

Chapter Summary

The Judicial Branch

Lesson 1 *Federal Courts*

- The judicial branch of the federal government is made up of courts. The role of the courts is to interpret laws and make sure they are enforced fairly.
- Article III of the Constitution established the Supreme Court, the nation's highest court.
- The Constitution gives Congress the right to establish lower federal courts: district courts to handle trials and circuit courts to handle appeals. The Supreme Court handles final appeals.
- The United States has a dual court system. Each state has its own court system that is separate from the federal court system.
- The goal of the court system is "equal justice under law." Every person must be treated the same, and everyone is presumed innocent until proven guilty.
- Federal courts have jurisdiction, or authority, to hear only certain kinds of cases so that they do not interfere with state courts.
- Federal courts have jurisdiction over cases involving constitutional issues, federal crimes (such as kidnapping and tax evasion), disputes between states or between people from two different states, and incidents that occur at sea.
- Issues that involve the federal government, foreign governments, or U.S. diplomats go to federal court.
- When either a federal or state court could hear a case, as when state and federal laws overlap, the two courts have concurrent jurisdiction.

Lesson 2 *The Federal Court System*

- District courts are the lowest level in the federal system. They have original jurisdiction—they hear cases for the first time—for criminal and civil cases.
- The federal circuit courts of appeal serve twelve specific geographic areas. A thirteenth circuit court hears special cases involving patent law, international trade, and other civil cases brought against the United States.

Chapter Summary

**networks**

The Judicial Branch

Lesson 2 *The Federal Court System, Cont.*

- Circuit courts hear cases appealed from lower courts. They review decisions made in the lower courts to decide whether mistakes were made. Mistakes might include how the judge applied or interpreted the law.
- A party who loses a civil case may ask the circuit court to review the decision. In a criminal case, only an accused who is found guilty may appeal.
- Appeals are decided by a panel of three or more judges. They can uphold the trial court's decision, reverse the trial court's decision, or send the case back to the trial court to be tried again.
- One judge writes an opinion explaining the court's reasoning. Opinions are used as a precedent, or basis for future decisions, by the district courts in the circuit. These opinions form what is called case law.
- All courts must follow precedents set by the Supreme Court.
- The president appoints federal judges with the consent of the Senate. Federal judges hold their positions for life unless they are impeached.

Lesson 3 *The Supreme Court*

- The Supreme Court hears cases that have been appealed from circuit courts and from regulatory agencies. It has original jurisdiction in cases between states and between states and foreign diplomats.
- The Supreme Court has final authority on cases that involve constitutional issues, acts of Congress, and treaties with other nations.
- There are nine justices on the Supreme Court. The chief justice acts as the Court's leader.
- The Supreme Court has the power of judicial review—the power to decide if a law or action that has been challenged is allowed by the Constitution. If a law is unconstitutional, the Court can nullify, or legally cancel, the law.

Chapter Summary

The logo for 'networks' features the word 'networks' in a bold, lowercase sans-serif font. A stylized graphic of intersecting lines forms a starburst or network pattern behind the letter 'o'.

The Judicial Branch

Lesson 3 *The Supreme Court, Cont.*

- The Court may only hear cases that are brought before it. The cases must involve actual legal disputes and federal questions.
- The Supreme Court lacks the power to enforce its rulings. However, the executive and legislative branches usually follow Supreme Court rulings.

Lesson 4 *Supreme Court Procedures and Decisions*

- The Supreme Court meets for one nine-month term each year beginning the first Monday of October. It may hold special sessions for urgent matters.
- The Supreme Court receives over 10,000 appeals annually. The Court carefully selects only about 75 to 80 cases to hear each term. At least four of the nine justices must agree to place a case on the Court's docket.
- The Supreme Court selects cases that involve important Constitutional questions or that will affect many citizens. It also accepts cases that the lower courts cannot resolve.
- Lawyers on each side of a case write briefs that contain their legal arguments. Then they argue the case before the justices.
- The justices decide the outcome of each case by a majority vote. The chief justice presides, and at least six justices must be present.
- Supreme Court decisions may rely on precedent, but they may also overrule prior decisions.
- The majority opinion states the court's decision and explains its reasoning. Justices who disagree with the decision may write a dissenting opinion. Justices who agree with the decision, but disagree with the reasoning, may write a concurring opinion.