

THE U.S. GOVERNMENT: THE JUDICIAL BRANCH VIDEO STUDY GUIDE

Answer Key

As you watch the video, fill in the blanks with the information learned.

Every citizen of the United States is guaranteed equal justice or protection under the law. This is the guarantee of a democratic society. Congress or the legislative branch makes the laws. The President or the executive branch enacts or executes the laws. The court system or judicial branch interprets the laws.

The most important position on the Supreme Court is the Chief Justice. The Supreme Court case of *Marbury v. Madison* determined the functions and responsibilities of the lower courts and the Supreme Court. The judicial branch works independently of the other two branches of government. If a law is declared unconstitutional, it becomes null and void or like it never happened. There are two divisions or types of courts in the United States, the federal courts and the state courts. A court's ability to hear a case is known as jurisdiction. The federal district court hears both civil and criminal cases that have a federally related issue. This is the lowest federal court and there are 94 of these courts in the United States. The United States circuit courts of appeals hears cases that have been appealed from the district or lower court(s) if it is determined that the interpretation of the law was not correct or unclear. There are 13 circuit courts of appeals.

There are 9 (number) Supreme Court justices who choose which cases they will hear. On average, the Supreme Court hears about 150 cases per year. This is called the docket, or the cases that are chosen. The process by which a Supreme Court hears a case is called judicial review.

An important civil rights attorney who later became a prominent Supreme Court justice was Thurgood Marshall. One landmark case that he argued before the Supreme Court was *Brown v. Board of Education* which allowed all students, regardless of race, to attend quality schools.

The President selects or nominates a Supreme Court nominee and Congress must approve the nomination. Supreme Court justices are appointed for a lifetime so that they can reach decisions without fear of losing their job. A federal judge can only be removed from office by Congress for bad behavior. The Constitution itself is written broadly and vaguely so that it will withstand the test of time. This challenges all courts to interpret the Constitution as society changes in a modern world. The Supreme Court case of *Tinker v. Des Moines, Independent Community School District* decided that public school students also can exercise free speech if it does not disrupt the school day.