**JUDICIAL BRANCH IN A FLASH**

**A. Marbury v. Madison.** After watching the video at <https://www.youtube.com/watch?v=hOvsZyqRfCo>, answer the questions below.

1) What happened in this important Supreme Court case of 1803?

2) In the case, the Supreme Court struck down, or declared unconstitutional (against the Constitution) the Judiciary Act of 1789. Why was this decision so important?

**B. Diagramming the Courts**. The job of the judicial branch is to interpret the laws. There are three main levels of courts that do this.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| District Courts |  | Court of Appeals |  | Supreme Court |
| Has **original jurisdiction** (hears cases for the first time). |  | Has **appellate jurisdiction** (hears cases that have already been heard before). |  | Has both “**OJ**” and “**AJ**,” but mostly hears cases on **appeals**. Their decision is final. |

Evaluate the example cases below. Decide which level of court would hear the case.

|  |  |
| --- | --- |
| 4. Tom sues Jerry for breaking his iPhone, as he wants Jerry to pay for the cost of replacing it. This case would be heard for the first time. |  |
| 5. Michael was found guilty of the crime of battery because he punched Dwight. Michael complained that his first trial was unfair, so he wanted the case to be reviewed. |  |
| 6. Monica complained that her 1st Amendment rights to free expression were taken away because her school forced her to wear uniforms. She sued, and her case was heard by several levels of courts until this court made a final ruling. |  |
| 7. LeBron James accuses a car company of using his image in a commercial without his permission. He files a lawsuit and asks for damages. |  |
| 8. Andy and Angela are arguing over their divorce, and a district court issues a verdict on their disagreement. Andy thinks that the verdict is incorrect, and he wishes to appeal. |  |

**C. Complete the Sentence.** Read through the PDF labeled “Judicial Branch.” Use the terms and ideas that you learned in this lesson to finish each statement.

|  |  |
| --- | --- |
| 1. The only court the Constitution creates is … | The Supreme Court |
| 2. The two court systems in the United States are … |  |
| 3. Federal courts hear cases involving … |  |
| 4. State courts normally resolve issues about … |  |
| 5. Two kinds of legal cases are … |  |
| 6. Cases that involve a crime that has happened are called … |  |
| 7. Cases that involve disagreements between people, using involving rights, are called … |  |
| 8. In trial, or district, courts, lawyers try to prove that their client’s side of the story is what really happened by using …. |  |
| 9. In most trial courts, a group of 12 people listen to the evidence and decide the case. This group is called a … |  |
| 10. The decision of a case is called a … |  |
| 11. A trial with no jury is called a … |  |
| 12. If you lose a case in the trial court, you can … |  |
| 13. If an appellate court affirms a case, it means … |  |
| 14. Most appellate courts are heard by three judges, which is called a … |  |
| 15. In an appellate court, judges are deciding whether … |  |
| 16. The US Supreme Court has this number of justices, or judges … |  |
| 17. It’s difficult to take a case to the Supreme  Court because … |  |
| 18. The power of deciding what is constitutional is called … |  |

**D. Making Comparisons.** Decide whether each description fits trial courts only, appellate courts only, or both, and write the letter of the description in the correct part of the diagram. The first one is done for you.

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| **TRIAL COURT** | **BOTH** | **APPELLATE COURT** |
|  | A |  |

A) Hears civil cases

B) Might have a jury trial

C) Does not hear cases for the first time

D) Hears criminal cases

E) Reviews a verdict to look for mistakes

F) Usually has three-judge panels

G) Hears cases for the first time

H) Works with laws