

NAME: _____ MOD. _____



CHAPTER 1 ETHICS AND THE LAW



OBJECTIVE: DEVELOP AN UNDERSTANDING OF LAW AND HOW IT PROTECTS US.
NBEA STANDARD: STANDARD I: BASICS OF LAW: ANALYZE RELATIONSHIP BETWEEN ETHICS AND LAW; SOURCES OF LAW.

MORALITY DEFINED: Person's belief as to what is _____ and _____.

ETHICS DEFINED: _____
_____.

FOUR ETHICAL CHARACTER TRAITS:

1. _____ - ability to be _____ and _____ in dealing with other people.
2. _____ - ability to treat people _____ and _____.
3. _____ - ability to be _____ and _____ others with problems.
4. _____ - ability to do _____, regardless of _____.

LAWS Laws provide a _____.

DEFINE LAW _____

FOUR FUNCTIONS OF LAW:

1. Settling _____.
2. _____ and _____ order.
3. Protecting the _____ and their _____.
4. Promoting the _____.

COST OF LAW 1. _____ 2. _____

SOURCES OF AMERICAN LAW

ENGLISH COMMON LAW Characterized by practice of deciding cases on _____.

ROMAN CIVIL LAW This is the law - _____ exceptions.

WHICH TYPE OF LAW DOES LOUISIANA HAVE? _____

STARE DECISIS Latin for _____.

WHAT DOES IT MEAN? _____
_____.

It is also known as _____.

ECCLESIASTICAL LAW

_____ Law. Very powerful.

U.S. CONSTITUTION

What is the highest law in the land? _____

1. _____ within which the federal and state governments can pass laws.

2. _____ can conflict with the U.S. Constitution.

IF A LAW CONFLICTS WITH THE U.S. CONSTITUTION, IT IS DECLARED _____ or invalid.

FEDERAL/STATE CONSTITUTIONS

Limits of both defined by _____.

STATUTES

aka (_____) created for a _____

EXAMPLE: _____

COURT DECISIONS

aka (_____) based on _____ and _____ rather than statutes.

WHAT IS THE COURT'S RESPONSIBILITY?

a) Follow _____ which means _____.

b) _____ statutes if _____.

c) Provide _____ if the law violates the constitution.

ADMINISTRATIVE LAW

_____ and _____ governing regulatory agencies.

Example: _____.

LAW MERCHANT

_____ set by merchant.

U.C.C.

_____ - laws related to _____.

1789

Date _____ took effect.

_____ law in the land.

U. S. CONSTITUTION BILL OF RIGHTS

_____ articles, _____ amendments.

First 10 amendments are known as _____

which protect the _____ from the _____.

U.S. Constitution spells out the principals by which the

_____.

DOCTRINES

_____ (based on the Constitution) determine validity of legal action based on:

1. STANDING _____ ?

2. CASE/CONTROVERSY _____ ?

3. RIPENESS/MOOTNESS _____ ?

4. ADEQUATE & INDEPENDENT STATE GROUNDS _____ ?

5. NON-JUDICIAL _____ ?

FIRST AMENDMENT

Guarantees the right of freedom of _____, _____,

_____ , _____,

and freedom for people to _____.

FREEDOM OF SPEECH

_____ amendment. Three tests that a case must pass when seeking to infringe on freedom of speech.

Must allow _____ for speech to take place.

Law must be _____.

Law must _____ serve a _____.

ESTABLISHMENT CLAUSE

1. Laws must have _____.

SECULAR

Defined: _____.

2. Laws can neither _____ or _____ religion.

3. No _____ between _____ and _____.

EXCESSIVE ENTANGLEMENT

Defined? _____.

EXAMPLE: _____

COMMERCE CLAUSE

Article ____ -- _____.

14TH AMENDMENT

everyone guaranteed same rights under _____ clause.

equal protection and due process under _____ clause.

STRICT SCRUTINY

must show _____ state interest.

EX: _____

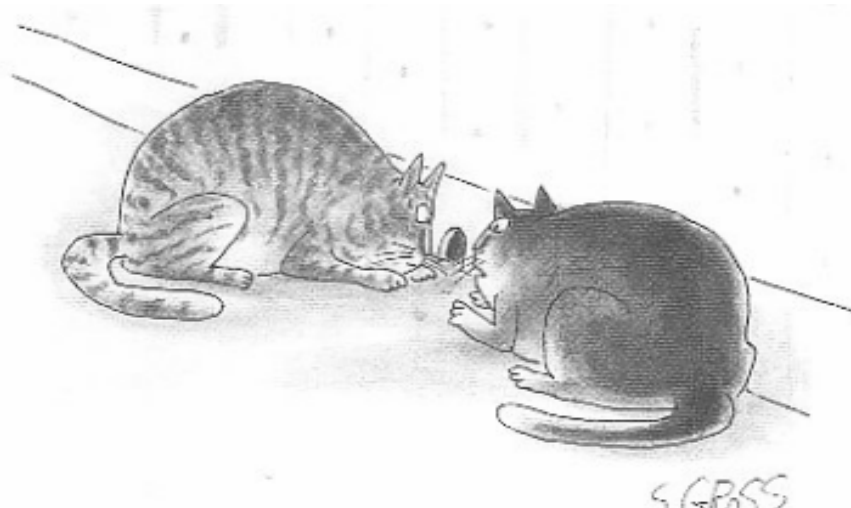
INTERMEDIATE SCRUTINY

substantially related to an _____

RATIONALLY RELATED

_____ interest

EX: _____



"If we were lawyers, this would be billable time."