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| **Section Title** | **Summary if Key notes/Definitions** | **Constitutional/Court connections** |
| **Development of The Federal Courts** | A) The Federal courts have evolved (changed over time) into an institution (organization) that has a significant impact on public policy.B) Selection of federal judges is a complicated processC) Limited number of cases are heard in federal courts, even less are heard by the Supreme CourtD) Judicial activism: when judges make bold policy decisionsE) Public and other branches of government have checks on the powers of the federal court. F) Power to declare a congressional act unconstitutionalG) Federal law is supreme over stateH) Authorizes various kinds of regulationsI) Devolution: Court will return certain powers to the states. | •“Judges would be bound by the word of the constitution”•Marbury v. Madison(1803)•McCulloch v. Maryland(1819 |
| **Selection of Judges** | A) All federal judges are nominated by the president and confirmed by the Senate.B) Almost always nominates a member of their own party and have effects on how judges behaveC) Senate delays on confirmation to leave seats open on the courtsD) Senatorial courtesy: senators from the president’s party review an appointee for a federal district court in their stateE) Litmus Test: test of ideological purity used by recent presidents, in nominating, and senators, in confirming, judges for federal courts.F) Litmus tests are most apparent in Supreme Court confirmations. |  |
| **Jurisdiction of the Federal Courts** | A) Federal courts can hear all cases involving the Constitutionality of a law, cases involving the laws and treaties of the U.S., ambassadors and public ministers, disputes between states, admiralty laws and bankruptcy cases. B) Very limited original jurisdiction for the Supreme Court.C) Almost every case heard by the Supreme Court is on appeal and chosen by the court.D) Writ of Certiorari: A superior court calls up for review the record of a proceeding courtE) Tends to take cases that pose a significant federal or constitutional question.F) Getting to court requires legal standing. G) Must be real controversy between adversaries, and the litigations (accusations) must demonstrate personal harm.H) Supreme Court will not hear class action suits unless every ascertainable member of the group is notified individually.  |  |
| **Powers of the supreme court** | A) Interpret the U.S. constitutionB) Judicial Review: Power to review previous choices made by lower courtsC) Interpret laws and make sure they are applied correctlyD) Deal with cases involving the constitution, federal laws and treatiesE) Interpret and ensure proper application of the lawsF) Judicial restraint: the philosophy that emphasizes the limited nature of the court’s power, and therefore encourages judges to limit the exercise of their own power. | Section two Article 3 of the constitution: “Judicial power extends to all cases, in Law and Equity, arising under this Constitution”  |

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| **Checks on Judicial Power** | A) Confirmation proceedings gradually alter the composition of the courtsB) Impeachment: official is accused of unlawful activity, the outcome of which, depending on the country, may include the removal of that official from office as well as criminal or civil punishment.C) Congress can change the number of judgesD) Revising legislation to undo Supreme Court decisionsE) Amending the constitution to alter court’ jurisdictionF) Defying public opinion |  |