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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

The background of the slide is a close-up, artistic rendering of the American flag. The stars in the upper left are prominent, and the stripes flow across the bottom. The colors are slightly muted and painterly.

Judicial Review

Supreme Court is the law of the land & the last resort for all federal law

Judicial Review- The ability to decide the constitutionality of an act of government

The constitution does not expressly define judicial review, but it is an implied power

Marbury V. Madison

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This is the case that set in stone the idea of Judicial Review.

The Supreme court will mostly hear cases about how federal law is interpreted & applied

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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

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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

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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

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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 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.