

Reading Guide: Chapter 15

15.1 – pg. 509

1. What is the purpose of the judicial branch?
2. What is the difference between criminal law and civil law?
3. Who are plaintiffs and defendants?
4. Define standing to sue.
5. Define class action law suit.
6. What is a justiciable dispute?
7. Describe the interaction between interest groups, public policy, and the judicial branch.
8. What is an amicus curiae brief and how can they help influence a court's decision?

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9. Why was the Judiciary Act of 1789 necessary?
10. What are legislative courts and what functions do they serve?
11. ***Make sure to know the chart on pg. 512 (Figure 15.1). You can, if you'd like) draw it in your work. If not, put a smiley face for number 11 and move on 😊
12. Define original and appellate jurisdiction.
13. What role do district courts play?
14. Briefly summarize the types of cases they hear.
15. What is the role of the federal magistrates?
16. What role do U.S. attorneys play in the district court system?
17. What is an appeal?
18. What role does the U.S. courts of appeals play in the federal court system?
19. How are the courts of appeals structured?
20. What does sitting *en banc* mean?
21. How does the U.S. Court of Appeals for the Federal Circuit differ from other courts of appeals?
22. Why are decisions made by the courts of appeals important?
23. What role does the US Supreme Court play in the federal court system?
24. How is the Supreme Court structured?
25. How has Congress been able to alter the numbers of the court's justices?
26. When does the Supreme Court have original jurisdiction?
27. What must cases have in order to get to the Supreme Court?

15.3 – The Politics of Judicial Selection p. 516

28. Briefly summarize the interactions between Congress and the Federal Court System.
29. What role does **senatorial courtesy** play when nominating federal court judges at the district and appellate court levels?
30. How does senatorial courtesy illustrate the interaction among the three branches?
31. How does the nomination of judges illustrate the interaction among the three branches?
32. What is the process of appointing federal judges? How does it differ from the appointment of a Supreme Court Justice?
33. How do conflicts between the president and the Senate impact the appointment and approval process of Supreme Court justices?

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34. What commonalities have existed among federal court judges?
35. What is the criteria for selecting a Supreme Court justice?
36. How does partisanship illustrate the interaction of the three branches?

37. What role does ideology play in the selection of justices?
38. Do Supreme Court Justices always support the ideology of the presidents that appointed them?
39. How does a president's nomination to the Supreme Court affect policy and policymaking?

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40. How is accepting a case an example of policymaking?
41. What is the "rule of four"? What role does this play in the agenda setting of the Supreme Court?
42. What is the purpose of a *writ of certiorari*?
43. What kinds of cases does the Supreme Court usually hear?
44. What is the role of the solicitor general?
45. Why are decisions made by the Supreme Court (with the exception of those made *per curiam*) so important?
46. Summarize the decision-making process for the Supreme Court.
47. What is an opinion by the Supreme Court?
48. What information is often contained in an opinion by the Court?
49. Define the types of opinions the Court can write.
50. What is *stare decisis*? How does it influence decision making?
51. What role does precedent play in decision making?
52. Define originalism and summarize the two theories related to it.
53. How do these approaches affect decision making? Why do differences arise between these two approaches?
54. Who makes up the interpreting population of a Court's decision?
55. How does the implementation population demonstrate federalism?
56. What role does the consumer population play in judicial implementation?
57. How does judicial implementation demonstrate the relationship between the three branches of government?

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58. Describe the impact of the *Marbury v. Madison* decision on the Supreme Court.
59. What is judicial review?
60. Summarize the overall positions/ideologies of the following Courts:
 - a. The Marshall Court
 - b. The New Deal (or "Nine Old Men") Court
 - c. The Warren Court
 - d. The Burger Court
 - e. The Rehnquist Court
 - f. The Roberts Court

15.7 – p. 536

61. Is the Supreme Court a democratic (lowercase 'd') institution?
62. Why was the Court created to be inherently nondemocratic?
63. How is public opinion reflected in Court decisions?
64. How does the Court promote pluralism?
65. What role does the Supreme Court play in policymaking?
66. Define judicial restraint. Why do some people prefer this approach to judicial decisions?
67. Define judicial activism. Why do some people prefer this approach to judicial decisions?
68. Why does the Court not involve itself in some disputes?
69. ***How can a Court's decision be overturned, or its impacts limited?***
70. What is statutory construction? How does this illustrate the interaction between legislative and judicial branches?