



## Scholar Exchange: Article III – The Judicial Branch and Supreme Court

# Advanced Class Outline and Worksheet

### INTERACTIVE CONSTITUTION RESOURCES

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- [Resources for Article III: The Supreme Court](#)

### OVERVIEW

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**Part I. An Overview of The Judicial Branch**

**Part II. Supreme Court and its Justices**

**Part III. Judicial Power at the Founding**

### QUESTIONS TO CONSIDER

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- What is judicial review, and where did it come from?
- What is judicial independence, and why do we have it?
- How does a case get to the Supreme Court?
- How does the judicial nomination process work, and how does a Justice end up on the Supreme Court?
- What's the difference between judicial review and judicial supremacy?
- What are some of the important debates about judicial power throughout American history?

### BIG IDEA

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Article III establishes the judicial branch of government, which is responsible for interpreting the laws. At the highest level, the judicial branch is led by the U.S. Supreme Court, which today consists of nine justices. In the federal system, the lower courts consist of the courts of appeals and the district courts. Federal courts—including the Supreme Court—exercise the power of judicial review. This power gives courts the authority to rule on the constitutionality of laws passed (and actions taken) by the elected branches. The Constitution also promotes the principle of judicial independence—granting federal judges life tenure (meaning that they serve until they die, resign, or are impeached and removed from office).

### NOTES:

**PART I. AN OVERVIEW OF THE JUDICIAL BRANCH**

Key Terms	Define in your own words
Judicial Review	
Judicial Supremacy	

List at least two components dealing with the Supreme Court that Congress has the authority to change.

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**Article III Text**

What are some parameters specifically outlined in Article III?	
What are some parameters not specifically included in Article III?	

**PART II. SUPREME COURT AND ITS JUSTICES**

Cases often start with...	What is the “Rule of Four”?	What are the lower courts a case normally goes to before the Supreme Court?	What is one reason why the Supreme Court might agree to hear a specific case?

Key Terms	Define in your own words
Majority Opinion	
Dissenting Opinion	
Concurring Opinion	
Write <u>two</u> procedures that Supreme Court Justices follow when hearing a case.	

**PART III. JUDICIAL POWER AT THE FOUNDING**

Write a brief description of how judicial power was defined by the following events.	
Constitutional Convention	
<i>The Federalist Papers</i>	
<i>Marbury v. Madison</i>	