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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 process  C) Limited number of cases are heard in federal courts, even less are heard by the Supreme Court  D) Judicial activism: when judges make bold policy decisions  E) Public and other branches of government have checks on the powers of the federal court.  F) Power to declare a congressional act unconstitutional  G) Federal law is supreme over state  H) Authorizes various kinds of regulations  I) 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 behave  C) Senate delays on confirmation to leave seats open on the courts  D) Senatorial courtesy: senators from the president’s party review an appointee for a federal district court in their state  E) 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 court  E) 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. constitution  B) Judicial Review: Power to review previous choices made by lower courts  C) Interpret laws and make sure they are applied correctly  D) Deal with cases involving the constitution, federal laws and treaties  E) Interpret and ensure proper application of the laws  F) 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 courts  B) 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 judges  D) Revising legislation to undo Supreme Court decisions  E) Amending the constitution to alter court’ jurisdiction  F) Defying public opinion |  |