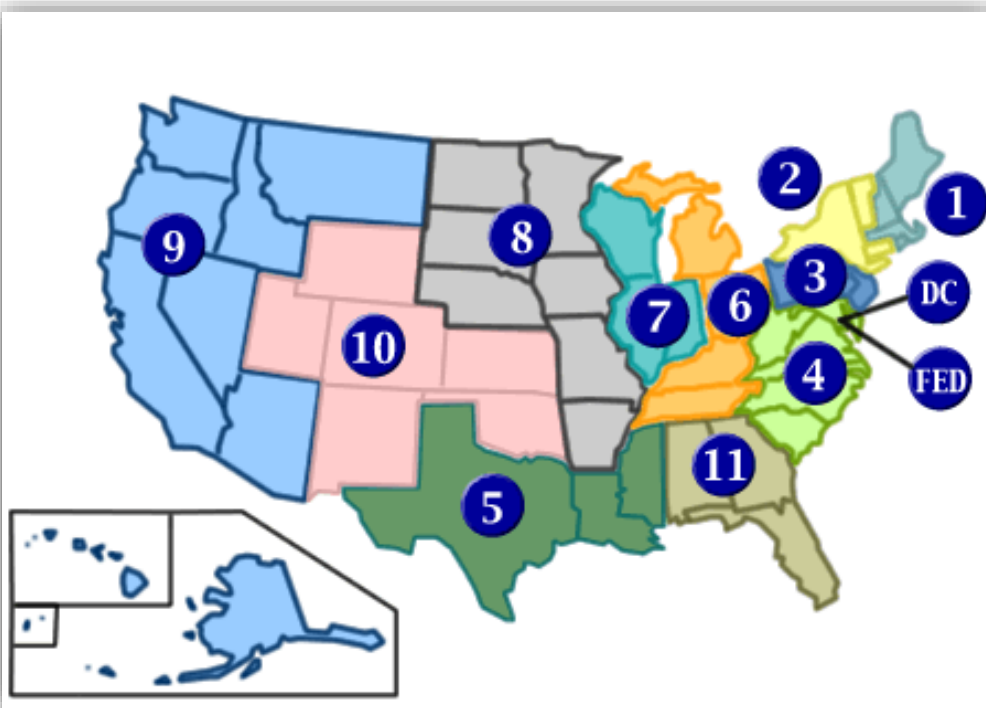


The United States Supreme Court



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There are nine Supreme Court and appellate jurisdiction)

There are 12 U.S. Courts of Appeal. They are organized into geographic areas called circuits. (Appellate jurisdiction)

There are 94 U.S. District Courts. They are the only courts that call witnesses and gather evidence. (Original jurisdiction)

The Supremes

LIBERAL BLOC



Sotomayor



Ginsburg



Kagan



Breyer

CONSERVATIVE BLOC



Roberts



Kavanaugh



Alito



Gorsuch



Thomas

Getting a Supreme

- Appointed by the president, confirmed by the Senate (after passing thru the Senate Judiciary Committee)
- Serve for life! How might this impact the Court's decision?
- What qualities do presidents look for in a Supreme Court justice?
 - Will they pass the Senate?
 - Party?
 - Race?
 - Gender?
 - AGE?
 - Ideology
 - Judicial Philosophy?



Sandra Day O'Connor

We're On the Case!

- 1. There are more than 10,000 writs of certiorari submitted to the Supreme Court each year, but the Court only hears about 100 cases each year.

Submitting a Case to the Supreme Court

- 2. If four justices agree a case should be heard before the Court it is placed on the Court's official calendar or docket.

Getting on the Supreme Court Calendar

- 3. It is the job of the lawyers for both sides to submit briefs which are the official written position for their side of the argument.

The Lawyers' Role

- 4. Other groups who may have an interest in the outcome of the case can submit amicus curiae briefs (friend of the court) to try to influence the judges' decisions.

Other Groups' Roles

- 5. Each side is assigned a date to make oral arguments where the lawyers get 30 minutes to present their case before the justices.

