Comprehensive Exam Review

These cases must be used when appropriate to analyze the question asked on the exam:

- *Griswold v. Connecticut*
- *Washington v. Glucksburg*
- *Bowers v. Hardwick*
- *McDonald v. Chicago (D. C. v. Heller)*
- *Roe v. Wade*
- *Katz v. U.S.*
- *Planned Parenthood v. Casey*
- *Roper v. Simmons*
- *Lawrence v. Texas*
- *Graham v. Florida*
- *Texas v. Johnson*
- *Clark v. Arizona*
- *Virginia v. Black*
- *Duncan v. Louisiana*
- *R.A.V. v. St. Paul*
- *Batson v. Kentucky*
- *Furman v. Georgia*
- *Mapp v. Ohio*
- *Illinois v. Gates*
- *Gideon v. Wainwright*
- *Rochin v. California*
- *Terry v. Ohio*
- *U.S. v. Jones*
- *Brown v. Plata*

These concepts are necessary to understand and utilize when appropriate in writing test answers.

- Unenumerated rights
- Privileges and immunities clause
- Sedition laws
- Obscenity
- Miller test
- Strict scrutiny test v. rational relationship test
- Proximate causation (as opposed to actual)
- Excuses and justifications (culpability)
- Mens rea (4 states)
- Strict liability, Vicarious liability
- McNaughton rules
- privacy rights
- Bill of rights related to c.j.s.
- Eudemonia
- Categorical imperative
- act v. rule utilitarianism
- Kohlberg’s stages
- golden mean
- Natural law, positivist law, legal realism and critical legal theory
Ethical formalism, utilitarianism, ethics of virtue, ethics of care

Sample test questions

Option 1.

Utilizing a hypothetical same-sex marriage challenge to the Supreme Court, present either one side or the other using appropriate case law and public policy arguments to support your position. Now present the Supreme Court’s holding and rationale. As part of the rationale for law is to protect society’s morality, provide an ethical justification as well in the “court’s” holding. Then explain whether that decision is consistent with natural law, positivism, legal realism, or critical legal theory.

Option 2.

Discuss a groundbreaking case (provided from the list above) and explain the rationale, precedent, and progeny. Discuss whether the court’s decision is consistent with a particular legal philosophy and why. Discuss whether the court’s decision is consistent with a particular ethical system and why.

Option 3.

Start with a legal philosophy (choice or given), provide a discussion of at least three cases that are consistent with that philosophy and why. Now do the same for an ethical system.