

HOW DO THEY EXPECT US TO STOP THEM?

What is the role of the Supreme Court?

Article 3 of the Constitution – the
Judicial Branch



Today's Supreme Court



Front Row (L-R): Anthony Kennedy, John Paul Stevens, Chief Justice John Roberts, Antonin Scalia, Clarence Thomas
Back Row (L-R): Samuel Alito, Ruth Bader Ginsburg, Steven Breyer, Sonia Sotomayor

What are the qualifications for Justice?

- The Constitution does not establish any set requirements or set number of Supreme Court justices .
- Presidents usually appoint people who have some experienced or trained in the law.
- Senate confirms
- Supreme Court justices, once nominated and approved, serve for life terms.

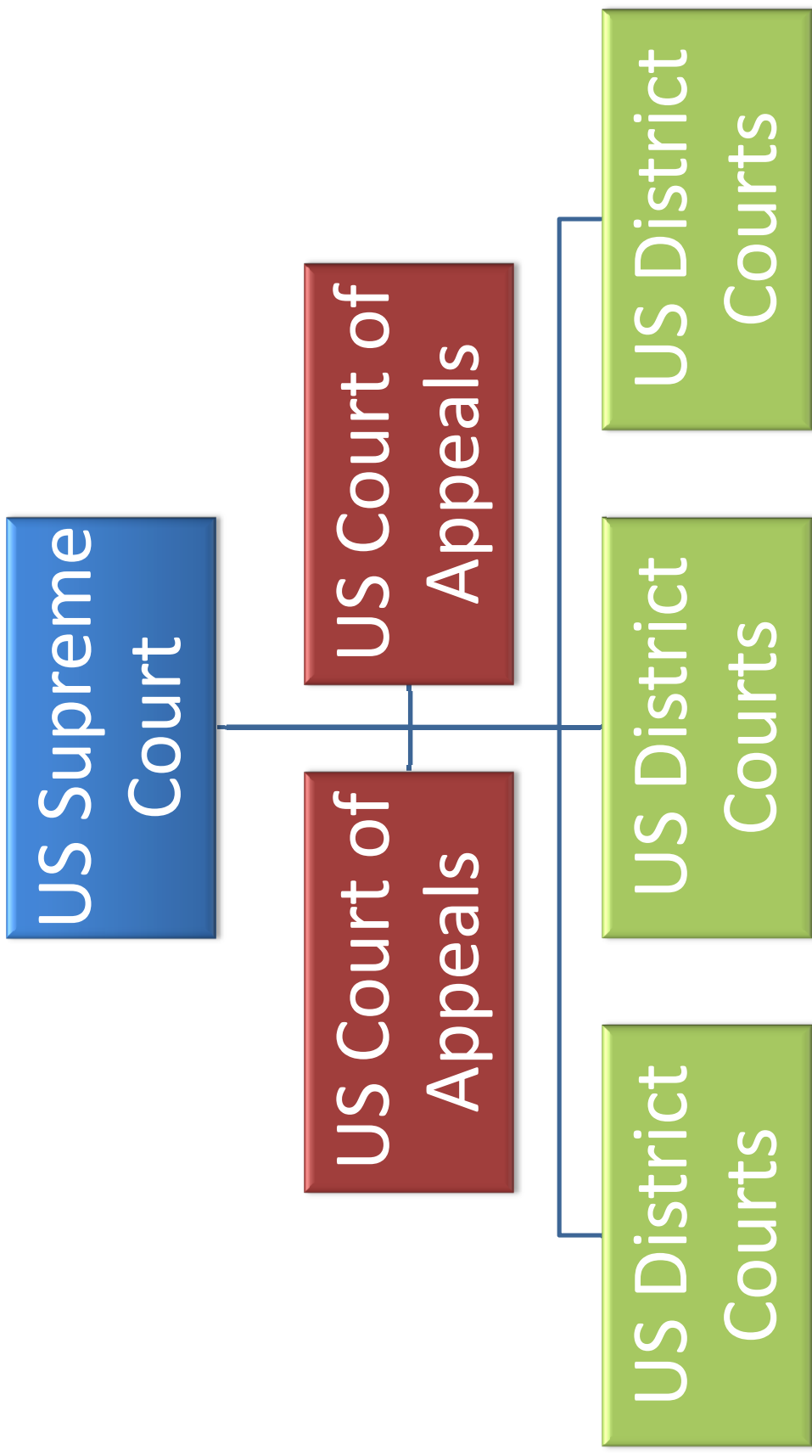
What cases does the Supreme Court take?

