Justin

Chapter 14 Definitions:

Amicus Curiae: An adviser to the court on a matter of law who is not a party to the case

Briefs: A document that tells of the facts of the case, a summary of the lower-court’s decision, gives the arguments for the represented side, and discusses the issue.

Class-Action Suits: A lawsuit brought up by a representative member of a large group of people on behalf of the entire group

Concurring opinion: An opinion that agrees with the decision but for different reasons

Courts of appeal: A court in which appeal are taken in a federal circuit or a state

Dissenting opinion: A minority opinion

District courts: A state of federal trial court

*Dred Scott v. Sanford*: Made the Supreme Court a major player in setting stage for the civil war. Ruled that blacks were not citizens of the U.S. and that federal law prohibiting slavery in northern territories was unconstitutional

In Forma Pauperis: Without liability for court costs and court fees

Judicial Activism: Philosophy in which judge make bold policy decisions

Judicial Review: Encourages judges to limit the exercise of their own power

“Litmus test”: a test of ideological purity used by recent presidents, in nominating, and senators, in confirming, judges for federal courts

*Marbury v. Madison*: (1803) gave the Supreme Court the power to declare a congressional act unconstitutional

*McCulloch v. Maryland*: (1819) established that federal law is supreme over state law

Opinion of the court: majority opinion

Senatorial courtesy: senators from the president’s party review an appointee for a federal district court in their state

Solicitor General: The third ranking officer in the Justice department decides which cases the government will appeal from the lower courts and personally approves every case presented to the Supreme Court

Stare Decisis: The legal principle of determining points in litigation according to precedent

Strict Construction: a legal philosophy that limits or restricts judicial interpretation

Writ of certiorari: A superior court calls up for review the record of a proceeding court