

Name: _____

Date: _____

TINKER V. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT by U. S. SUPREME COURT

Guided Notes – Lesson 1

What is the premise and purpose for the US Supreme Court's publication of the majority opinion 393.US.503?

Objective: *In this lesson you will learn to explain the premise and purpose of a Supreme Court opinion by defining the legal disagreement in the case.*

Steps:

1. Identify the petitioner and the defendant in the text.
2. Ask yourself: "What is the premise for their disagreement?"
3. Decide: "What is the Supreme Court's purpose in solving the disagreement?"

Title:

1. Identify the petitioner and the defendant in the text.
Read the title. Write your answers in the chart below
Petitioner- person who files the complaint with the court
Defendant- whom the complaint is filed against

United States Supreme Court

393 U. S. 503

TINKER v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT

Argued: Nov. 12. 1968.---Decided: Feb 24. 1969

PETITIONER	DEFENDENT

Page 1 (Paragraph 2 and 5):

2. Ask yourself: "What is the premise for their disagreement?"
Read the passages below. Highlight information that tells you the premise of the case Tinker v. Des Moines.
 - We can think of premise and purpose like cause and effect.
 - The premise tells us WHY a legal problem has occurred.

In December 1965, a group of adults and students in Des Moines held a meeting at the Eckhardt home. The group determined to publicize their objections to the hostilities in Vietnam and their support for a truce by wearing black armbands during the holiday season and by fasting on December 16 and New Year's Eve. Petitioners and their parents had previously engaged in similar activities, and they decided to participate in the program.

This complaint was filed in the United States District Court by petitioners, through their fathers, under 1983 of Title 42 of the United States Code. It prayed for an injunction restraining the respondent school officials and the respondent members of the board of directors of the school district from disciplining the petitioners, and it sought nominal damages. After an evidentiary hearing the District Court dismissed the complaint.

Use the information you highlighted in the passages above to record the causes of the disagreement for each side of the case.

PETITIONER	DEFENDENT

3. Decide: "What is the Supreme Court's purpose in solving the disagreement?"
 - *The Supreme Court weighs the evidence between the petitioner and the defendant and delivers an opinion about the case. What is the legal disagreement that needs to be solved?*

The Supreme Court's purpose in solving this disagreement is to...