American Government

CHAPTER 18
The Federal Court System
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The Federal Court System

SECTION 1 The National Judiciary

SECTION 2 The Inferior Courts

SECTION 3 The Supreme Court

SECTION 4 The Special Courts
Supreme Court - 2008

- Breyer
- Thomas
- Alito
- Ginsburg
- Kennedy
- Roberts
- Scalia
- Stevens
- Souter
Chief Justice John Roberts
New Justice – Sonia Sotomayor
Newest Justice – Elena Kagan
SECTION 1

The National Judiciary

• Why did the Constitution create a national judiciary?

• What is the structure of the national judiciary?

• What criteria are used to determine the jurisdiction of a federal court case?

• How are federal judges appointed, and what are their terms and salaries?

• What are the roles of federal court officers?
The Framers created the national judiciary in Article III of the Constitution.

There are two court systems in the United States:
- the national judiciary that spans the country,
- courts run by each of the 50 States.

The Constitution created the Supreme Court

Congress was left to establish the **inferior courts**—the lower federal courts. There are two types of federal court: (1) constitutional courts; and (2) special courts.
The Constitution created only the Supreme Court, giving Congress the power to create any lower, or "inferior," courts as needed.

The Inferior Courts

The Constitutional Courts
Also called Article III Courts or Regular Courts. As permitted by the Constitution, Congress created these courts, which exercise the broad "judicial Power of the United States," as stated in Article III.

- 94 District Courts
- 12 U.S. Courts of Appeals
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of International Trade

The Special Courts
Also called the Legislative Courts or Article I Courts. Created by Congress under the power given to it in Article I "to constitute Tribunals inferior to the supreme Court," these courts have narrowly defined powers.

- U.S. Court of Federal Claims
- Territorial Courts *
- Courts of the District of Columbia **
- U.S. Tax Court
- U.S. Court of Appeals for the Armed Forces
- U.S. Court of Appeals for Veterans Claims

* in Guam, the Virgin Islands, and the Northern Marianas, similar to local courts
** including the district and appeals courts, which also act as constitutional courts
• **Jurisdiction** is defined as the authority of a court to hear (to *try* and to *decide*) a case.

• Federal courts may hear a case because either:
  
  (1) the subject matter or
  
  (2) the parties involved in the case.
Types of Jurisdiction

Exclusive and Concurrent Jurisdiction

• **Exclusive jurisdiction:** Some cases can only be heard in federal courts.

• **Concurrent jurisdiction:** Many cases may be tried in a federal court or a State court.

Original and Appellate Jurisdiction

• **Original jurisdiction:** The court that has the power to hear a case first.

• A court that hears a case on appeal from a lower court has **appellate jurisdiction** over that case.

• The Supreme Court exercises both original and appellate jurisdiction.
Appointment of Judges

- The power to appoint judges to federal courts falls on the President.
- The President nominates federal court judges (including the Supreme Court), who are then subject to the approval of the Senate.
Terms and Pay of Judges

• Judges appointed to the constitutional courts, including the Supreme Court, are **appointed for life**.

• Judges of constitutional courts may only be removed by their own will or through impeachment. (13 federal judges have been impeached, seven convicted.)

• Judges who sit in the special courts are appointed for terms varying from 4 to 15 years.

• Supreme Court justices make $213,900 per year. The Chief Justice makes $223,500.
Court Officers

Federal judges have many levels of support in order to fulfill their roles:

- **United States magistrates** - handle duties ranging from issuing warrants to setting bail in federal criminal cases.

- **Bankruptcy judges** – appointed by each federal district judge for their district.

- **United States attorneys** – are nominated by the President nominate and approved by the Senate for each federal judicial district.

- **United States marshal** - Marshals act much like county sheriffs in regard to federal crimes.
Section 1 Review

1. Which of the following is the only court established by the Constitution?
   (a) the United States Court of Appeals
   (b) the United States Supreme Court
   (c) the Supreme Court of Texas
   (d) the United States Court of Federal Claims

2. Federal judges are appointed by
   (a) governors of States with federal courts.
   (b) the Vice President.
   (c) the President.
   (d) State legislatures.

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SECTION 2

The Inferior Courts

• What is the structure and jurisdiction of the federal district courts?

• What is the structure and jurisdiction of the federal courts of appeals?

• What is the structure and jurisdiction of other constitutional courts?
Federal Judicial Districts

- There are 94 federal judicial districts including Washington DC and Puerto Rico.
- States are divided into one or more districts depending on population and amount of cases.

District Court Jurisdiction

- District courts have original jurisdiction over most cases.
- The district courts hear a wide range of criminal cases and civil cases.
- A criminal case involves crimes.
- Civil cases involves noncriminal matters.
The Courts of Appeals

The courts of appeals were created in 1891 to handle much of the burden that the Supreme Court faced in ruling on appealed cases.

Appellate Court Judges

- Altogether, 179 circuit judges sit in the 12 appeals courts.
- A Supreme Court justice is also assigned to each of the circuits.

Appellate Court Jurisdiction

- The courts of appeals only have appellate jurisdiction, hearing cases on appeal from lower federal courts.
How Federal Cases Are Appealed

- U.S. Court of Appeals for the Armed Forces
- U.S. Tax Court
- Territorial Courts
- Courts of the District of Columbia
- 94 District Courts
- Appeals from Federal Regulatory Agencies
- Appeals from Highest State Courts
- U.S. Court of International Trade
- U.S. Court of Federal Claims
- U.S. Court of Appeals for Veterans Claims

Constitutional courts
Special courts
Other courts

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Other Constitutional Courts

The Court of International Trade

- The Court of International Trade hears civil cases arising out of tariff and other trade-related laws.

