**Deciding Cases at the Supreme Court**

* Justice Louis Brandis – “In the frank expression of conflict opinions lies the greatest promise of wisdom in governmental action.”

**How Cases reach the Supreme Court**

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_– business year of the Court is October to the following June or July
* Typical month during session
  + 1st two weeks – \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are heard
  + Two week recess – where Justices write \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and study \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* During summer break justices study applications for review, write opinions, and catch up on other legal work
* Remember the Supreme Court is both \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_court and an \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ court
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – those cases the Court actually hears go on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* A case will be accepted if \_\_\_\_\_\_\_\_\_\_of the \_\_\_\_\_\_\_\_\_\_\_ justices believe a case is worthy of review
* Of approximately \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ case applications, only \_\_\_\_\_\_\_\_\_\_\_\_\_or so will be heard
* Cases that are most likely to be heard
  + Involve important \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
  + Involve \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ rather than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
  + Those that affect the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ rather than just a few individuals

**Steps in the Decision making**

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ( briefs) – or written document that explains one side of the argument
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – each side has 30 minutes to summarize its case and justices get to question each side
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – On Fridays, Justices get together to discuss the case, the chief justice presides and 6 members must be present
  + \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ decide the case
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ opinion is written which presents the views of the majority of the justices on the case.
* The opinion states the facts of the case, announces the ruling and explains the Court’s reasoning.
* These majority opinions set \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_for lower courts to follow.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ opinions may be written if a justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_with the verdict.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_opinions may also be written if a justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ with the verdict, but for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_– the Court announces its opinion and posts it on the Supreme Court’s website. It also gives copies to the Press.

**Reasons for Court Decisions**

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – the Constitution is an influence when making decisions as is “stare decisis” a Latin term meaning “let the decision stand” making it possible to have the law predictable yet flexible enough to change with the times
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – can have influence on decision making, because the justices live in the world
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – justices have different opinions on how to apply their power. Some believe in judicial activism, while others hesitate to use judicial review to promote new ideas or policies
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – no matter how objective they try to be, their beliefs influence their opinions