

(7.2) The Supreme Court

U.S. Government and Politics

Essential question for today

- *How should we handle conflict?*

Review national judiciary

- Purpose of judicial branch
- Structure of the dual court system
 - A reflection of Federalism
 - Jurisdiction (original and appellate)
 - Selection of judges (appointed by the president and confirmed by the Senate)
- Civil vs. Criminal Case Examples

Article 3 - U.S. Supreme Court

- Chief Justice and 8 associate judges (9 total)
 - Congress sets this number
 - Serve for life



**Kavanaugh replacing
Scalia**





The Court Chamber of the Supreme Court of the United States is a dignified space. During sessions, the nine Justices of the Supreme Court sit behind the raised bench.

THE APPELLATE PATH IN THE FEDERAL COURTS

APPEALS FROM HIGHEST
STATE COURTS



U.S. COURT OF APPEALS
FOR THE ARMED FORCES



Military Courts



SUPREME COURT



**U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

U.S. Court of International Trade
U.S. Court of Federal Claims
U.S. Court of Appeals for Veterans Claims



U.S. COURT OF APPEALS



Appeals from Federal
Regulatory Agencies

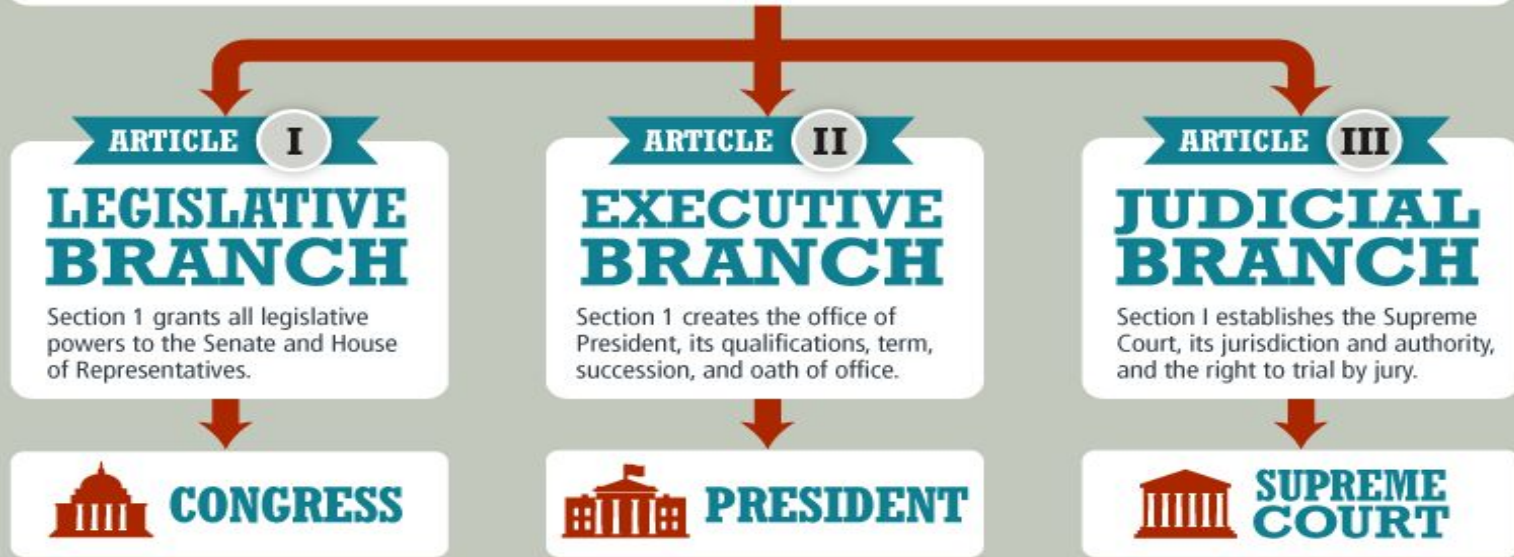
District Courts

Courts of the District of Columbia
U.S. Tax Court
Territorial Courts



THE THREE BRANCHES OF GOVERNMENT

UNITED STATES CONSTITUTION



The U.S. Constitution created three branches of government: legislative, executive, and judicial. Why do you think the Framers created the three branches to be equal?

Purpose of the U.S. Supreme Court

- **Judicial review (*Marbury v. Madison* 1803)**
 - Interpret the law!
 - power to decide the constitutionality of an act of government
 - makes the supreme court the final authority on the meaning of the Constitution

Jurisdiction of the Supreme Court

- Has both original and appellate jurisdiction (see definitions)
 - Most come from appeal - meaning the lower courts disagreed in their rulings or there was a constitutional conflict

Appealing to the Supreme Court

- More than 8,000 cases are appealed to the Supreme Court each term. The Court accepts only a few hundred for decision.
- In most cases, petitions for review are denied, usually because most of the justices agree with the decision of the lower court or believe that the case involves no significant point of law.
 - Must be granted a *writ of certiorari*
 - **Rule of 4** (4 judges must agree to hear case)

Opinions of the Supreme Court

How does the Supreme Court deliver their decisions / opinions on cases?

- **Majority**

- official opinion of the court - details the reasons for the case

- **Concurring**

- additional points not made by the majority

- **Dissenting**

- disagreement with the majority decision

Decisions of the Supreme Court

- Power of the “**Precedent**” = a judicial decision that serves as a guide for settling later cases of similarity.
 - Stare decisis
- Rarely the Supreme Court reverses itself, so precedence plays a key role in the court's decisions.

Conclusions / Takeaways

- Quick write and report out:
 - Summarize the role of the Supreme Court - make sure to use specifics!