Oral Arguments

How

Case?

- Law (let law)
- Legal some believe intended (ex. the internet)



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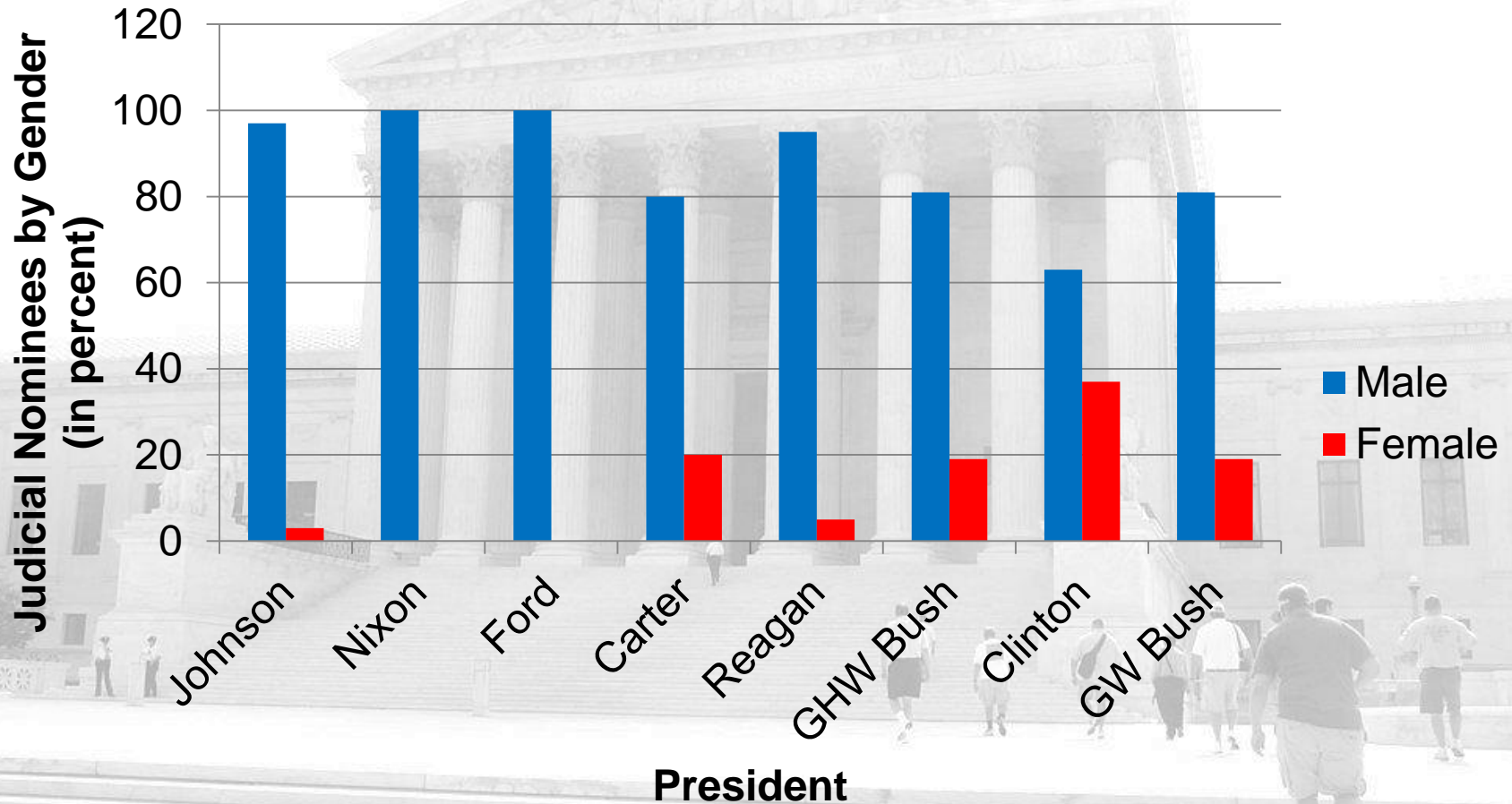
- Social Conditions → although somewhat protected from political & public influence when social conditions change often the interpretation of the law changes (*Plessy v. Ferguson* to *Brown v. Board*)
- Personal Beliefs → justices are human beings and can *only* see a case thru *their* perspective

In My Opinion...

