7.2

The Supreme Court



As a Young Political Scientist, I will be able to...

- Define the concept of judicial review, and identify the roles played by Thomas Jefferson, James Madison, and John Marshall in the case in which the Court first asserted its power of judicial review.
- Outline the types of jurisdiction that apply to the Supreme Court.
- Explain how cases reach the Supreme Court.
- Summarize the way the Supreme Court operates.

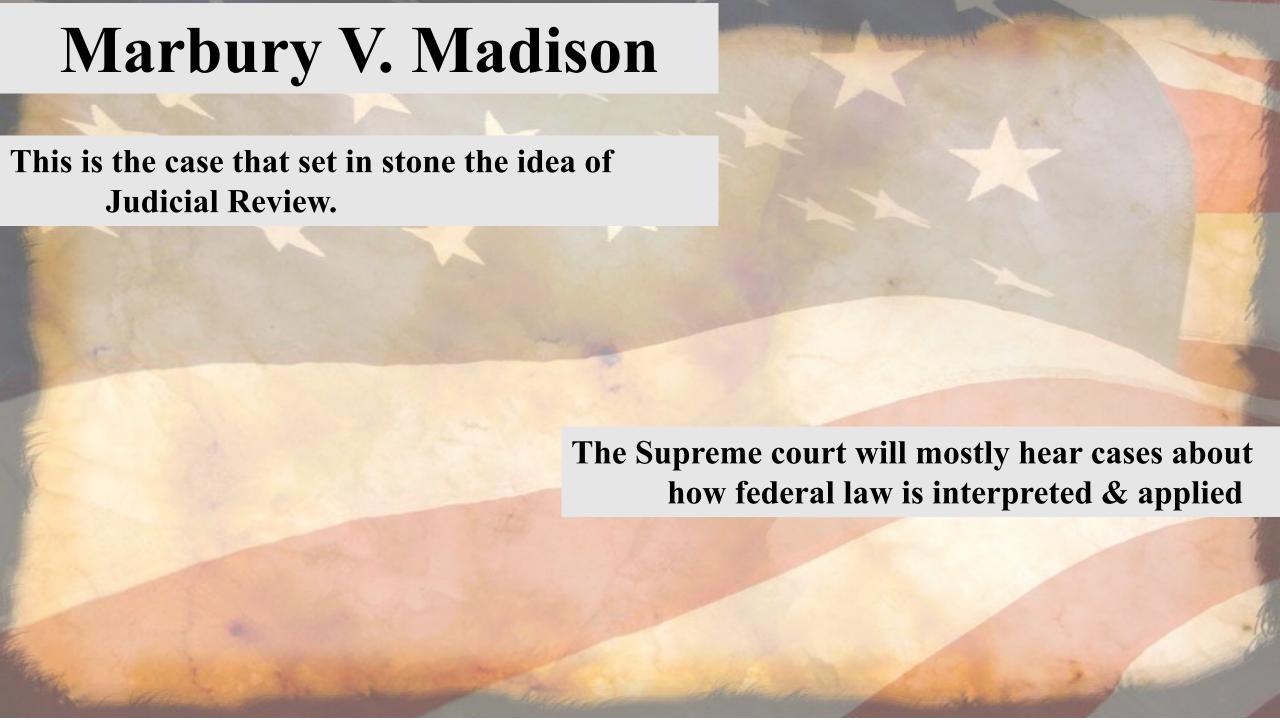
Composition of the Court

Supreme Court is the only court created by the Constitution

The head is the Chief Justice & the others are associate justices

Throughout our history the number of judges has fluctuated but now we have 9 members





Jurisdiction of Supreme Court Court has both original & appellate jurisdiction, most cases come from appeals from lower courts Two classes of cases are heard by the high court... 1. Cases in which a State is a party 2. Cases affecting ambassadors, public ministers, & consuls

Appealing to the Supreme Court

The Supreme court will hear only a few cases each term & petitions are often denied

At least 4 of the 9 judges must agree to a case for it to be heard

Writ of Certiorari- Lower court must send up a record to Supreme Court to review.

Certificate- When a lower court asks the Supreme Court to certify an answer to a specific question



Hearing a Court Case

Terms run from the 1st Monday in October to June/July. The rest of the months the Court reviews

They will hear cases in 2 week cycles & then recess for 2 weeks for consideration

Briefs- Detailed written statements to present arguments before the court

Amicus Curiae (friend of the court)- Briefs filed by people or groups that are not actual parties to a case

Hearings Continued

The Solicitor General- Principal officer in Dept. of Justice & chief trial lawyer

Supreme Court will meet in Conference to decide conclusions

When a case is considered & decided, a written decision is released

Opinions Majority Opinion-Opinion of the Court & written declaration of the case Cases are expected to follow precedent! This is important for split decision cases **Concurring Opinion- Written point by other**

Concurring Opinion- Written point by other members of court not addressed in Majority Opinion

Dissenting Opinion-Written point by the justices who do not agree with the Court's majority decision.