

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 6.4: Organization of the Federal Judiciary

Name _____
Date _____ Class _____

 **Before you read**

Before reading this section, take a moment to read the Learning Target and vocabulary terms you will encounter.

Learning Target: Explain how the life tenure of justices, coupled with the power of judicial review, leads to controversy over Supreme Court nominations.

AP® Key Concepts

criminal law

stare decisis

civil law

majority opinion

federal district courts

concurring opinion

federal courts of appeals

dissenting opinion

precedent

 **While you read**

Use the following table to take notes as you read the section.

Aspects of judicial review and life tenure	Impact on legitimacy of Supreme Court's authority	Examples

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 6.4: Organization of the Federal Judiciary

--	--	--

 **After you read**

Once you've finished reading the section, answer the following questions.

1. Molly is arrested in the state of Washington for armed robbery and kidnapping. At trial she will be a _____ in a _____ case.
 - A. defendant; civil
 - B. plaintiff; civil
 - C. defendant; criminal
 - D. plaintiff; criminal
2. Which is NOT a protection of criminal defendants found in the Sixth Amendment?
 - A. the right not to be forced to testify
 - B. the right to a speedy and public trial.
 - C. the right to an attorney
 - D. the right to confront witnesses
3. Kennedy has spilled some gasoline on Nathan's lawn. Nathan asks Kennedy to pay for the removal of the gasoline and to repair the damage it has caused. Kennedy refuses and so Nathan sues him in court. In this case, Nathan is the _____ in a _____ case.
 - A. defendant; civil
 - B. plaintiff; civil
 - C. defendant; criminal
 - D. plaintiff; criminal
4. Kevin is arrested for burglary of a habitation in Oklahoma. He is found guilty in the lower state court but feels a constitutional error has been made and appeals first to _____, and if unsuccessfully there, he can appeal to _____.
 - A. the federal court of appeals; the U.S. Supreme Court
 - B. the Oklahoma Supreme Court; the U.S. Supreme Court
 - C. the Oklahoma Supreme Court; the federal court of appeals
 - D. the federal district court; the U.S. Supreme Court
5. In most federal cases, district courts act as the trial courts and thus possess _____.
 - A. criminal law
 - B. appellate jurisdiction
 - C. civil law.
 - D. original jurisdiction

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 6.4: Organization of the Federal Judiciary

6. The middle level of the federal constitutional courts is/are the _____.
A. courts of appeal
B. district courts
C. U.S. Supreme Court
D. state supreme courts
7. The federal district court for the district of Kansas rules on a case. One litigant appeals. To which court does it go next?
A. The U.S. district court for the district of South Dakota
B. The U.S. appeals court for the Seventh Circuit
C. The U.S. appeals court for the Tenth Circuit
D. The U.S. Supreme Court
8. Which federal court(s) has/have original jurisdiction of one type or another?
A. The U.S. Supreme Court only
B. The U.S. Supreme Court and district courts
C. The district courts and the appellate courts
D. The appellate courts and the U.S. Supreme Court
9. Relative to other federal courts, the U.S. Supreme Court is unique because it
A. has multiple judges.
B. has jurisdiction over the District of Columbia.
C. has both original and appellate jurisdiction.
D. has appellate jurisdiction over federal cases.
10. The rule of four applies to
A. the number of justices need to decide a case.
B. the decision of the Supreme Court to hear a case.
C. the number of minutes an attorney can speak in oral arguments.
D. the quantity of cases the Supreme Courts hears in a term.
11. Supreme Court decisions set a _____, a judicial decision that acts as a basis for deciding similar cases in the future.
12. A litigant brings an appeal to the Supreme Court requesting that the Court begin to issue writs of mandamus, thus overturning the precedent set in *Marbury v. Madison* (1803). The justices, in a 7-2 decision, decide to deny the appeal and allow the precedent to stand. This is an example of
A. habeas corpus
B. certiorari
C. stare decisis.
D. amicus curiae

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 6.4: Organization of the Federal Judiciary

13. In 1954, the NAACP (and others) brought before the Court a challenge to legal segregation established by the Court's 1896 decision in *Plessy v. Ferguson*. Which of the following was the NAACP MOST LIKELY to use in its arguments to overturn precedent in 1954?

- A. a concurring opinion to the majority opinion in *Plessy*
- B. an amicus curiae brief from the Ku Klux Klan
- C. the majority opinion in *Plessy*
- D. the dissenting opinion in *Plessy*