

*American Government: Stories of a Nation for the AP® Course*  
Guided Reading  
Section 6.3: John Marshall and the Power of the Supreme Court

Name \_\_\_\_\_  
Date \_\_\_\_\_ Class \_\_\_\_\_

 **Before you read**

Before reading this section, take a moment to read the Learning Target and vocabulary terms you will encounter.

**Learning Target:** Define judicial review and explain how it checks the power of Congress, the president, and the states.

**AP® Key Concepts**

*Marbury v. Madison*

judicial review

 **While you read**

Use the following table to take notes as you read the section.

Aspects and examples of judicial review	Impact on other branches and state governments

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 **After you read**

Once you've finished reading the section, answer the following questions.

1. The Federalists, led by President John Adams, distrusted the Republicans in 1800, accusing the Republicans of
  - A. attempting to strengthen the federal government.
  - B. being too close to France.
  - C. trying to impose a British-style monarchy in America.
  - D. using the presidency to violate civil rights.
  
2. In the event no candidate wins a majority in the Electoral College, the \_\_\_\_\_ selects the new president.
  - A. Senate
  - B. sitting president
  - C. House of Representatives
  - D. Supreme Court
  
3. How did the Twelfth Amendment alter presidential election rules?
  - A. It separated the votes for president and vice president.
  - B. It required the nomination of political parties to standardize matters.
  - C. It removed the House of Representatives from the process.
  - D. It required the Senate to confirm the presidential nominee.
  
4. The Judiciary Act of 1801 did all of the following EXCEPT
  - A. create new vacant federal courts.
  - B. lowered the number of Supreme Court justices.
  - C. establish a three-tiered federal judiciary.
  - D. change the Supreme Court's schedule.
  
5. John Adams's last-minute appointees under the terms of the Judiciary Act of 1801 were known as \_\_\_\_\_.
  

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6. John Marshall was the country's \_\_\_\_\_ chief justice.
  - A. oldest
  - B. only Federalist
  - C. only Republican
  - D. longest-serving
  
7. Which sentence aptly summarized John Marshall's decision in *Marbury v. Madison* (1803)?
  - A. Though Marbury's commission was signed and sealed, its lack of delivery means Marbury shouldn't have his office.
  - B. Marbury should legally have his office, but the Supreme Court cannot legally issue the writ of mandamus to force him to have it.
  - C. Marbury should seek redress in state court for his issue and not in federal court.

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- D. Marbury is legally entitled to his commission and Secretary of State Madison is obligated to hand it to him.
8. Which scenario correctly exemplifies the concept of judicial review?
- A. The U.S. Court of Appeals strikes down the ABC Act for violating Article IV of the Constitution.
  - B. The Supreme Court rules that provisions of the DEF Act violate the Tenth Amendment.
  - C. A senator consults with the president to review candidates for the federal bench in his state.
  - D. The Supreme Court remands a case back to the district court for review.
9. In exercising judicial review, according to John Marshall's logic, the Court places itself in a \_\_\_\_\_ position to the other branches.
- A. inferior
  - B. coequal
  - C. superior
  - D. untenable
10. John Marshall's creation of judicial review was based upon
- A. Alexander Hamilton's ideas in *Federalist* No. 78.
  - B. his own personal experiences and ideologies.
  - C. Thomas Jefferson's Declaration of Independence
  - D. the wording of the Judiciary Act of 1801.