

The Judicial Branch

Lesson One - The Federal Court System

What is the Judicial Branch?

- The third branch of our Federal Government
- Contains the Federal Court System & the Supreme Court
- Works alongside the state's court systems
- Only hears certain types of cases (all others go through state courts)



This Branch Has Two Main Jobs...



- Interpret the law
- Ensure that laws are fairly enforced

What is the Federal Court System?

- It was created in Article III of the Constitution
- It is made up of three parts:
 - Supreme Court
 - Appeals Courts
 - District Courts
- Most cases are heard in state courts and not in the Federal Court System



The Goal of the Court System

The words "Equal Justice Under Law" are written on the building that houses the United States Supreme Court. Our legal system is based on this ideal. The goal of the legal system is to treat every person the same.



The Goal of the Court System

The ideal for equal justice is difficult to achieve. Judges and juries are not always able to be free from their own prejudices. Poor people do not have the money to spend on the best lawyers, as wealthy people and large companies do. Nonetheless, American courts try to uphold this ideal.



Under the Constitution...

- Every person accused of breaking the law has the right to a public trial and lawyer.
- If an accused person cannot afford a lawyer, the court will name one and pay for his/her services.
- Each person is assumed to be innocent until proven guilty
- Each person has the right to ask the courts to review his/her case if, in the person's view, the law has not been applied correctly.

Types of Cases Heard

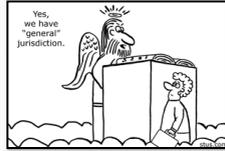
<p>Criminal Cases</p> <ul style="list-style-type: none"> • People accused of a crime appears in court for a trial • Witnesses give evidence • A jury or a judge decides on a verdict of guilty or innocent 	<p>Civil Cases</p> <ul style="list-style-type: none"> • Disputes occur between parties who feel that their rights have been harmed • Each side presents its position then the court decides in favor of one side or the other
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Marbury v. Madison

- Established power of judicial review
- Established the Constitution as supreme law of the land
- In a conflict between the Constitution and other law, the Constitution rules ("Supremacy Clause")
- Judicial Branch can nullify, or cancel, laws that conflict with Constitution. They will declare the law unconstitutional.

Jurisdiction

- Article III of the Constitution gives federal courts **jurisdiction**, the authority to hear and decide a case – only in certain kinds of cases.
- Placing limits on the federal court system prevents it from interfering with state courts.



Types of Cases Heard in Federal Court?

- Cases involving the Constitution
- Violations of federal law
- Controversies between states
- Cases based on maritime laws
- Suits involving the federal government
- Cases involving foreign governments & treaties
- Cases involving US Diplomats
- Disputes between parties from different states

A Dual Court System

- The Federal Court exists alongside 50 separate state court systems
- Each state has its own courts which get their power from state constitutions and state laws
- All 50 state courts operate independently of each other and of the federal courts
- The Federal Court get their powers from laws passed by Congress

Concurrent Jurisdiction

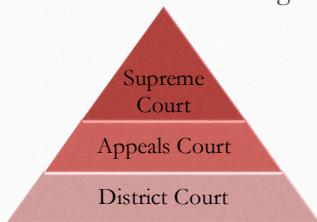
In some cases, the state and federal courts have concurrent jurisdiction

- Concurrent Jurisdiction: both states and federal courts may hear & decide cases
- Examples of cases with Concurrent Jurisdiction:
 - Cases that violate both state and federal laws
 - Cases involving citizens from different states

Federal Judges

- 550+ federal judges
- President appoints judges & Senate must approve
- Judges are appointed for life (can only be removed through impeachment)

How Federal Courts are Organized



U.S. District Court

- All federal trials begin in the federal district courts
- Each state has at least one federal district court
- District courts are the only federal courts in which witnesses testify & juries hear and decide cases

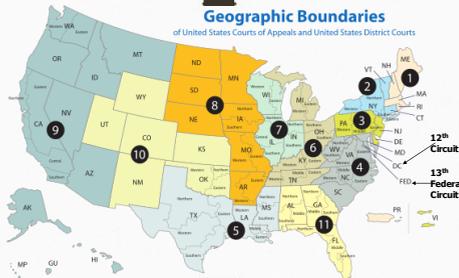
U.S. Appeals Court

(also called Federal Appeals Court, Circuit Court of Appeals & Appellate Court)

- If a person loses his/her case in the District Court, he/she can have the case reviewed by the Appeals Court because it has appellate jurisdiction
 - Appellate Jurisdiction: court's authority to hear a case appealed from a lower court
- There are 13 US courts of appeals called circuits
- The 13th appeals court has nationwide jurisdiction, meaning it can hear special cases

Geographic Boundaries

of United States Courts of Appeals and United States District Courts



Types of Decisions in Appeals Courts

- Appeal's Court trials have only a judge, no juries
- They may make one of three possible decisions:
 - Uphold original decision
 - Reverse the original decision
 - Remand (send back) to lower court to be retried

Announcing the Decision

- When the court decides, one judge writes the court *opinion*, or decision
 - This sets a *precedent* for other courts in the future to look at if a similar situation happens

The United States

Supreme Court

Powers of the SC

- Judicial Review: decides whether any federal, state or local law or government action is constitutional, or allowed by the Constitution
 - SC gained this power after Marbury v. Madison
- Main job of courts is to interpret laws, or decide what laws actually mean

Supreme Court Jurisdiction

- SC has original jurisdiction in only 2 cases
 - Cases involving diplomats from foreign countries
 - Cases involving states

All other cases begin in the District Courts.

SC Justices

- 9 Justices (one is the “Chief Justice”)
- Choose cases to hear from many thousands each year
- Appointed by Pres & Confirmed by Senate
- All former lawyers

SC Justices

1. John Roberts (Chief Justice)
2. Elena Kagan
3. Stephen Breyer
4. Clarence Thomas
5. Neil Gorsuch
6. Samuel Alito
7. Sonia Sotomayor
8. Brett Kavanaugh
9. Amy Coney Barrett



Milestones in Justice History

- First African American Justice: Thurgood Marshall (1967)
- First Female Justice: Sandra Day O'Connor (1981)
- First Hispanic Justice: Sonia Sotomayor (2009)

How Cases Reach the Court

- Supreme Court conducts business from October-June/July
- Each month they spend:
 - 2 weeks listening to oral arguments
 - 2 weeks writing opinions/studying other cases
- 80 cases heard each year (out of 8,000 submitted)

Steps in Decision Making

1. Written Argument: Each lawyer writes a brief explanation of their side
2. Oral Argument: Each lawyer presents his side for 30 min.
3. Conference: Judges meet to decide case.
 - Majority opinion: explains the court's final decision or ruling
 - Dissenting opinion: written by justice/justices who disagree with majority opinion & explains why they oppose the majority in the case
4. Announcement of decision

Influences on the Judge

- The law should be the most important influence in a judge's decision!
- *Stare Decisis*: "let the decision stand" means decisions in previous cases should be used as precedent for future cases. The laws should be interpreted the same way by judges.
- Judges should rely on precedent, but they must also change with the times.
 - Ex. Segregation was acceptable to society in the 1950s, but not in the 1960s.
