

9. Define the following terms:

- Stare decisis (Latin precedent)
  - courts make decisions based off of similar cases from the past
- In forma pauperis (poor law)
  - allows a lower court fees to sue or defend before a court
- Amicus curiae briefs (friend of the court)
  - facts / arguments brought to court by someone not directly involved in a lawsuit
- Vote of confidence (rule of 4)
  - 4 out of 9 judges agree to hear a case in the Supreme Court
- Per curiam
  - brief / unsigned, summarizing of the court's decision
- Opinion of the court - majority opinion + establishes precedent
- Concurring opinion - agree with the decision but for different reasons
- Dissenting opinion - minority opinion + disagreement of the court's final decision
- Original jurisdiction
  - case is being introduced + heard for the 1st time (most cases start in district courts)
- Appellate jurisdiction
  - case has already been heard + is being appealed (wants to be heard again)
- Class action suit
  - lawsuit that is brought on behalf of multiple people
- Fee shifting
  - awards the plaintiff to send the court fees to the defendant if the plaintiff wins
- Standing
  - wanting to file a lawsuit (actual controversy + the harm has been done)

Q. How does Congress check the courts?

- advise & consent power for fed. judges
- power of purse (control federal funding for courts)
- impeachment

- majority opinion that is binding on dissent

Q. How does the President check the courts?

- appoints the fed. judges
- Pres. doesn't have to enforce Supreme decision

# Judicial Branch Review Guide Answers

**American Bar Association**



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