1 Magruder's

American Government

CHAPTER 18

The Federal Court System

2 CHAPTER 18

The Federal Court System

SECTION 1 The National Judiciary

SECTION 2The Inferior Courts

SECTION 3 The Supreme Court

SECTION 4 The Special Courts

3 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?

4 Creation of a National Judiciary

- 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, and the courts run by each of the 50 States.
- The Constitution created the Supreme Court and left Congress to establish the inferior courts—the lower federal courts. There are two types of federal courts: (1) constitutional courts and (2) special courts.

5 Types of Federal Courts

The Constitution created only the Supreme Court, giving Congress the power to create any lower, or "inferior," courts as needed.

6 Federal Court Jurisdiction

7 Types of Jurisdiction

- Exclusive and Concurrent Jurisdiction
 - Some cases can only be heard in federal courts. In that case, federal courts have exclusive jurisdiction.
 - Many cases may be tried in a federal court or a State court. In such an instance, the federal and State courts have concurrent jurisdiction.
- 2 Original and Appellate Jurisdiction
 - A court in which a case is first heard is said to have original jurisdiction over that case.
 - 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.

8 Appointment of Judges

- The power to appoint judges to federal courts falls on the President.
- The President nominates Supreme Court justices, as well as federal court judges, who are then subject to the approval of the Senate.
- Most federal judges are drawn from the ranks of leading attorneys, legal scholars and law school professors, former members of Congress, and State courts.

9 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. Only 13 federal judges have ever been impeached, and of them, seven were convicted.
- Judges who sit in the special courts are appointed for terms varying from 4 to 15 years.
- · Congress determines salaries for federal judges.

10 Court Officers

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

 United States magistrates are appointed by each federal district court judge to handle duties ranging from issuing warrants to setting bail in federal criminal cases.

- Each federal district judge appoints one bankruptcy judge for their district.
- •The President nominates, and the Senate approves, a United States attorney for each federal judicial district.
- •The President and the Senate also select a United States marshal to serve each of the district courts. Marshals act much like county sheriffs in regard to federal crimes.

11 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.

12 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?

13 The District Courts

- Federal Judicial Districts
 - The 94 federal judicial districts include at least one district in each State, the District of Columbia, and Puerto Rico.
 - Larger and more populous States are divided into two or more districts, reflecting the larger amount of judicial work done there.
- District Court Jurisdiction
 - District courts have original jurisdiction over most cases that

are heard in federal courts.

- The district courts hear a wide range of criminal cases and civil cases.
- A criminal case, in the federal courts, is one in which a defendant is tried for committing some action that Congress declared by law to be a federal crime. A federal civil case is one which involves noncriminal matters.

14 The Courts of Appeals

- 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.
- 2 Appellate Court Jurisdiction
 - The courts of appeals only have appellate jurisdiction, hearing cases on appeal from lower federal courts.

15 How Federal Cases Are Appealed

16 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.

17 Section 2 Review

- 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

18 SECTION 3

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?

19 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.

20 Supreme Court Jurisdiction

- The Supreme Court has both original and appellate jurisdiction.
- The Court has original jurisdiction over cases involving two 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.
- 21 How Cases Reach the Supreme Court
- 22 Appealing a Case to the Supreme Court
- 23 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.

24 Opinions of the Court

25 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.

26 SECTION 4

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?

27 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.
 - Those who have claims against the United States can possibly secure redress—satisfaction of a claim, usually through payment—through this court.
- 2 The Territorial Courts
 - Under its power to govern the territories of the United States, Congress created courts for the nation's territories.
 - These courts are in places such as Guam and the Virgin Islands, and function much like the local courts in the 50 States.

28 The District of Columbia Courts and the U.S. Tax Court

- The District of Columbia Courts
 - As directed in the Constitution, Congress established a system of courts for the "Seat of Government of the United States."
 - The District of Columbia handles all local judicial matters for the district, including trials and appeals.
- 2 The United States Tax Court
 - The U.S. Tax Court was created by Congress in 1969.
 - 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.

29 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.

30 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.