**Article III – The Judicial Branch**

**The Judicial Branch – The Federal Court System**

* The Federal Court System
	+ Articles of Confederation
		- Major Weakness – \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Each \_\_\_\_\_\_\_\_\_\_\_\_\_\_ had \_\_\_\_\_\_\_\_\_\_\_\_ courts and laws
	+ Article \_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Constitution
		- Created a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Congress can create inferior courts (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)
		- Judiciary Act of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – created federal district courts
		- Later in 1791 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ were created
	+ Criminal and Civil Cases
		- There are \_\_\_\_\_\_\_\_\_\_\_\_\_ court systems in the US – \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ courts
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ cases – cases in which juries decide whether people have committed crimes
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ cases – cases in which two sides disagree over some issue
	+ Federal Court Jurisdiction
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – the authority to hear and decide a case
		- Federal courts have jurisdiction in the following areas
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – a constitutional right has been violated
			* Federal \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and Federal \_\_\_\_\_\_\_\_\_\_\_\_\_ – kidnapping, bank robbery
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – crimes and accidents on the high seas or related to the seas.
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – any disagreement between states
			* Disputes in which the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is involved – the government can sue if someone does not live up to their part of a contract or a person/company can take the government to court if they do not believe the government lived up to their part of a contract
			* Controversies between \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – if a person in Maine is cheated by a person from California and it is worth more than $50,000, then the federal courts can intervene
			* Disputes involving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – any dispute between an American (US government, American company) and a foreign country
			* US ambassadors, ministers, and consuls serving in foreign countries – if an ambassador breaks an \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the embassy, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ courts will hear the case
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction – only federal courts may hear the case
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction – state and federal courts share jurisdiction
	+ **The Judicial Branch – The Lower Federal Courts**
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Courts
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ level of the federal court system
			* Are where \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_are held and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ begin
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction – authority to hear cases for the first time
			* Only federal courts is where \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ trials are held
			* Each district is a geographic area – mail fraud, income tax evasion, bank robbery and treason
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_cases – disputes involving labor relations, public lands, copyright and patent laws, and civil rights
	+ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ states – “such Trial shall be held in the State where the said Crimes shall have been committed”
	+ District Court Judges
		- Each district has at least \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Each district \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Decides \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to be followed
			* Explain the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ involved in a case to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Decide on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ when the jury finds a defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Are \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Cannot have \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ during term in office
	+ Other District Court Officials
		- Magistrate
			* Issues court \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Hears \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ evidence to determine whether the case should be brought to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Hear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_cases
		- US Attorney
			* Government’s \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* His/Her job to prove that a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has committed a crime
			* Do most of the trial work
	+ Serving Subpoenas
		- Marshal
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ suspects
			* Delivers \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to court
			* Serves \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – court order requiring someone to appear in court
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and other individuals help make judicial branch work as swiftly as possible
	+ US Courts of Appeals
		- Also called \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appeals courts (are above district courts)
		- Jurisdiction – \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_jurisdiction
			* Hear only cases which have gone to district courts or through federal regulatory agencies
			* Can only be used if the law was not followed properly or if procedures were not followed properly
			* Created to ease the work of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* There are \_\_\_\_\_\_\_\_\_ circuits or geographic areas
		- Appeals Court Judges
			* There are \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ per court
			* They \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ preside over trials
			* No \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – only a panel of three judges hear arguments and review cases
			* They only rule if rights are protected and a fair trial was received
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ types of rulings
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the lower courts verdict
			* Remand (return) the case for a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ trial
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Appeals court’s decision is usually \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Very few cases reach the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Special Federal Courts
			* US \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Courts – hears appeals dealing with federal tax laws
			* US Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – citizens who sue the government for money claims
			* US Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – appeals court for armed forces (after an individual has been court – marshaled)
			* US Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – disputes arising from tariff and trade laws
	+ **The Judicial Branch – The Supreme Court**
		- The Power of the Supreme Court
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction
			* Preside over trials in cases that involve \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ from foreign \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Preside over trials where \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ each other (usually the Supreme Court allows a district court to hear this)
			* Appellate jurisdiction in all other cases – of over \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appealed usually around \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are heard
			* Pose \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ questions
			* Of great public interest or concern
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - court may review any federal or state law to see if it is in compliance with the Constitution
		- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Review
			* One of the most important \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Supreme Court
			* If a law is in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ it will be found \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and be nullified
			* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the final authority on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Marbury v. Madison
			* Established \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ review in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* President John Adams made some midnight appointments; Marbury, who was appointed a justice of the peace, took James Madison to the Supreme Court for not carrying out President Adams appointments invoking the Judiciary Act of 1789)
			* Chief Justice John Marshall wrote the majority opinion turning down Marbury’s claim and the three basic principles of judicial review were created:
			* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the land
			* Where there is a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ between the Constitution and any other law, the Constitution must be followed
			* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has the duty to uphold the Constitution and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ any law in conflict with the Constitution
			* The power of judicial review has become an important check on any other branch
		- Checking the Courts Power
			* Congress can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ laws so they are no longer in conflict
			* Congress can create a new \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- Controversy and the Court
			* The Court has made people very MAD (they may even ask Congress to change a law to fix the problem)
			* 1857 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – ruling; the Constitution did not prohibit slavery in the territories (Slaves were not citizens and therefore could not sue in the federal courts)
			* Amendment \_\_\_\_\_\_\_\_ changed that
		- Supreme Court Justices
			* There are \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ associate justices and \_\_\_\_\_\_\_\_\_\_\_ chief justice
			* No set \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Informal qualification
				+ All have been \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Most have been \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* Many have been \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
			* W.H. Taft was the only chief justice to have been President first
		- Appointment by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and approval by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		- The President tries to appoint judges who share the same ideology, but once appointed the have no obligation to follow the President’s line
		- Facts about the Supreme Court
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1967) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1991) were the first African Americans
			* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1981) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1993) were the first women