

Cake of Court

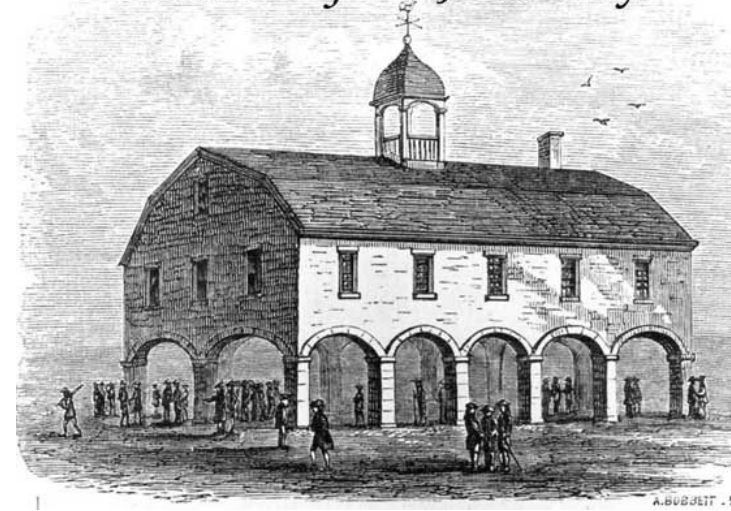


mmmm..cake

Why Courts?

- The purpose of courts are to settle disputes **two kinds of legal conflicts**
 - **Civil**
 - **Criminal**
- Under the Articles there was no national court system.
- **National Court system outlined in Article III of Constitution**
- **Judiciary Act of 1789**: This established federal district courts and circuit court of appeals.

Creation of the Judiciary



What is the judicial branch?

- **Made up of the Supreme Court and other lower federal courts**
- Judges are most important members of this branch
- Interprets the laws
- Supreme Court has the power of **Judicial Review**
 - Can determine whether a law is constitutional or not



Jurisdiction

- **Jurisdiction**: the authority to hear and decide a case.

