

Name \_\_\_\_\_ Period \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_

### Judicial Branch Notes

#### I. Equal Justice Under Law

A. Motto on the Supreme Court building:  
"equal

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B. Roles of courts:

1. Courts use different kinds of law to

2. Laws must be

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C. Right to a fair trial:

1. The right to have

2. The right to be released on bail

3. Bail is

4. Bail must be reasonable for the crime (8th amendment)

5. Indictment means the court must find enough

\_\_\_\_\_ before bringing a person to court for a

6. Right to a jury trial:

a) Jurors are people who

b) Jury duty is the act of

c) Verdict- a \_\_\_\_\_ of a jury

d) Hung jury- a jury that cannot reach a

7. Innocent until proven guilty-must prove case beyond a

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a) Testimony- witness's evidence given

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- b) Accused persons cannot be forced to \_\_\_\_\_ against themselves (5th amendment)
  - c) Right to hear and question all \_\_\_\_\_
8. Right to appeal-this is when a convicted person asks for a review of the \_\_\_\_\_

## II. The Federal Court System

### A. Cases tried before federal courts:

- 1. Anyone violating the U.S. Constitution or \_\_\_\_\_
- 2. Crimes committed on U.S. \_\_\_\_\_
- 3. U.S. ambassadors accused of breaking the laws of the country where they are stationed
- 4. Crimes committed on certain types of \_\_\_\_\_
- 5. Disagreements between \_\_\_\_\_

### B. Jurisdiction of Federal Courts

- 1. Jurisdiction-authority to administer \_\_\_\_\_
- 2. Two types of jurisdiction:
  - a) Original jurisdiction-first court to hear a \_\_\_\_\_
  - b) Appellate jurisdiction-reviews other \_\_\_\_\_ cases

### C. U.S. District Courts (lowest court)

- a. Base level of the U.S. court system
- b. Total of \_\_\_\_\_ courts-at least one per state
- c. Federal trials with \_\_\_\_\_
- d. Judges-\_\_\_\_\_ judge per case
- e. U.S. Marshals help by arresting and \_\_\_\_\_ people
- f. Subpoena-document requiring someone to \_\_\_\_\_ in court

### D. U.S. Court of Appeals (middle court)

- c) Review cases from other \_\_\_\_\_
- d) Total of \_\_\_\_\_ courts
- e) Judges-\_\_\_\_\_ to 28 depending on the case load
- f) No \_\_\_\_\_

- g) Panel of 3 judges to make \_\_\_\_\_
- h) This kind of court decides if the person was given a \_\_\_\_\_ trial
- i) They decide one of two ways:
  - (1) Verdict is \_\_\_\_\_ and no problems with first trial
  - (2) Remand-a new \_\_\_\_\_ is ordered

E. U.S. Supreme Court (highest court)

- a. Only one in the United States
- b. Total of \_\_\_\_\_ justices
- c. Justices- another word for \_\_\_\_\_
- d. Hear cases from lower courts
- e. Decide if court rulings are \_\_\_\_\_

F. Federal Court judges for all three levels are:

- a. Appointed by \_\_\_\_\_
- b. Approved by \_\_\_\_\_
- c. Serve for \_\_\_\_\_
- d. Salaries cannot be \_\_\_\_\_
- e. Average salaries are around \_\_\_\_\_

**III. The Supreme Court**

A. Supreme Court Justices (judges)

- 1. \_\_\_\_\_ judges total (one chief justice and eight associate justices)
- 2. No constitutional requirements to become one
- 3. President's select justices who share their same \_\_\_\_\_
- 4. Can declare laws passed by \_\_\_\_\_ or Presidential acts \_\_\_\_\_

B. Hearing Cases

- 1. Hear only around \_\_\_\_\_ cases per year
- 2. The Rule of Four- at least four of the \_\_\_\_\_ must agree they want to hear a case for the case to be \_\_\_\_\_
- 3. Verdicts:
  - a) Decision of the lower court \_\_\_\_\_
  - b) Remand-case gets a new \_\_\_\_\_

C. The Court in Action

- 1. Begins the first Monday in \_\_\_\_\_

2. Ends in \_\_\_\_\_
3. Procedure:
  - a) Brief-written statement about a \_\_\_\_\_ -
  - b) Public session- both sides appear in court to give  
\_\_\_\_\_
  - c) Justices deliberate and vote in private
4. Supreme Court Opinions:
  - a) Majority opinion- the final decisions of the majority of justices and \_\_\_\_\_ behind their decision
  - b) Concurring opinion- majority agree on the same decision but for  
\_\_\_\_\_
  - c) Dissenting opinion- \_\_\_\_\_ agree with the majority at all

#### D. Checks & Balances for the Court

1. Congress can rewrite laws to be \_\_\_\_\_
2. Congress can \_\_\_\_\_, or change, the Constitution

#### E. U.S. Supreme Court Cases

1. Marbury vs Madison (1803)-established the process of \_\_\_\_\_ review
  - a) This ensures that the judicial branch can check and review the actions of the executive and legislative branches to ensure they are \_\_\_\_\_
2. Plessy vs Ferguson (1896)- established the idea of separate but \_\_\_\_\_
  - a) Reviewed segregation of races in the U.S. and decided that separate was alright as long as it was \_\_\_\_\_
  - b) Due to this ruling, \_\_\_\_\_ continued for another half a century
3. Brown vs Board of Education (1954)
  - a) Reversed the ruling from the Plessy vs Ferguson case
  - b) Ruled that separate was \_\_\_\_\_
  - c) First legal action to end \_\_\_\_\_

d) Promoted

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4. Miranda vs Arizona (1966)

a) Criminals must be read their rights at the time of

\_\_\_\_\_ rights

c) Upheld the 5th & 6th amendments

5. Tinker vs Des Moines School District (1969)

a) Declared the right to \_\_\_\_\_ speech

6. Gideon vs Wainwright (1963)

a) Upheld the right to a \_\_\_\_\_ to be provided to those who cannot afford one on their own