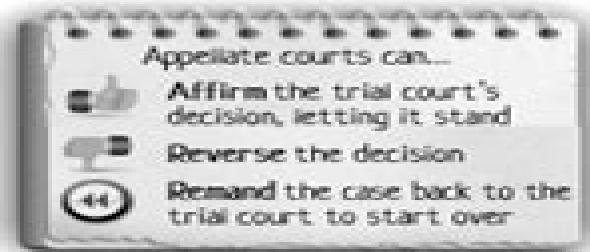


Judicial Branch in a Flash

Name: _____

It's Not Over Until It's Over

Losing in the trial court doesn't mean the case is over. If the losing side thinks there's been an error, they can ask a higher court to review the verdict and replace it with a different decision. The courts above the trial court are called **appellate courts**. The federal system and most state systems have two appellate-level courts: a Court of Appeals and a Supreme Court. (Your state might have a different name for these courts!) Asking an appellate court to review a case is called making an **appeal**.



Supreme Court

- Reviews the appeals court decision for error
- Decisions must be followed by all lower courts

Court of Appeals

- Reviews the trial court decision for error
- Decisions must be followed by all trial courts

Trial Court

- Hears cases for the first time
- Reviews evidence to decide who is right

Going Up! (And Sometimes Down)

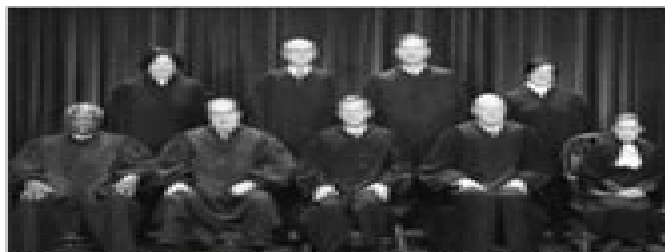
Want to sound like a legal eagle? Then you can say that a case is "brought up on appeal." Cases are thought of as going "up" through the court system. A trial court decision is brought up to the appeals court; an appeals court decision is brought up to the highest court. Once a case has been heard by the highest court, there is nowhere left to go.

Appellate courts review lower courts' decisions to see if a mistake was made. When an appellate court makes a decision, all lower courts must follow that decision in the future when the same issue comes up again.



Judges and More Judges

While a trial court only has one judge, most Court of Appeals cases are heard by three judges! When more than one judge listens to a case, the group of judges is called a **panel**. Usually, the judges decide the case by majority vote. At the appellate level, there is never a jury. That's because a jury's only job is to look at evidence and decide what happened. In an appellate court, the judges are deciding whether legal errors have been made. For the losing side in the Court of Appeals, there is one more chance: the Supreme Court, which is the highest court.



The nine current U.S. Supreme Court Justices.

And That's Final!

At the U.S. Supreme Court, a panel of nine justices hears the cases. (State supreme courts often have fewer justices.) The Supreme Court gets to choose which cases to take — and it doesn't take very many! Often, cases that make it to the Supreme Court are disputes about whether a law goes against the Constitution. Once the Supreme Court has said something is unconstitutional, that's it! Only the Court itself can reverse that decision. This power of deciding what is constitutional is called **judicial review**. The U.S. Supreme Court has this power over federal laws. State supreme courts have this power over state laws.

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G Orfield



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Table of Contents Judicial Branch In A Flash Answers Pg 1

1. Understanding the eBook Judicial Branch In A Flash Answers Pg 1
 - The Rise of Digital Reading Judicial Branch In A Flash Answers Pg 1
 - Advantages of eBooks Over Traditional Books
2. Identifying Judicial Branch In A Flash Answers Pg 1
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Judicial Branch In A Flash Answers Pg 1
 - User-Friendly Interface
4. Exploring eBook Recommendations from Judicial Branch In A Flash Answers Pg 1
 - Personalized Recommendations
 - Judicial Branch In A Flash Answers Pg 1 User Reviews and Ratings
 - Judicial Branch In A Flash Answers Pg 1 and Bestseller Lists
5. Accessing Judicial Branch In A Flash Answers Pg 1 Free and Paid eBooks
 - Judicial Branch In A Flash Answers Pg 1 Public Domain eBooks

- Judicial Branch In A Flash Answers Pg 1 eBook Subscription Services
- Judicial Branch In A Flash Answers Pg 1 Budget-Friendly Options
- 6. Navigating Judicial Branch In A Flash Answers Pg 1 eBook Formats
 - ePub, PDF, MOBI, and More
 - Judicial Branch In A Flash Answers Pg 1 Compatibility with Devices
 - Judicial Branch In A Flash Answers Pg 1 Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Judicial Branch In A Flash Answers Pg 1
 - Highlighting and Note-Taking Judicial Branch In A Flash Answers Pg 1
 - Interactive Elements Judicial Branch In A Flash Answers Pg 1
- 8. Staying Engaged with Judicial Branch In A Flash Answers Pg 1
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Judicial Branch In A Flash Answers Pg 1
- 9. Balancing eBooks and Physical Books Judicial Branch In A Flash Answers Pg 1
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Judicial Branch In A Flash Answers Pg 1
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Judicial Branch In A Flash Answers Pg 1
 - Setting Reading Goals Judicial Branch In A Flash Answers Pg 1
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Judicial Branch In A Flash Answers Pg 1
 - Fact-Checking eBook Content of Judicial Branch In A Flash Answers Pg 1
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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