

The American Citizen
Chapter 17: The Supreme Court and the Federal Court System
Vocabulary Terms and Key Concepts



Learning these terms and concepts is necessary to understand the basic principles of government. In this course, you must be able to recognize definitions of these terms for classroom lecture/discussions and (eventually) quizzes and tests.

admiralty/maritime

The branch of law that covers navigation, shipping, and commerce on the high seas or on lakes and rivers within the U.S.

appellate jurisdiction.

The authority of a court to hear cases on appeal

brief

A written document arguing one side of a legal case

Circuit Court

Another name for one of the twelve regional federal courts of appeals

concurring opinion

In the U.S. Supreme Court, a written opinion that supports the majority decision of the Court, but offers different reasons for reaching that decision

conference

A regularly scheduled meeting of justices of the U.S. Supreme Court to discuss and decide cases that come before it

constitutional court

A general judicial court established by Congress under Article III of the Constitution

court-martial

A military court that tries members of the armed forces accused of violating military laws

court of appeals

A court that handles appeals from a lower court

court-packing plan

President Franklin D. Roosevelt's attempt to expand the size of the U.S. Supreme Court (so that he could appoint new members who would be in agreement with his New Deal legislation)

dissenting opinion./ minority opinion

The opinion written by a Supreme Court justice who disagrees with the majority opinion

district court

A federal court in each of the fifty states that has original jurisdiction in most cases involving federal laws

docket

A schedule of cases to be argued in a court

federal questions

All court cases that involve national laws -- the Constitution, laws passed by Congress, or treaties

judicial activism

The philosophy that Supreme Court justices should take an active role in making policy, going beyond the actions of the elected branches (legislature and executive branches) if the justices think it is necessary

judicial restraint

The philosophy that judicial decisions should not contradict the wishes of elected members of government (legislature and executive branch) unless those wishes clearly violate the Constitution

jurisdiction

A court's authority to hear cases argued before it

law clerk

A recent law school graduate who assists a judge by conducting research, summarizing cases, and helping to draft opinions

legislative court

A court established by Congress to hear cases about and carry out the legislative powers in Article I of the Constitution

majority opinion

The view of the U.S. Supreme Court justices who support a ruling on a case

maritime / admiralty

The branch of law that covers navigation, shipping, and commerce on the high seas or on lakes and rivers within the U.S.

moot question

A question of no practical importance when brought before a court of law in the U.S.

opinion

A court's written decision that summarizes a case and presents the questions of law, the ruling, and the reasoning involved in the ruling

original jurisdiction

The authority of a court to hear arguments in a case and to decide that case for the very first time

precedent

A ruling that is used as an example in deciding similar cases

rule of four

For a case to be heard by the U.S. Supreme Court on appeal from a lower court, four of the nine justices usually must agree

sovereign immunity

The principle of law that a sovereign government (such as the United States government) cannot be sued -- unless it agrees to be

stare decisis

The principal by which the U.S. Supreme Court's ruling on one case is used as a , or precedent, in deciding other cases

territorial court

A court, corresponding to a federal district court, established by Congress under its authority to govern U.S. territories

writ of certiorari

An order from the U.S. Supreme Court to a lower court to prepare and send records of a case for review