



Handout II: " Supreme Court Confirmation Flow Chart"¹

Name _____ Date _____

The Supreme Court is the highest court in the United States. It hears appeals from decisions of lower federal courts and state supreme courts, and it resolves issues of constitutional and federal law. It stands as the ultimate authority in constitutional interpretation, and its decisions can be changed only by a constitutional amendment.

Directions:

Review the description of the **Supreme Court Confirmation Process** described below in your small groups. As you discuss the confirmation process with your group members, complete the flow chart below.

The Supreme Court Confirmation process is part of the Checks and Balances system described in the US Constitution. Article II, Section 2, paragraph 2 describes the appointment powers of the President including: "He [the President] shall have Power, by and with the Advice and Consent of the Senate... to... nominate... Judges of the Supreme Court..." Once the President has announced his appointment, he submits the names to the Senate. All nominees are thoroughly investigated by the FBI looking at their past and any possible encounters with the law, and must complete detailed paperwork, including a financial disclosure. A White House Review conducted by White House staff, ensures that nominees support the President's nominee for the position. Then the Legislative branch becomes involved making sure that the Supreme Court nominees are well qualified by conducting Senate Confirmation Hearings. During this process, Senators from the Senate Judicial Committee interview and question nominees about a wide range of topics related to their qualifications for the job and ideas about how they decide the law. When the hearings are completed, the full Senate votes for or against confirmation and if a nominee receives the majority of the Senate's votes, he/she will be confirmed.

The Supreme Court Confirmation Process exemplifies the system of Checks and Balances. It allows the Executive Branch to identify qualified candidates that support the President's agenda, while requiring a review of the nominees by the Legislative Branch to ensure that all nominees are qualified.

¹ Adopted from "The Federal Confirmation Process: Choosing the Right Person for the Job." By Lisa Proski from the Newshour Extra website http://www.pbs.org/newshour/extra/teachers/lessonplans/socialstudies/confirm_process.html

Confirmation Process Information Chart

Steps	Description of the process	Explain the power granted and how it serves as a check on another branch
President Nomination		
White House Review		
Paperwork Financial Disclosure		
FBI Investigation		
Senate Confirmation Hearings		
Senate Vote		