The Court of Appeals for the Federal Circuit

- This appellate court has nationwide jurisdiction and hears cases from several different courts.

- Most cases heard arise from the U.S. Court of International Trade, the U.S. Court of Federal Claims, and the U.S. Court of Appeals for Veterans Claims.
1. The Federal District Courts have
   (a) original jurisdiction over most cases that are heard in the federal courts.
   (b) appellate jurisdiction over federal cases.
   (c) original jurisdiction in matters involving two or more of the States.
   (d) appellate jurisdiction over all cases.

2. The courts of appeals hear which types of cases?
   (a) cases in which the Supreme Court has already made a decision
   (b) cases in which they have appellate jurisdiction
   (c) cases in which they have original jurisdiction
   (d) cases brought to them by State supreme courts
The Supreme Court

• What is the concept of judicial review?
• What is the scope of the Supreme Court’s jurisdiction?
• How do cases reach the Supreme Court?
• How does the Supreme Court operate?
Judicial Review

• Judicial review refers to the power of a court to determine the constitutionality of a government action.

• The Supreme Court first asserted its power of judicial review in the case of *Marbury v. Madison* (1803).

• The Court’s decision laid the foundation for its involvement in the development of the American system of government.
The Supreme Court has both original and appellate jurisdiction.

The Court has original jurisdiction over cases involving one or more States and all cases brought against ambassadors or other public ministers.

Most cases heard by the Court are appeals cases. The Court hears only one to two cases in which it has original jurisdiction per year.
For a case to be heard by the Court, four of nine judges must agree that it should be placed on the Court’s docket.

**Writ of Certiorari**

- Most cases reach the Court via *writ of certiorari*, an order to a lower court to send a record in a given case for its review.

**Certificate**

- Cases can reach the Court by *certificate* when a lower court asks for the Court to certify the answer to a specific question in the matter.
Appealing a Case to the Supreme Court

Step 1: Case is filed in a federal district court.

Step 2: Case is appealed to a federal court of appeals.

Step 3: Case is appealed to the Supreme Court. The Supreme Court either:
- allows the lower-court ruling to stand, or
- sends the case back to the lower court to reconsider it, or
- agrees to hear the case.

Step 4: Supreme Court rules on the case.
How the Supreme Court Operates

Oral Arguments

• Once the Supreme Court accepts a case, it sets a date on which lawyers on both sides will present oral arguments.

Briefs

• Briefs are written documents filed with the Court before oral arguments begin.

The Court in Conference

• The Chief Justice presides over a closed-door conference in which justices present their views on the case at hand.
Once the Court finishes its conference, it reaches a decision and its opinion is written.

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<tr>
<th>Majority Opinion</th>
<th>Precedents</th>
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<td>The majority opinion, formally called the Opinion of the Court, announces the Court’s decision in a case and its reasoning on which it is based.</td>
<td>The majority opinions stand as precedents, or examples to be followed in similar cases as they arise in the lower courts or reach the Supreme Court.</td>
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<th>Dissenting Opinions</th>
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<td>Concurring opinions are sometimes authored by justices to add or emphasize a point that was not made in the majority opinion.</td>
<td>Dissenting opinions are often written by those justices who do not agree with the Court's majority opinion.</td>
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Section 3 Review

1. The Supreme Court has which type of jurisdiction?
   (a) only original jurisdiction
   (b) only appellate jurisdiction
   (c) appellate and original jurisdiction
   (d) none of the above

2. The majority opinion of a Supreme Court case is
   (a) the decision made on a case by the Court.
   (b) written by those justices that voted in favor of a case.
   (c) never used as precedent in a court of law.
   (d) often authored by the justice holding the least seniority.

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The Special Courts

- How can citizens sue the government in the U.S. Court of Federal Claims?
- What are the roles of the territorial courts and of the District of Columbia courts?
- What functions do the U.S. Court of Appeals for the Armed Forces and the U.S. Court of Appeals for Veterans Claims have?
- What types of cases are brought to the U.S. Tax Court?
The Court of Federal Claims and the Territorial Courts

The Court of Federal Claims

• The U.S. Court of Federal Claims handles all pleas against acts of the United States government.

• **Redress**—satisfaction of a claim, usually through payment—through this court.

The Territorial Courts

• Congress created courts for the nation’s territories.

• These courts are in places such as Guam and the Virgin Islands.
The District of Columbia Courts and the U.S. Tax Court

The District of Columbia Courts

- Congress established a system of courts for the “Seat of Government of the United States.”
- Washington DC handles all local judicial matters for the district, including trials and appeals.

The United States Tax Court

- The Tax Court hears civil but not criminal cases involving disputes over the application of the tax laws.
- Its decisions may be appealed to the federal courts of appeals.
Military Appeals Courts

The Court of Appeals for the Armed Forces

• This court is a civilian tribunal, a court operating as part of the judicial branch, entirely separate from the military establishment.

• The court reviews the more serious convictions of members of the armed forces at a court-martial, or trial involving military law.

The Court of Appeals for Veterans Claims

• The Court of Appeals for Veterans Claims hears cases in which individuals claim that the Department of Veterans Affairs has denied or otherwise mishandled valid claims for veterans’ benefits.
Section 4 Review

1. The U.S. Court of Federal Claims handles
   (a) citizens wishing redress from the government.
   (b) veterans affairs.
   (c) cases heard in the District of Columbia.
   (d) cases heard in U.S. territories.

2. A court-martial is a court which tries cases involving
   (a) civilians.
   (b) military personnel.
   (c) diplomats.
   (d) ambassadors.

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