

# Chapter 17 Study Guide

## The Supreme Court and Federal Courts System



**Directions:** Use your notes from in-class lectures and discussion, as well as your textbook to find the answers to the following questions or to fill in the blanks.

### Section One: The Federal Courts Interpret National Law

1. What effect did the Eleventh Amendment, ratified by the states in 1798, have on the relationship between the states and nonresident individuals? (465)
2. Under the Constitution, federal courts have exclusive jurisdiction over certain cases. What are three general kinds of cases that only federal courts can hear? (465)
3. If a person's actions violate both state and federal criminal law, it is said that there is *concurrent jurisdiction* involved. What does this mean? (465)

**Find the "Landmarks in Liberty" sidebar on page 465 that discusses the famous Supreme Court case *Marbury v. Madison* (1803). Answer the following three questions about this important decision.**

4. What legal principle was upheld through Chief Justice John Marshall's opinion in this case?
5. What happened for the first time, as a result of this decision?
6. What important constitutional principle was established?
7. What power is given to the Supreme Court through the principle of *judicial review*?

8. What are two constitutional provisions that ensure the independence of the judicial branch from the Congress and the President? (466-467)
9. A federal grand jury plays what role in federal criminal cases? (467)
10. While most federal courts hear civil and criminal cases about many issues, some courts are authorized to deal only in specialized areas. List four of these "special courts," then give one example of the special kind of cases each might handle. (469)

Name of "Special Court"	Example of Cases They Hear

### **Section Two: Federal Judges Are Appointed Officials**

11. According to the Constitution, what elected federal official nominates and (with the advice and consent of the Senate) appoints Supreme Court justices? (470)
12. What role does the U.S. Attorney General play in the process of screening candidates for federal judgeships? (471)
13. What role does the Federal Bureau of Investigation play in the process of screening candidates for federal judgeships? (471)
14. What criticism was aimed at President Reagan and his Attorney General in the manner in which they screened candidates for federal judgeships? (471)
15. What role does the American Bar Association play in the selection process for federal judges? (472)

16. How can interest groups have an impact on the appointment of federal judges? (472)

17. What U.S. Senate committee is charged with holding hearings on presidents' nominations for U.S. Supreme Court? (473)

### **Section Three: The Supreme Court Decides Difficult Cases**

18. The U.S. Supreme Court has "original jurisdiction" in only a few types of cases. List the general types of such cases here: (474)

19. The majority of the Court's cases come from its "appellate jurisdiction." What are the two main routes such cases take to reach the Supreme Court?

There are four main rules under which the Supreme Court operates which sharply limit the types of cases it will hear. The following two questions relate to those rules. (475)

20. Will the Supreme Court rule on the constitutionality of a law if a person challenging the law has not actually been harmed?

21. Will the Supreme Court decide "political questions"?

22. How does filing a petition to the Court called *in forma pauperis* effect poor people who want to appeal a case to the Supreme Court? (475)

23. What is the purpose of an *amicus curiae* brief? (476)
24. When does the Court begin - and end - its yearly term? (476)
25. The majority decision in a case before the Court is important because it becomes the "law of the land." What are two rules that apply to the writing of the majority opinion? (478)

#### **Section Four: Many Factors Influence Supreme Court Decisions**

26. What are the four major factors that can influence Supreme Court decisions? (480-482)
27. Describe why President Franklin D. Roosevelt tried to "pack" the Supreme Court during the mid-1930s. (482)
28. Why did Congress vote against Roosevelt's plan to "pack the Court"? (482)

#### **GREAT SUPREME COURT DECISIONS**

**Some cases that are heard by the justices of the U.S. Supreme Court end up having a significant impact on the United States and its citizens. Figure 17-4 in your text (page 481) lists some of those**

decisions, and others are summarized briefly on page 482 or can be located by using the index to Supreme Court Cases beginning on page 802.

A description of these cases and the Court’s decision in each can be found online at

<http://www.twyman-whitney.com/american/citizen/judicial/greatdecisions.htm>

Use this information to fill in the blanks below.

Date	Name of Case	Ruling of Supreme Court
1803	<i>Marbury v. Madison</i>	
1819	<i>McCulloch v. Maryland</i>	
1824	<i>Gibbons v. Ogden</i>	
1857	<i>Dred Scott v. Sanford</i>	
1876	<i>Munn v. Illinois</i>	
1896	<i>Plessy v. Ferguson</i>	
1919	<i>Schenck v. United States</i>	
1940	<i>Minersville School District v. Gobitis</i>	
1943	<i>West Virginia Board of Education v. Barnette</i>	

1954	<i>Brown v. Topeka Board of Education</i>	
1962	<i>Engel v. Vitale</i>	
1963	<i>Gideon v. Wainwright</i>	
1964	<i>Reynolds v. Sims</i>	
1964	<i>Escobedo v. Illinois</i>	
1966	<i>Miranda v. Illinois</i>	
1972	<i>Furman v. Georgia</i>	
1976	<i>Gregg v. Georgia</i>	
1978	<i>Regents of Univ. of Calif. v. Bakke</i>	