

APGoPo Unit 6

STRUCTURE OF THE FEDERAL COURT SYSTEM

Article 3, Section 1: *The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.*

ARTICLE III – THE FEDERAL (CONSTITUTIONAL) COURTS

- The Supreme Court is the only court specifically mentioned in the Constitution
 - The President has the power to appoint all federal judges = Executive branch check on the judicial branch
 - The Senate has the power to confirm all federal judges = Legislative branch check on the executive branch and judicial branch
 - Congress has the power to create all “inferior” (lower) federal courts = Legislative branch check on the judicial branch
 - Congress has the power to change *appellate* jurisdiction of federal courts = Legislative branch check on the judicial branch
 - Judges in these courts hold life terms so that they are free from political pressure = Judicial branch check on the legislative branch and executive branch

JUDICIARY ACT OF 1789

- Established the basic three-tiered structure of federal courts that still exists
- Congress set the size of the Supreme Court at six justices – later expanded to nine in 1869

THE THREE LEVELS OF CONSTITUTIONAL COURTS

DISTRICT COURTS	<ul style="list-style-type: none"> • 94 courts w/ ~700 judges • Handle over 300,000 cases • Cases are tried by a judge and petit (trial) jury – jury decides outcome of case <ul style="list-style-type: none"> ○ Use grand juries to issue indictments <ul style="list-style-type: none"> ▪ Orders that charge an individual with a crime ▪ Does not mean that one is guilty; it means that one will be tried • Jurisdiction: original • Most cases end in a plea bargain • Decisions may be appealed to Courts of Appeals
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COURTS OF APPEALS	<ul style="list-style-type: none"> • 13 “circuit” courts w/ ~160 judges • 156 judges try >18,000 cases a year • Cases tried by a panel of three judges <ul style="list-style-type: none"> ○ Do not hold trials or hear testimony – judges review district court decisions • Jurisdiction: appellate (hears appeals from District Courts and regulatory agencies) • Decisions may be appealed to the Supreme Court
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SUPREME COURT	<ul style="list-style-type: none"> • Highest court in the land • ~10,000 cases are petitioned for a writ of certiorari – only hear about 80 cases a year • Cases tried by entire court (currently nine judges) • Jurisdiction: original and appellate <ul style="list-style-type: none"> ○ Almost all cases are heard on appeal • Court of last resort <ul style="list-style-type: none"> ○ Supreme Court is the final arbiter of the Constitution ○ Supreme Court decisions establish precedents that are binding on the entire nation