**AP United States Government Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Chapter 16 Study Guide – The Federal Courts**

**Vocabulary:** On index cards, define the following terms.

|  |  |  |
| --- | --- | --- |
| 1. Standing to sue 2. Class action suits 3. Justiciable disputes 4. Amicus curiae briefs 5. Original jurisdiction 6. Appellate jurisdiction 7. District courts 8. Courts of appeal | 1. Supreme Court 2. Senatorial courtesy 3. Solicitor general 4. Opinion 5. Stare decisis 6. Precedent 7. Judicial implementation 8. Original intent | 1. *Marbury v. Madison* 2. Judicial review 3. *United States v. Nixon* 4. Judicial restraint 5. Judicial activism 6. Political questions 7. Statutory construction |

**Questions:** Complete the following as you read chapter 16 in your textbook.

1. Explain the difference between criminal law and civil law.

Criminal law:

Civil law:

1. List three regular participants in the judicial system other than judges.
2. What are the differences between constitutional courts and legislative courts?

Constitutional courts:

Legislative courts:

1. Complete the following table on the structure of the federal judicial system.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Court** | **Number of courts** | **Number of judges** | **Jurisdiction** | **Policy implications** |
| District Court |  |  |  |  |
| Court of Appeal |  |  |  |  |
| Supreme Court |  |  |  |  |

1. What is the role of a U.S. attorney?
2. Explain the practice of senatorial courtesy.
3. Name three conditions under which nominations to the Supreme Court are more likely to run into trouble.
4. Present a demographic profile of the “typical” federal judge.
5. List six criteria that have been important in choosing Supreme Court justices over the years.
6. What are the functions of *amicus curiae* briefs?
7. What are the differences between a majority opinion, a dissenting opinion, and a concurring opinion?

Majority opinion:

Dissenting opinion:

Concurring opinion:

1. What is the difference between *stare decisis* and precedent?

*Stare decisis:*

Precedent:

1. List and explain the three elements of judicial implementation according to Charles Johnson and Bradley Canon.
2. Explain the principle of judicial review.
3. Complete the following table on public policy and the Supreme Court.

|  |  |  |  |
| --- | --- | --- | --- |
| **Court** | **Basic ideology** | **Judicial restraint or judicial activism** | **Key cases** |
| Warren Court |  |  |  |
| Burger Court |  |  |  |
| Rehnquist Court |  |  |  |

1. In what ways might it be said that courts are not a very democratic institution?
2. Explain the difference between judicial activism and judicial restraint.
3. Give an example of political questions and statutory construction.

Political question:

Statutory construction: