

The Federal Court System

...and Justice For All

The Adversarial System

- Courts settle _____ disputes between private parties, a private party and the government, or the United States and a state or local government.
- Each side presents its position. The court applies the law and decides in favor of one or the other.

Prosecuting the accused

- Courts also hold _____ trials for people accused of crimes.
- Witnesses present evidence and a jury or a judge delivers a verdict of guilt or innocence.

Rights of the Accused

- All accused people have the right to a public trial and a lawyer. If they cannot afford a lawyer, the court will appoint and pay for one. (*Gideon v. Wainwright*, 1963)
- Accused people are considered innocent until proven guilty. They may ask for a review of their case by a higher court if they think the court has made a mistake. This review is called an _____.

The American Legal System

- The goal of the legal system is _____ under the law.
- This goal is difficult to achieve.
- Why is the goal of equal justice under the law difficult to achieve?

U.S. District Courts

- _____ are the federal courts where trials are held and lawsuits are begun.
- All states have at least one.
- For all federal cases, district courts have _____, the authority to hear the case for the first time.

U.S. Courts of Appeals

- People who lose in a district court often appeal to the next highest level—a U.S. court of appeals.
- **Appeals courts** review decisions made in lower district courts. This is _____—the authority to hear a case appealed from a lower court.

The US Circuit Court of Appeals

- Each of the 12 U.S. courts of appeals covers a particular geographic area called a _____. A thirteenth appeals court, the Court of Appeals for the Federal Circuit, has nationwide jurisdiction.
- Appeals courts do not hold trials. Instead, a panel of judges reviews the case records and listens to arguments from lawyers on both sides.
- The judges may decide in one of three ways: uphold the original decision, reverse the decision, or _____ the case—send it back to the lower court to be tried again.

The Supreme Court Justices

- The main job of the nation's top court is to decide whether laws are allowable under the _____.
- The Supreme Court has original jurisdiction only in cases involving foreign diplomats or a state. All other cases come to the Court on _____.
- The Court chooses the cases it hears. In cases the Court refuses to hear, the decision of the lower court _____.

The Current Supreme Court

- The court has final authority on cases involving the constitution, acts of Congress, and _____.
- Eight associate justices and one _____ make up the Supreme Court.

Powers of the Court

- The Court's main job is to decide whether laws and government actions are _____, or allowed by the Constitution. It does this through _____ —the power to say whether any law or government action goes against the Constitution.
- The legislative and executive branches must follow Supreme Court rulings. Because the Court is removed from politics and the influences of _____ groups, the parties involved in a case are likely to get a fair hearing.

Marbury v. Madison

- The Constitution does not give the Supreme Court the power of judicial review. The Court claimed the power when it decided the case *Marbury v. Madison*.
- As President _____ was leaving office, he signed an order making William Marbury a justice of the peace. The incoming president, Thomas Jefferson, refused to carry out the order. Marbury took his case to the Supreme Court.

The Power of Judicial Review

- In the Court's opinion, Chief Justice _____ set forth three principles of judicial review:
 - (1) The Constitution is the _____ law of the land.
 - (2) If a law conflicts with the Constitution, the Constitution rules.
 - (3) The judicial branch has a duty to uphold the Constitution. Thus, it must be able to determine when a law conflicts with the Constitution and _____ that law.
- Through its rulings, the Supreme Court _____ the meaning of laws, helping the police and other courts apply them.

Limits on the Courts' Power

- The Court depends on the executive branch and state and local officials to enforce its decisions. Usually they do.
- Congress can get around a Court ruling by passing a new law, changing a law ruled unconstitutional, or _____ the Constitution.

- The president's power to appoint justices and Congress's power to approve _____ and to impeach and remove justices serve to check the power of the Court.
- The Court cannot decide that a law is unconstitutional unless the law has been challenged in a lower court and the case comes to it on appeal. The Court accepts only cases that involve a _____ question. It usually stays out of political questions.