



THE FORMATION AND FUNCTION OF THE SUPREME COURT

Relevant Terms

appellate court: a court that hears cases from a lower court (such as a trial court or a lower-level appellate court) that has already made a ruling, but in which there is grounds to reconsider the case due to errors in law or due process

brief: A written statement (not to exceed 50 pages) submitted to the Court by the lawyers of the lower court that builds a case for their appeal

checks and balances: a system that allows each branch of a government to amend or veto acts of another branch in order to prevent any one branch from holding too much power

constitutional amendment: a formal, and extremely rare change (only 27 have been made in the Constitution's history), to the laws of the Constitution, as spelled out in Article V

dissenting opinion: a document that explains the decision of those justices that disagreed with the majority ruling of a case

due process: a judicial branch requirement that individuals must be treated fairly and reasonably in the proceedings of the law

executive branch: the component of government that enforces the laws

judicial branch: the component of government that encompasses all the courts and its administrators of justice

judicial review: the Supreme Court's process of determining whether an action or law violates the Constitution

justice: a judge serving, or "sitting," on the Supreme Court. A justice is appointed for life

legislative branch: the component of government that creates laws

lower court: a court under review by a superior court (such as an appellate court or the Supreme Court) for its legal decision. The lower court may be a *trial court* or an *appellate court* itself that is lower in rank than the court reviewing the case. Any court reviewed by the Supreme Court, therefore, is a lower court

majority opinion: a document that explains the ruling decision in a Supreme Court case

oral argument: a presentation after the brief has been submitted in which the lawyers argue their case, allowing for intensive interchange between themselves and the justices

purview: the range or limit of authority or responsibility of a particular institution (such as the Supreme Court)

unconstitutional: not working in accordance with the laws or principles set forth in the Constitution

ratification: a formal approval or sanctioning of a document or policy

trial court: the court that initially hears a case, as opposed to an appellate court