

CHAPTER 11 SUMMARY CONTINUED

LOWER FEDERAL COURTS *(continued)*

cases. A grand jury, usually 16 to 23 people, hears charges and decides if there is enough evidence to issue an indictment—a formal accusation charging a person with a crime. Following an indictment, a petit jury, usually either 6 or 12 people, weighs the evidence presented at trial and renders a verdict.

Congress created the appeals courts in 1891 to ease the appellate workload of the Supreme Court. Federal appeals courts hear nearly 55,000 cases a year, arising from decisions of trial courts and government regulatory agencies. A three-judge panel may decide to uphold the original decision, reverse it, or send the case back for retrial.

The Court of International Trade hears cases involving tariff issues.

In addition to these constitutional courts, Congress has created six legislative courts to help it exercise its constitutional powers.

The Constitution gives no particular qualifications for federal judges, but presidents often favor judges who belong to their own political parties. Because federal judges are appointed for life, judicial appointments are an opportunity for presidents to influence public policy after leaving office. Presidents customarily follow the practice of senatorial courtesy when appointing district judges. They request the approval of both senators from the nominee's home state before making the appointment. In recent years a number of women and minorities have been appointed to the bench.

Legislative Courts	Function
U.S. Court of Federal Claims	handles claims against the government for money damages
U.S. Tax Court	settles disputes involving payment of federal taxes
U.S. Court of Appeals for the Armed Forces	hears appeals of convictions under military law
Territorial Courts	act as district courts for United States territories
Courts of the District of Columbia	act as the court system for the nation's capital
Court of Veterans' Appeals	hears appeals of decisions involving veterans' claims

★ THE SUPREME COURT ★

The Supreme Court is the final authority on all questions of federal law. The vast majority of the cases it hears arise from appeals. The Court is not required to hear all cases presented and carefully decides which ones it will consider. It may review a decision made by a state supreme court if claims under federal law or the Constitution are involved, but it will rule only on the federal issue(s).

A chief justice and eight associate justices make up the Supreme Court. Their duties, which are not described in the Constitution, have developed from laws and through tradition. The justices have three

main tasks: (1) determining which cases the Court will hear; (2) deciding each case; and (3) explaining the decision in a written opinion. The chief justice has additional administrative duties. Modern justices employ “clerks,” young lawyers who assist them with legal research.

Most Supreme Court justices have served as state or federal court judges or have held other important court-related positions. In addition to party affiliation and judicial philosophy, presidents consider the following factors when making appointments:

- likelihood of Senate approval
- the recommendation of the American Bar Association (a national organization of lawyers)
- the support or opposition of major interest groups
- the opinions of current justices

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