

AP GOV: Final Project: Mock SCOTUS Assignment Details

| Level 2 Near Proficiency | Level 3 Proficient | Level 4 Exceeds Proficiency |
|---|---|---|
| Identify the qualifications for and powers of the Supreme Court Define litigants, precedent, Stare Decisis, Amicus Curiae Briefs Distinguish between civil and criminal law | Evaluate a court case by applying the Bill of Rights and the Constitution | Create and defend a legal argument using the Bill of Rights, the Constitution, and Judicial precedent |

Background: On November 20, 2014, President Obama announced a series of executive actions to address the uncertainties and inconsistencies related to illegal immigration at the border and the status of undocumented immigrants currently in the United States.

The order expands the population eligible for the Deferred Action for Childhood Arrivals (DACA) program to young people who came to this country before turning 16 years old and establishes a new Deferred Action for Parental Accountability program (DAPA) for parents of citizens and lawful permanent residents.

President Obama's orders have come under the scrutiny of state governments, and a legal dispute has been presented to the Supreme Court in *United States v. Texas*. Your job as a class will be to interpret this contemporary case and ultimately resolve this legal dispute before the US Supreme Court does.

Student Roles: Based on your assigned role, each student must apply the Bill of Rights, legal precedent, and the U.S. Constitution to answer the Questions of the Court. The roles are broken down as the following:

Justices: Nine justices will be hearing oral arguments, reading amicus briefs, and applying precedent cases acquired during this course to ultimately issue a decision on the case through individual written opinions.

Litigants: Two teams of two will be arguing in front of the court either for the Petitioner (United States) or the Respondent (State of Texas, et. al).

Friends of the Court: Everyone else will be submitting a legal argument to the Court in a written amicus brief.

Questions of the Court: In order to resolve this legal dispute, the following questions must be addressed by all parties involved.

- i. Does Texas, and other states that provide subsidies to persons who are granted deferred action have Article III standing to sue the federal government under the Administrative Procedure Act because the new guidelines will lead to more persons being eligible for deferred action?
- ii. Do the deportation deferral programs in question violate federal immigration law and/or the Constitution?
- iii. Did Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) violate the Administrative Procedure Act (APA) by failing to go through a mandatory notice-and-comment procedure?
- iv. Does DAPA violate the Take Care Clause (Article II, Section 3) of the Constitution?