

CONSTITUTIONAL OPINION FORM

The United States Constitution and Bill of Rights place limits on what government can do in order to protect the rights of the people. So do the constitutions of each state.

Whenever we suggest that government adopt a policy or enact a law to deal with a problem, it is important that we do not ask government to do something prohibited by our federal or state constitutions. Each citizen has the right and should take the responsibility to look at present and suggested policies and laws to see if they might be violating constitutional limits on government.

This checklist includes some of the most important limits our federal and state constitutions place on our governments to protect our rights. Use the checklist when you develop your policy. Be sure that, in your opinion, your proposed policy does not violate the limits placed on government.

This Constitutional Opinion Form should be considered by the entire class. The results of that consideration should be included in Part 3 of the display and documentation sections of your portfolio.

Checklist

1. Government is not allowed to interfere with a person's freedom of belief. Our proposed policy (does/does not) violate this limit on the power of government. Explain why.

2. Government is not allowed to place unreasonable and unfair limits on a person's right to express himself or herself in speech, writing, or by other means. Our proposed policy (does/does not) violate this limit on the power of government. Explain why.

3. Government is not allowed to take a person's life, liberty, or property without giving that person a fair hearing in a court of law or before another authorized agency of government. Our proposed policy (does/does not) violate this limit on the power of government. Explain why.

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4. Government is not allowed to invade the privacy of a person’s home without a very good reason for doing so. Our proposed policy (does/does not) violate this limit on the power of government. Explain why.

5. Government is not allowed to make laws that unreasonably or unfairly discriminate against people on the basis of race, religion, age, ethnic group (national origin), or gender. Our proposed policy (does/does not) violate this limit on the power of government. Explain why.

Summary Statement

Write a summary statement in which you support your belief that your class’s proposed public policy does not violate the U.S. Constitution or your state’s constitution.
