

## Module 5: The Judiciary

### Topic 3 Content: The Supreme Court

#### Introduction



**Demi Tracy:** On this episode of WUSG News, we will be examining the highest court in the nation. This court has no jury, but it does have the highest ranking judicial officer presiding along with eight high court officials. It was established specifically by the third article of the Constitution, and has grown into a cornerstone of our representative democracy. Jeanne Marcel returns to discuss the United States Supreme Court in her segment, *The Judgment Zone*.

**Module 5: The Judiciary**  
**Topic 3 Content: The Supreme Court**

**The Judgment Zone**



**Jeanne Marcel:** As always, it is my pleasure to join you and Glover. Personally, I think you nailed that introduction, Demi, so let's jump right in, starting with the Supreme Court's jurisdiction.

**Module 5: The Judiciary**  
**Topic 3 Content: The Supreme Court**

**Jurisdiction of the Supreme Court**

## The Supreme Court

Limited Original Jurisdiction	Appellate Jurisdiction
<ul style="list-style-type: none"><li>• Disputes between two states</li><li>• Cases involving the American government</li><li>• Cases involving a foreign ambassador or citizen from another country</li><li>• Held concurrently with lower federal courts</li></ul>	<ul style="list-style-type: none"><li>• Held over every court in the American judicial system</li><li>• Hears appeals from lower federal courts, state courts, and other Article I and Article III courts</li><li>• Court of last resort</li></ul>

Next

**Jeanne Marcel:** Article III, Section 2 of the Constitution grants the Supreme Court limited original jurisdiction. This means the Supreme Court has original jurisdiction over certain types of cases. These cases include such disputes as those between two states, those involving the American government, or those involving a foreign ambassador or citizen from another country. The Supreme Court holds this original jurisdiction concurrently with the lower federal courts, meaning that these types of cases may also be tried in a district court.

The Supreme Court also has appellate jurisdiction over every court in the American judicial system. That means it may hear appeals from lower federal courts, state courts, and other Article I and Article III courts. Because of this, it is referred to as the court of last resort.

**Module 5: The Judiciary**  
**Topic 3 Content: The Supreme Court**

**Justices of the Supreme Court**



**Jeanne Marcel:** The Judiciary Act of 1789 initially set the number of Supreme Court Justices at six. Over the years and through various acts of legislation, that number has changed from six to seven, to nine, to ten, and finally, back to the current number of nine Justices.

There are eight Associate Justices and one Chief Justice. The Chief Justice is the highest judicial officer in the nation. He or she acts as administrator for the federal courts and serves as the judicial branch's main spokesperson. The Chief Justice is in charge of leading the Supreme Court in its duties, setting the agenda in the Court's meetings, and presiding over the oral arguments presented in hearings before the Court. When the Court reaches a decision, if the Chief Justice is in the majority opinion, he or she will decide who will write the Court's opinion. Other responsibilities of the Chief Justice are presiding over presidential impeachment trials and swearing in the President at the inauguration ceremony.

The associate justices are ranked according to their seniority on the court. Those who have held the position longer are considered higher ranking than newer members.

## Module 5: The Judiciary

### Topic 3 Content: The Supreme Court

#### Appointment to the Supreme Court

## Appointment to the Supreme Court

- There are no formal requirements to sit on the Supreme Court.
- Justices are appointed by the President and confirmed by the Senate.
- They serve their term for life.
- Long terms allow justices the potential to have an impact on public policy for many years.
- Justices can make decisions without the fear of political backlash.
- Choosing a Supreme Court Justice is an important decision for the President.



**Jeanne Marcel:** There are no formal constitutional requirements to sit on the Supreme Court. As we have mentioned several times during this program, Supreme Court Justices are appointed to their positions by the President of the United States. These appointments must be approved by the Senate, but once they are confirmed by the Senate, justices serve their term for life. Such long terms allow these justices the potential to have an impact on public policy for many years. Also, since they are independent of Congress and the President and not subject to reelection, justices can make drastic or unpopular decisions without the fear of political backlash. A Supreme Court Justice holds a powerful position, meaning his or her appointment is one of the most significant choices made by the President. This also means that his or her confirmation in the Senate could become an intense political showdown.

## Module 5: The Judiciary

### Topic 3 Content: The Supreme Court

#### Confirmation Hearings

## Confirmation Hearings

- Presidents must consider many factors when making their selection.
- The confirmation process begins with a series of hearings before the Senate Judiciary Committee.
- The hearings involve intense questioning.
- The Committee votes on the nomination, which usually predicts the full vote in the Senate.
- As of 2015, there have been 160 Supreme Court nominations officially submitted to the Senate and 124 confirmations.




**Jeanne Marcel:** Typically, Presidents nominate individuals who share a similar political mindset; however, it is important for the President to consider the current Senate when appointing a potential justice. If the Senate is controlled by the opposing party, the President will have a more difficult time getting the appointee confirmed. Even if the President's party controls the Senate, it is in his or her interest to nominate a well-qualified, non-controversial candidate.

After the President makes his or her appointment, the confirmation process begins with a series of hearings before the Senate Judiciary Committee. These hearings involve intense questioning about the nominee's qualifications and political beliefs. If the nominee served as a lower federal judge, the court records from cases he or she presided over will be reviewed.

After the hearings, the Senate Judiciary Committee votes on the nomination. Usually this vote predicts the outcome of the full vote in the Senate. There may be more debate over the nomination, but by this point in the process, it is usually decided if the nominee will be confirmed. Most appointees are confirmed. As of 2015, there have been 160 Supreme Court nominations officially submitted to the Senate for approval. Of these, 124 were confirmed. The rest were postponed, withdrawn, or outright rejected.

**Module 5: The Judiciary**  
**Topic 3 Content: The Supreme Court**

**Importance of the Supreme Court**

A photograph of the Supreme Court building in Washington, D.C., showing the iconic portico with its columns and pediment. The image is used as a background for a text overlay. The text overlay is a dark grey rectangle with white text. At the top of the overlay, the title 'Importance of the Supreme Court' is written in a large, bold, white sans-serif font. Below the title, there is a bulleted list of four points, each starting with a white circular bullet. The background of the entire slide is a solid black color.

## Importance of the Supreme Court

- Federal courts interpret the law and provide meaning to the actions taken by our government.
- The U.S. Supreme Court's power allows it to have a significant influence over public policy.
- The judicial branch decides if either the legislative or executive branch has exceeded the scope of the powers granted by the U.S. Constitution.
- The Supreme Court, through the power of judicial review, is able to define the limits of government power.

**Jeanne Marcel:** The importance of the judicial branch should not be underestimated. Federal courts interpret the law and provide meaning to the actions taken by our government. The U.S. Supreme Court's power allows it to have a significant influence over public policy. The legislative branch creates the laws and the executive branch executes the laws; however, the judicial branch decides if either the legislative or executive branch has exceeded the scope of the powers granted by the U.S. Constitution. The Supreme Court, through the power of judicial review, is able to define the limits of government power. The judicial branch is also one of the biggest safeguards citizens have against government abuse. I hope you enjoyed this segment. Back you to, Demi!

**Module 5: The Judiciary**  
**Topic 3 Content: The Supreme Court**

Ending of Episode



**Demi Tracy:** I know that Glover and I both enjoyed learning more about the United States Supreme Court. That was great work as always, Jeanne. We will see you next time, America.