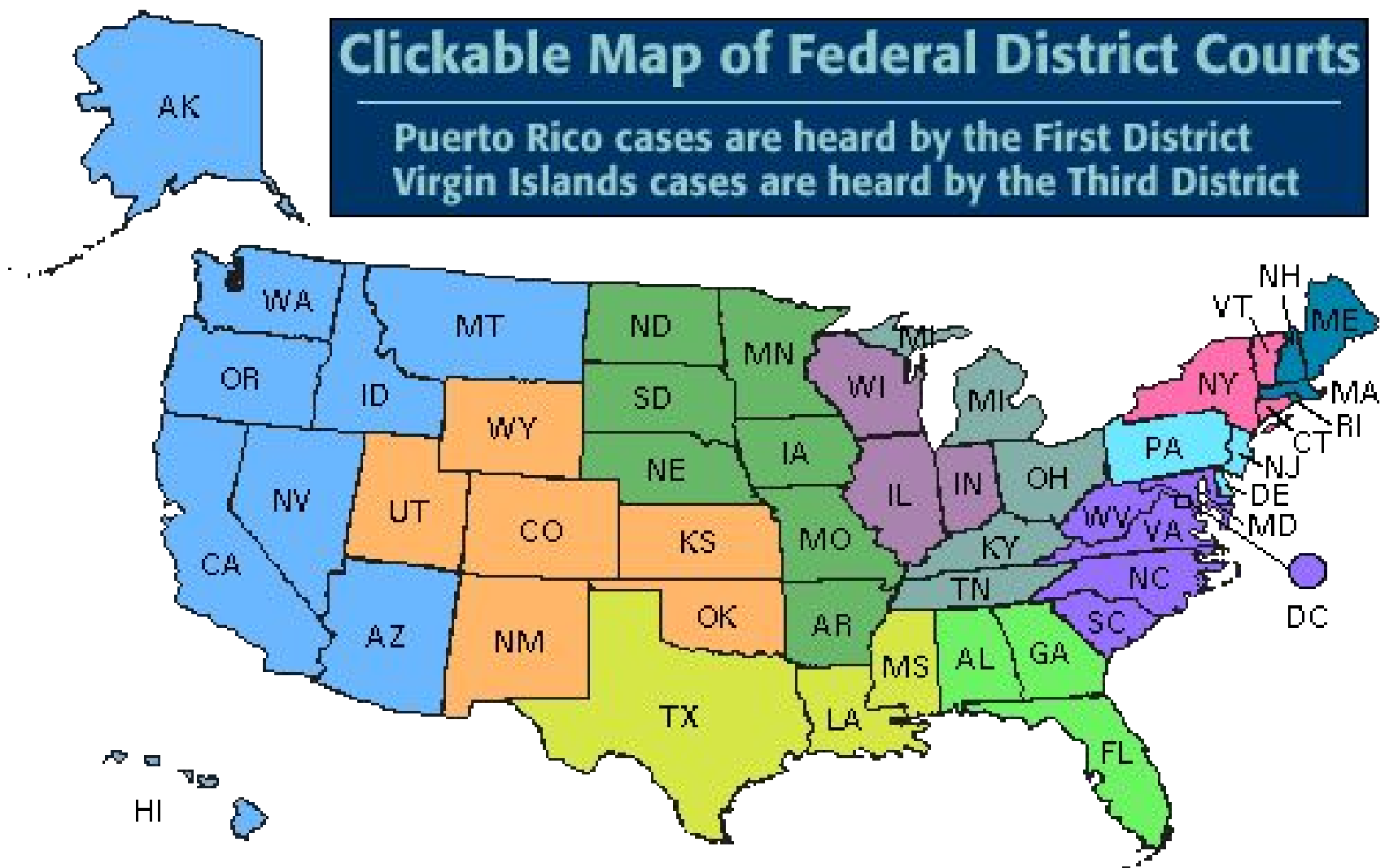


Bottom of the Cake: District Courts

- There are 94 federal district courts (each state has at least 1)
 - see both criminal and civil cases--**trial court**
 - judges and juries** (12 people): decide guilt or not guilty
 - federal prosecutors
- Has **original jurisdiction**: authority to hear cases for the first time

Clickable Map of Federal District Courts

Puerto Rico cases are heard by the First District
Virgin Islands cases are heard by the Third District



Middle Piece: Appellate Court or “Circuit Courts”

-There are 12 Federal appellate districts, **13 courts** (11+D.C+military)

-**Review cases** from district court on matters of the law

-**Judges, no jury** (do not review evidence; **decide if case was fair**)

-panel of **3 judges**, rule with majority; can:

a. **remand** (send back for new trial, not fair)

b. **uphold decision** (court was fair)

-jurisdiction: **appellate**-authority of a court to hear a case appealed from a lower court.



A little about the Supreme Court

<http://zapt.io/tzr9fnuf>

Supreme Court (write small)

- 1 supreme court
- Made up of **9 justices** (appointed by POTUS/appv. by Senate)
 - **no jury**--decisions are final
 - Attorneys give oral arguments (limited time)
 - Based off arguments Judges write **opinions**:
 - a. majority
 - b. concurring
 - c. dissenting
 - **Judicial Review!**
- Jurisdiction: **limited original and appellate**

Supreme Court (write small)

- Jurisdiction: **limited original and appellate**
 - **Limited Original in cases dealing with:**
 - Foreign diplomats/treaties
 - Cases between states
 - Cases between state and Federal
 - **Appellate:**
 - BIG cases--interpreting **Constitution**
 - Does it impact the life of everyone in the country?



How does SCOTUS decide which cases to hear?

[Writ Of Ceritori](#)

