

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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Ellen Metter



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Facts in a Flash Ellen Metter,1999-09-15 A one stop research guide combining proven research strategies and short cuts with a range of annotated print and online sources Material is divided into general research areas covering everything from government statistics and current events to international cultures Each section offers its own special tips with information on how to use Internet search engines locate full text books online and access government depository collections Includes lists of periodical databases and commercial online database vendors Metter is a research librarian and bibliographer at the Auraria Library Annotation copyrighted by Book News Inc Portland OR *English Mechanic and World of Science* ,1918 The Congressional Globe United States. Congress,1868 The Congressional globe ,1868 Webster's New International Dictionary of the English Language, Based on the International Dictionary 1890 and 1900 William Torrey Harris,Frederic Sturges Allen,1911 *English Mechanic and Mirror of Science and Art* ,1918 *The Federal Cases* ,1894 *The Engineer* ,1909-07 The Summary ,1912 *Global War Crimes Tribunal Collection* ,1997 The Delineator ,1925 **The Kiwanis Magazine** ,1959 Legal Intelligencer ,1859 **New International Dictionary** ,1920 Justice of the Peace and Local Government Review ,1839 **The Congregationalist and Advance** ,1919 **Good Words ...** United States Penitentiary, Atlanta, Georgia,1912 **The Congregationalist** ,1919 *What's New in Home Economics* ,1947 Includes buyers guide Drug Topics ,1939

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