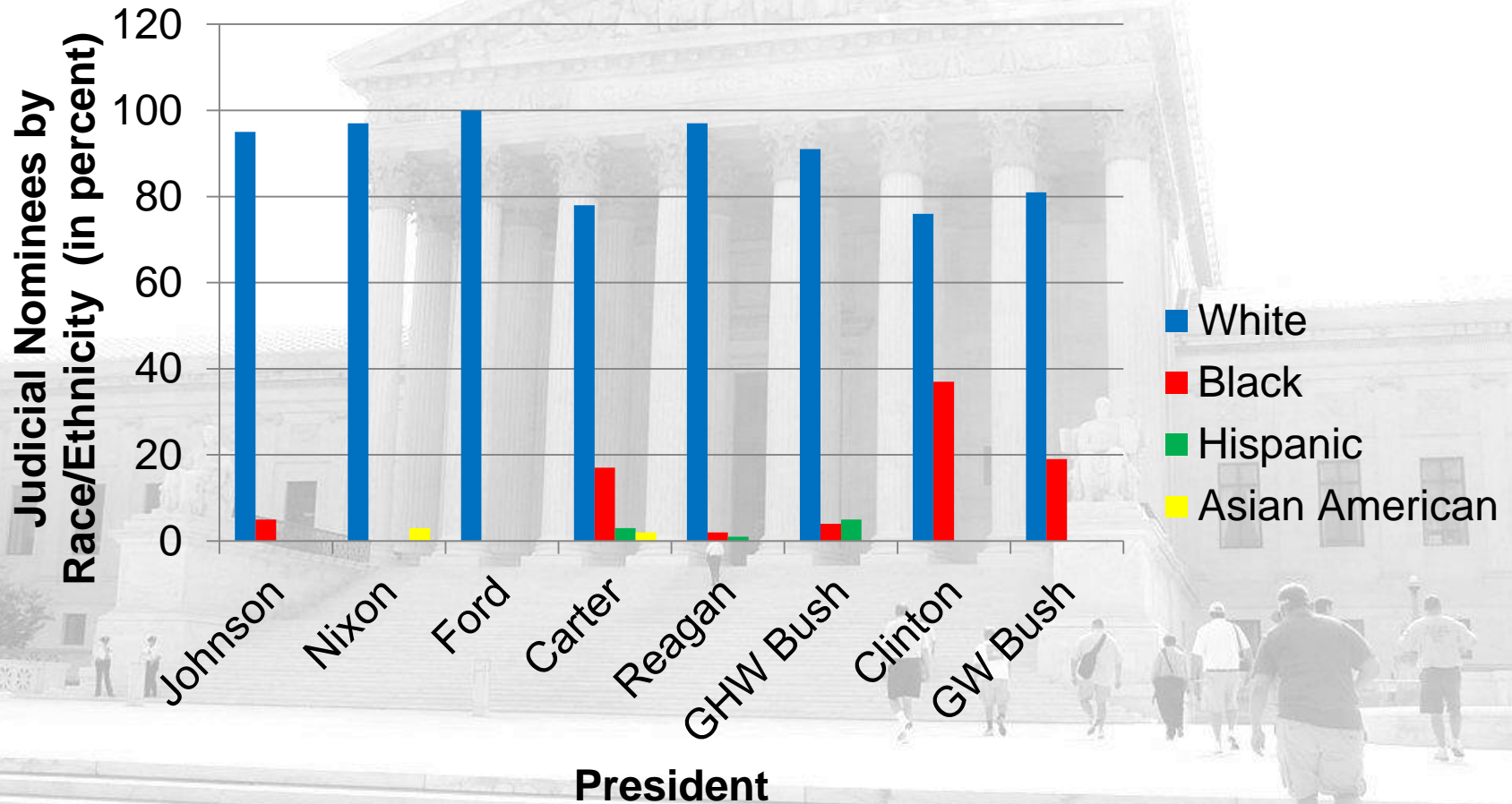


- Once a case has been decided, the Court issues a formal decision called an opinion.
- Three types of Court opinions
 - *Majority Opinion* → views of the majority of justices; states the Court's reasoning which is important for establishing precedent
 - *Dissenting Opinion* → justices who disagree with the majority opinion (minority opinion)
 - *Concurring Opinion* → the opinion of a justice who votes with the majority but for different reasons

Diversity Within the Federal Courts



Diversity Within the Federal Courts



Methods of Judicial Selection for State Judges

Partisan Election	Nonpartisan Election	Merit Selection	Legislative (L) or Gubernatorial (G) Appointment
Alabama Illinois Indiana (trial) Louisiana New York (trial) Pennsylvania Tennessee (trial) Texas West Virginia	Arkansas Arizona (trial) California (trial) Florida (trial) Georgia Idaho Kentucky Michigan Minnesota Mississippi Montana Nevada (appellate) North Carolina North Dakota Ohio Oklahoma (trial) Oregon South Dakota (trial) Washington Wisconsin	Alaska Arizona (appellate) Colorado Connecticut Delaware Florida (appellate) Hawaii Indiana (appellate) Iowa Kansas Maryland Massachusetts Missouri Nebraska Nevada (trial) New Mexico New York (appellate) Oklahoma (appellate) Rhode Island South Dakota (appellate) Tennessee (appellate) Utah Vermont Wyoming	California (appellate) G Maine G New Hampshire G New Jersey G South Carolina L Virginia L

The Selection of Federal Judges

- Some people feel that the process of appointing (as opposed to electing) federal judges is undemocratic, is too political, and does not always place the most qualified individuals on the bench. Critics also oppose the life-time appointment of federal judges, which they claim can leave judges on the bench even if they become ineffective.

The Selection of Federal Judges

- Assume the part of an expert appointed by the Senate Judiciary Committee to study recommendations for a new system to select federal judges to the “inferior” courts. Complete these tasks:
