**Colin Colter Judicial Branch**

**Vocabulary:** Judicial Review: power to interpret the Constitution Class Action Suit: Lawsuit brought by an individual on behalf of other similarly situated Stare Decisis: rule of precedent Appellate Jurisdiction: Authority of court to review appeals from lower courts Original Jurisdiction: Authority of a court to hear a case in the first instance Grand Jury: A jury of people who hear evidence to decide whether person is required to stand trial Petit Jury: jury of 6 to 12 people who decide innocence or guilt in civil and criminal court Habaes Corpus: court order requiring explanation why prisoner is being held Senatorial Courtesy: Presidential custom of submitting names of possible appointees for approval of senators where the appointees are to work Judicial Restraint: Philosophy that judges should interpret the Constitution to reflect what the framers intended to say and what its words literally say Judicial Activism: Judges should interpret to reflect current conditions Writ of Certiorari: Writ to bring a case before the Supreme Court Amicus Curiae: friend of the court Dissenting Opinion: Opinion disagreeing with decision of the court

**Abstracts:**

* By the rule of precedence, judges must follow previous rulings (stare decisis)
* Checks on Legislative: judicial review, compensation cannot be diminished
* Checks on Executive: judicial review, Chief Justice is Pres. Of Senate for impeachment
* 9 justices on Supreme Court, 13 US court of appeals
* Litigants: plaintiff is the prosecution; and they are against the defendant
* Criminal Court: breaks a law, needs a unanimous decision to declare guilt
* Civil Court: violates another person’s rights, needs simple majority to declare guilt
* Article 3 of Constitution creates Supreme Court
* A brief is a short description of the arguments
* Selection of judges is very political, same ideology as President
* A litmus test may be used to determine how someone would stand on a certain case
* Judicial Activism is states the court should play an active role in determining policies. Common intervention occurs when constitutionality is in question. Judicial Restraint avoids interfering with policies, and works strictly from the Constitution.
* Judicial Review is defined in the case of Marbury v. Madison. It was the first time a court went back on a decision to declare unconstitutionality. This has then been applied to decisions of the executive and legislative.
* Rule of Four allows four of the nine justices to give a writ of Certiorari. Prevents a majority control of the court.

**Necessities:** *Judicial Review Senatorial Courtesy Judicial Activism Writ of Certiorari*

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