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

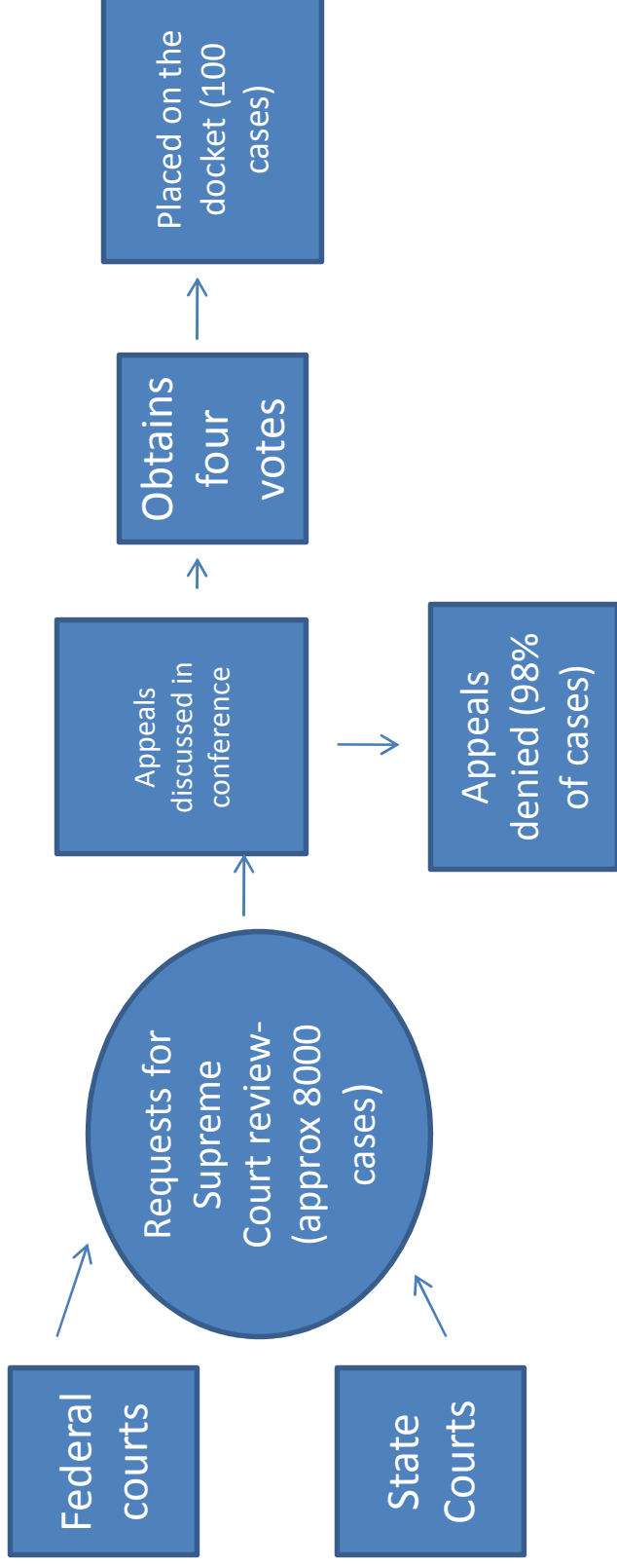
Would these situations be original or appellate jurisdiction?

- State of NJ for control of Ellis Island
- Person could not afford a lawyer and was convicted for burglary. His state refused to give him a lawyer because they only provide free lawyers for capital offences. He wrote a letter to the Supreme Court to listen to his case.

