

CHAPTER SUMMARY



The Federal Court System

★ POWERS OF THE FEDERAL COURTS

Federal courts have jurisdiction, the authority to hear cases, over cases involving United States laws and agencies, treaties, or interpretations of the Constitution. They also try cases involving two or more states, bankruptcy, and maritime law. State courts have jurisdiction over state law cases. In a few instances federal and state courts have concurrent, or overlapping jurisdiction.

The court in which a suit is first heard is called a trial court. District courts are trial courts with

original jurisdiction over a case. A party in a suit may ask that the decision of the trial court be reviewed by an appeals court under its appellate jurisdiction. A party may also ask the Supreme Court to rule on the correctness of the decision that the appeals court makes.

During his years on the Court, Chief Justice John Marshall expanded the powers of the Supreme Court and of the federal government.

- In *Marbury v. Madison* (1803), Marshall established the principle of judicial review—the power of the Court to decide if actions taken by the other two branches of government are constitutional.
- In *McCulloch v. Maryland* (1819), the Marshall Court ruled that states could not hamper the exercise of legitimate national interests.
- The *Gibbons v. Ogden* decision (1824) defined the meaning of interstate commerce in broad terms that expanded congressional regulatory powers.

Historically, Supreme Court decisions have tended to reflect changing social conditions and the attitudes of the times.

- Between 1835 and the Civil War, Court rulings emphasized states' rights and the rights of citizens in an increasingly democratic society.
- The *Dred Scott v. Sandford* ruling (1857) damaged the reputation of the Court by declaring that enslaved African Americans could not be citizens and that Congress had no power to stop the spread of slavery.
- The *Plessy v. Ferguson* decision (1896) upheld segregation by declaring that "separate but equal" facilities were legal.
- Under Chief Justice Earl Warren (1953–1969), the Court emerged as a major force protecting civil liberties. For example, the *Brown v. Board of Education of Topeka* (1954) decision overturned the *Plessy* decision.
- Since then the Court has been more conservative but has not overturned any significant decisions of the Warren years.

★ LOWER FEDERAL COURTS

Article III of the Constitution gives Congress the authority to establish a network of lower courts. In 1789 Congress created one federal court district for each state. The number of districts has increased to 94 as the population has grown and the caseload

has multiplied. District courts hear hundreds of thousands of cases each year.

In a civil case the parties may ask that a judge or a three-judge panel, rather than a jury, decide the case. The courts use two types of juries in criminal

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CHAPTER 11 SUMMARY CONTINUED

LOWER FEDERAL COURTS (continued)

cases. A grand jury, usually 16 to 23 people, hears charges and decides if there is enough evidence to issue an indictment—a formal accusation charging a person with a crime. Following an indictment, a petit jury, usually either 6 or 12 people, weighs the evidence presented at trial and renders a verdict.

Congress created the appeals courts in 1891 to ease the appellate workload of the Supreme Court. Federal appeals courts hear nearly 50,000 cases a year, arising from decisions of trial courts and government regulatory agencies. A three-judge panel may decide to uphold the original decision, reverse it, or send the case back for retrial.

The Court of International Trade hears cases involving tariff issues.

In addition to these constitutional courts, Congress has created six legislative courts to help it exercise its constitutional powers.

The Constitution gives no particular qualifications for federal judges, but presidents often favor judges who belong to their own political parties. Because federal judges are appointed for life, judicial appointments are an opportunity for presidents to influence public policy after leaving office. Presidents customarily follow the practice of senatorial courtesy when appointing district judges. They request the approval of both senators from the nominee’s home state before making the appointment. In recent years a number of women and minorities have been appointed to the bench.

