

Judges that are **Selected** to sit on the bench of a federal court have to go through a process:

- The President appoints them and the Senate approves them (PASA).
- Chosen because they share similar ideals with the current president.
- Often follow senatorial courtesy by asking the senators for the home state of the judges before getting the official nomination.
- Appointed for life but may be impeached for illegal actions.

Federal **Jurisdiction** is the official power to make legal decisions or judgments in certain realms:

- Cases involving the Constitution
- Violations of federal law (kidnapping, counterfeiting, etc.)
- Controversies between the states
- Disputes between parties from different states
- Any issue that crosses state lines
- Suits involving the federal government
- Cases involving foreign governments and treaties
- Cases concerned with maritime law
- Cases involving U.S. diplomats
- Both criminal and civil cases

The Judicial Branch is made up of federal Courts:

District Courts

This is where most federal cases start

- Lowest level of the federal courts system.
- 94 districts in the United States.
- Have original jurisdiction (almost all cases start here)

Court of Appeals

Litigants can appeal to these courts to review decisions of lower courts

- 13 appellate courts in the country.
- Cases are heard by a panel of 3 judges.
- Reviews decisions of lower courts.

Supreme Court

ALL decisions of the Supreme Court are final

- There are 9 Supreme Court justices
- Has original jurisdiction in cases involving foreign diplomats and cases involves more than 1 state.
- Has the power to nullify any state or federal law they find unconstitutional (Judicial Review)

Once a decision has been made by a District Court, lawyers can appeal to the **U.S. Court of Appeals**:

Lawyers must prove that:

- The judge in the lower court applied the law wrong
- The wrong procedures were used
- New evidence is found
- A defendant's rights were violated



There are 3 types of decisions made by the Court of Appeals:

1. They can reverse the lower court's decision
2. They uphold lower court's ruling
3. They remand the case and send it back to the lower court for a new trial

Lawyers may also appeal to the U.S. Supreme Court.

The Supreme Court does not accept all cases:

- 7,000 cases are petitioned but the Supreme Court only hears 200 or less.
- Cases are chosen due to their constitutional importance and affect on the whole nation.

Once the Supreme Court accepts the case, there are a series of steps that will be taken:

1. Written arguments (a brief) explain the positions that each side is taking.
2. Oral arguments gives each side 30 minutes to present their case and is followed by a question session by the justices.
3. Justices will conference in secret with no written records.
4. A justice who agrees with the majority will write the majority opinion to explain the rationale.
5. Justices who disagree can write a dissenting opinion to explain why.
6. An announcement will be made for the public to learn about the decision.

Supreme Court justices reach their conclusions based on a variety of reasons:

- Examine previous precedent set by the Court.
- Consider changes in social ideals or public opinion.
- Some justices take an active view to try to change America, while others want to keep the status quo.
- Justices have personal beliefs that may be liberal or conservative.