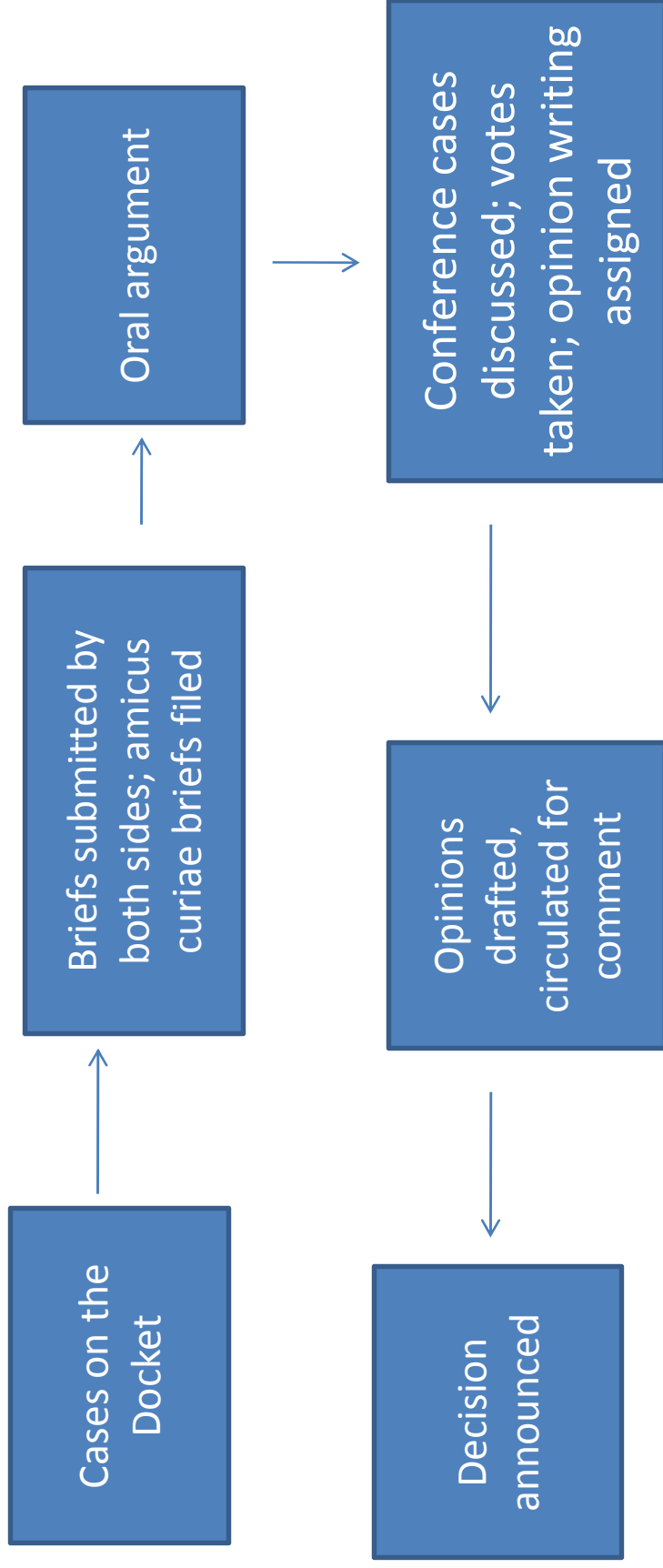
Hierarchy of Federal Courts



How does a case make it to the Supreme Court?



The Decision making process



Precedent

- A legal case which establishes a rule of the court.
- In future cases with similar situations, the court will look back at this first instance and use the decision to make a ruling.
- For example: *Roe v. Wade* is used as precedent to prevent lower courts from overturning the decision to keep first trimester abortions legal.

How does the Supreme Court function in our system of checks and balances?

- The Court interprets the law and determines whether a law, even if passed by Congress and signed by the President is constitutional.
- If an amendment is passed, the Supreme Court cannot do anything about it.
- The Chief Justice presides over the Senate in a President's impeachment trial.

Key Terms

- Judicial Review
- Original Jurisdiction
- Appellate Jurisdiction
- Writ of Certiorari
- Majority Opinion
- Dissenting Opinion
- Concurring Opinion