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Due Process of Law

What is Due Process?

Due process is often debated & recognized on a case-by-case basis.

Due Process- The government must act fairly & in accord with established rules

Procedural Due Process- How the government uses procedures & methods of governmental action

Substantive Due Process- The actual actions & policies of governmental action

The background of the slide is a close-up, artistic rendering of the American flag. The stars in the upper left are prominent, and the stripes flow across the bottom. The colors are slightly muted and blended, giving it a painterly or textured appearance.

Individual Rights & the Public Good

Police Power- Authority of each State to act to protect & promote the public health, safety, morals & general welfare

Courts often have to strike a balance between the needs of society & the freedoms of individuals

Take drunk drivers, how do you test for them?

Search Warrant- Court order authorizing a search

*****Protecting the Public**

1. To promote health such as sale laws on alcohol, vaccines for schools, pollution laws, etc

2. To promote safety such as weapon ownership, seat belts, & drunk driver laws

3. To promote morals, such as gambling, obscene materials,

4. To promote general welfare, such as education, medical laws, public utilities

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, painterly tones.

Just Compensation

Eminent Domain- Government can take public property for public use

This is used for things such as highways or land protection

Sometimes it can be used for economic development