tasked with resolving differences in similar legislation passed by both chambers.

Judicial – The Judicial Branch of the Federal Government that includes the courts and judges. The highest court in the Judicial Branch is the Supreme Court. Lower courts are the Federal Court of Appeals and the Federal District Court.

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31 Alphabetical Simple Definitions of Keywords in the Presentation

Legal Brief – A legal paper that explains an attorney s’ opinion, based on the Facts, Laws, and Previous Court Decisions for review by a court, government agency, or a local jurisdiction.

Majority Leader – The main leader of the Senate and is elected by the majority party members in the Senate. He or she are also called Floor Leaders and authorize bills to the floor of the Senate to be voted.

Minority Leader – The main leader of the minority party members of the Senate and is elected by them. He or she might also be called Floor Leaders.

Oral Arguments – A spoken presentation to a judge or appellate court by a lawyer of the legal reasons why they should prevail [win]. https://en.wikipedia.org/wiki/Oral_argument

Political Party – An organization of people with similar political goals and beliefs. The majority political parties in the United States are the Democratic Party and the Republican Party. www.PoliticalParty.com

President – The leader of the Executive Branch of the Federal Government. The President holds all the power for this branch of the government and the other members report to the President. Other parts of the Executive branch include the Vice President, the Executive Office of the President, and the Cabinet. The President is also the "Commander in Chief" of the Armed Forces," which are the Army, Navy, Marines, Airforce, and Coast Guard.

Senate – A group of elected officials that is half of Congress; the Legislative Branch of the Federal Government. There are two Senators from each state totaling 100.

Senate Committee – Responsible for discussions on Bills. The Senate has 20 Standing Committees on different subjects.

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31 Alphabetical Simple Definitions of Keywords in the Presentation

Speaker of the House – The Presiding Officer and main leader of the House of Representatives; who is elected by the majority party members in the House of Representatives.

Tax – A fee charged by the government on citizens and businesses. In order for the government to run, it needs money. The federal agency that collects taxes is the Internal Revenue Service which is usually called the IRS.

Three Branches of the Federal Government – Established by the U.S. Constitution as Executive, Legislative, and Judicial. [The Federal Government Hat]

Three-Cornered Hat – A hat that was worn by men during colonial times. The hat has three corners; each corner is equal in size, and no corner of the hat is any higher than the other sides; just like the Founding Fathers idea for a new form of government. It is interesting that the Founding Fathers created an idea for a new form of government similar to the hats that they wore. Perhaps they took off their hats, laid them on the table, and then modeled their new government after their hats.

Timeline of Events – A listing of events from the oldest to the newest detailing the dates, events, and issues that occurred. Generally, appeals, petitions, and court cases are closer to winning when a Timeline of Events is submitted making it easier for the decider to review than paragraphs.

U. S. Constitution – The Constitution is the framework for the federal government of the United States. It is the highest form of law in the country. The Constitution creates the branches of government and gives them the power to govern. However, it also protects the citizens of the United States and guarantees their basic rights

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31 Alphabetical Simple Definitions of Keywords in the Presentation

U.S. Supreme Court – The highest court in the Judicial Branch of the Federal Government and determines the constitutionality of law through judicial review and the power to invalidate a statute or law for violating a provision of the U.S. Constitution. It has ultimate jurisdiction over all federal and state court cases that involve federal law and is able to cancel presidential directives for violating either the Constitution or statutory law. https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States

Vice President – The second highest officer in the Executive Branch of the Federal Government, after the President and ranks first in the presidential line of succession. The vice president is also an officer in the Legislative Branch, as president or Presiding Officer of the Senate. In this capacity, the vice president presides over Senate deliberations, but may not vote except to cast a tie breaking vote.

Writ of Certiorari – A legal brief written for review by the nine “Justices” of the U.S. Supreme Court. It is a Latin word meaning “To be informed of.” Many legal words are in Latin. JohnGoldhamer.com