Legislative Courts

Function

Legislative Courts	Function
U.S. Claims Court	handles claims against the government for money damages
U.S. Tax Court	settles disputes involving payment of federal taxes
Court of Military Appeals	hears appeals of convictions under military law
Territorial Courts	act as district courts for United States territories
Courts of the District of Columbia	act as the court system for the nation’s capital
Court of Veterans’ Appeals	hears appeals of decisions involving veterans’ claims

★ THE SUPREME COURT * * * * *

The Supreme Court is the final authority on all questions of federal law. The vast majority of the cases it hears arise from appeals. The Court is not required to hear all cases presented and carefully decides which ones it will consider. It may review a decision made by a state supreme court if claims under federal law or the Constitution are involved, but it will rule only on the federal issue(s).

A chief justice and eight associate justices make up the Supreme Court. Their duties, which are not described in the Constitution, have developed from laws and through tradition. The justices have three

main tasks: (1) determining which cases the Court will hear; (2) deciding each case; and (3) explaining the decision in a written opinion. The chief justice has additional administrative duties. Modern justices employ “clerks,” young lawyers who assist them with legal research.

Most Supreme Court justices have served as state or federal court judges or have held other important court-related positions. In addition to party affiliation and judicial philosophy, presidents consider the following factors when making appointments:

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| <ul style="list-style-type: none"> • likelihood of Senate approval • the recommendation of the American Bar Association (a national organization of lawyers) • the support or opposition of major interest groups • the opinions of current justices |
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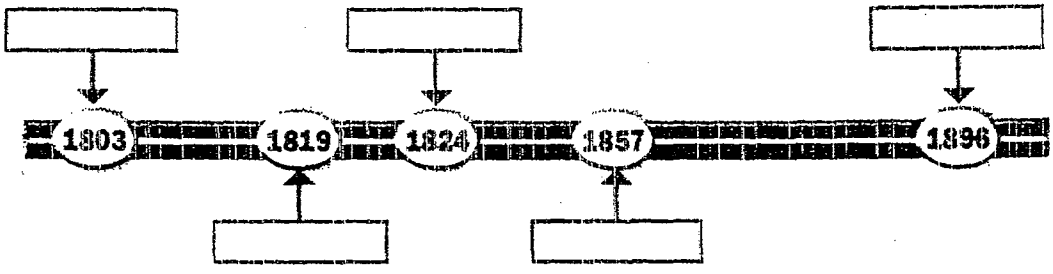
The Federal Court System

DIRECTIONS Match each term in Column A with the statement that best applies to it in Column B. Write the correct letters in the spaces provided.

- COLUMN A**
- _____ 1. trial court
 - _____ 2. appellate jurisdiction
 - _____ 3. John Marshall
 - _____ 4. Earl Warren
 - _____ 5. legislative courts
 - _____ 6. indictment
 - _____ 7. grand jury
 - _____ 8. petit jury
 - _____ 9. Court of International Trade
 - _____ 10. American Bar Association

- COLUMN B**
- A. The national organization of lawyers that makes recommendations concerning prospective judges.
 - B. The body that weighs the evidence presented at a trial.
 - C. Congress created these courts to help it exercise its constitutional powers.
 - D. Under his leadership the Supreme Court issued many decisions that protected civil liberties.
 - E. The authority to review the decisions of a lower court.
 - F. The body that decides if there is enough evidence to issue an indictment.
 - G. A formal accusation charging a person with a crime.
 - H. The name given to a court in which a suit is first heard.
 - I. He expanded the powers of the Supreme Court and the federal government in the early 1800s.
 - J. The institution that hears cases on tariff issues.

Organizing Information Place the letter of each decision in the appropriate space provided on the timeline.



- K. *Plessy v. Ferguson* upholds the legality of “separate but equal” facilities.
- L. *Dred Scott v. Sandford* rules that Congress cannot stop the spread of slavery.
- M. *McCulloch v. Maryland* rules that national interests take precedence over state law.
- N. *Gibbons v. Ogden* broadly defines “interstate commerce.”
- O. *Marbury v. Madison* establishes the principle of judicial review.

Critical Thinking On a separate sheet of paper, answer the following question.

11. What reason do you think the Supreme Court might have for deciding not to hear a case over which it has jurisdiction?

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