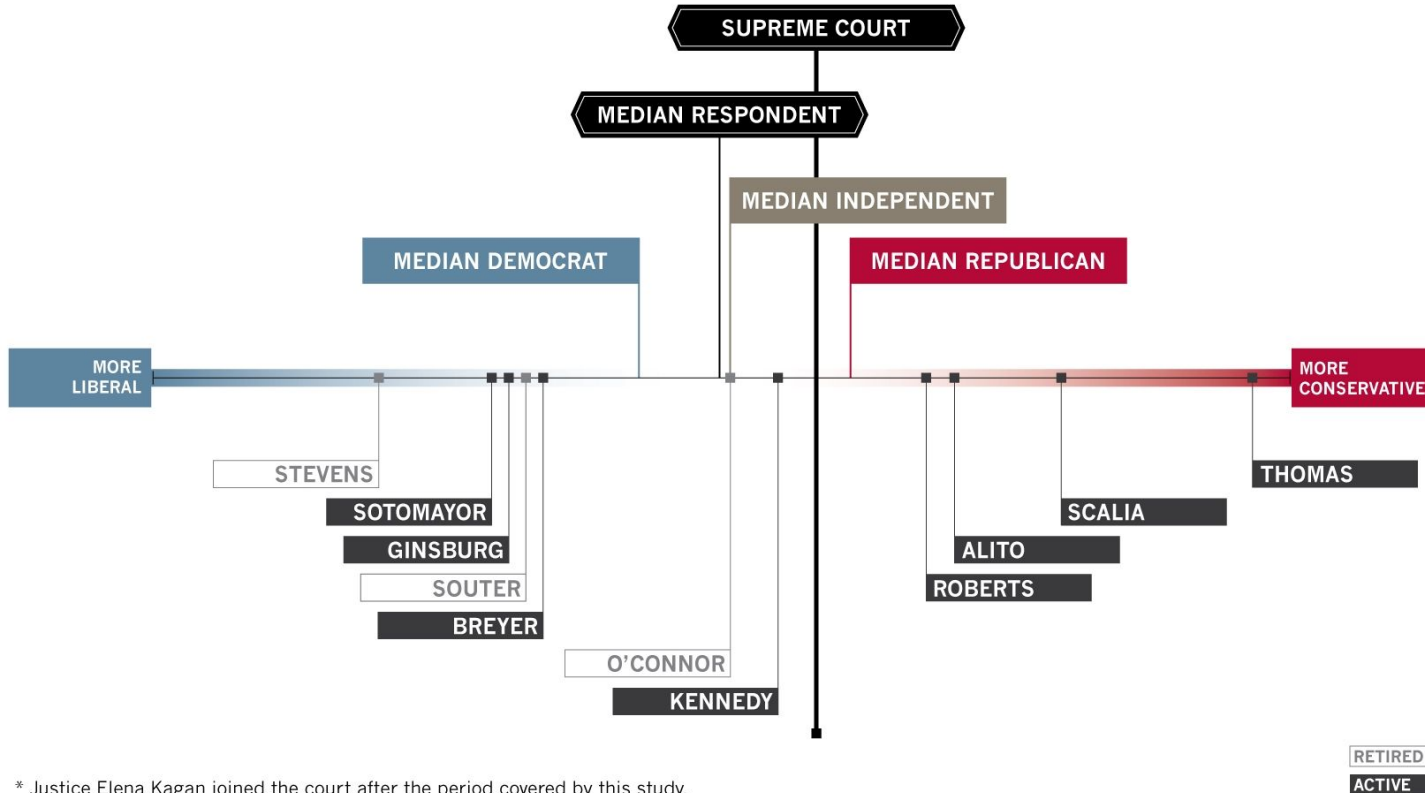
What are the general views of the Court?

- Not supposed to be party affiliated
- Generally classified as conservative, moderate or liberal
- Conservatives
 - John Roberts
 - Antonin Scalia
 - Clarence Thomas
 - Samuel Alito
- Liberals
 - Ruth Bader Ginsburg
 - Stephen Breyer
 - Sonia Sotomayor
 - Elena Kagan
- Kennedy is usually conservative but sometimes votes liberal



WHERE THE COURT FALLS ON THE IDEOLOGICAL SPECTRUM

People were asked how they'd decide on ten Supreme Court cases from 2005 to 2010. Their votes were then compared with those of individual justices* and the court's actual rulings. Turns out the court as a whole is fairly representative, if somewhat more conservative than the median voter.



* Justice Elena Kagan joined the court after the period covered by this study.

How does the Supreme Court work?

- Chooses which cases to hear
- Chooses cases about important constitutional issues
- How it works
 - **Each side gives briefs (written arguments)**
 - **Lawyers present oral arguments before the Court**
 - **Justices meet and discuss the case**
 - **Chief Justice summarizes the case and offers an opinion**
 - **Each justice can comment**
 - **Vote - majority decides**



“That was a Piece of Cake!” assessment

No, I did not bring you cake :)

- Each group will be given a cake (paper)
- As a group cut and lay the given scenarios in their proper layer of cake
- Be prepared to share decisions with the class

**As you watch the video,
answer the questions on the
sheet provided.**



This year's Supreme Court

The opening session just started this week!

Glue $\frac{1}{2}$ sheet to ____L.

Pay attention to the following:

major topics to be discussed,

members of the current court/political ideology,

interesting facts.





JUSTICE DAVID H. SOUTER