 - Make a list of the most important qualities candidates for federal judgeships should possess. Consider education, minimum age to become a judge and/or [maximum age](#) to remain a judge, experience, area of expertise, and any other qualities you deem important. (Remember, the Constitution does not specify any qualifications to hold this office, as it does with the other two branches.)
 - Study the three options given, which present various alternatives to the current system. Select the option you feel would provide the best system to produce candidates most likely to possess those qualities you described. (NOTE: You may also choose the current system as the best possible option.) Then explain why you feel this to be the case.

The Selection of Federal Judges

- **Option 1: Merit Selection System**

- This system is currently used in two-thirds of the states to select some or all of their judges. A non-partisan commission would locate, recruit, investigate, and evaluate applicants and submit the top three names of the most qualified to the President. The President would submit one name to the Senate for approval. Judges would serve a specified number of years on the bench and then be evaluated for retention, either by the commission or by voters in an uncontested election.

- **Option 2: Direct Popular Election System**

- Several states currently use this method to select some or all of their judges. An election is held and voters choose judges from a nonpartisan ballot. Judges may be elected to terms for a specific number of years or may serve (if they wish) up to a mandatory retirement age (for example, 65).

- **Option 3: Keep the Current System and Add a Mandatory Term or Retirement Age**

- This option would maintain the current selection system involving the President submitting names to the Senate, but it would either institute a specified term limit on the number of years (for example, 10) for each term they are appointed or place a mandatory retirement age (for example, 65) on judges.

Comparing Federal to State Supreme Courts

- Make a graphic organizer comparing the Federal to State Supreme Court Structure.

