

The Federal Court System

SECTION 1

THE NATIONAL JUDICIARY

TEXT SUMMARY

The Constitution creates the Supreme Court and leaves to Congress the creation of the **inferior courts**—those federal courts under the Supreme Court. Congress has created two distinct types of federal courts. Constitutional courts deal with matters involving the “judicial power of the United States.” Special courts, such as the Tax Court, deal with cases related to the expressed powers of Congress.

Jurisdiction over, or the authority to hear federal cases belongs to constitutional courts. Federal courts have **exclusive jurisdiction** over cases that may *only* be heard by them. Federal and State courts have **concurrent jurisdiction** over cases that may be tried by either. Such cases may be disputes among residents of different States. In some of these cases,

the **plaintiff**, the person filing the case, may choose to bring it to federal or State court. The **defendant**, the person against whom the complaint is made, may be able to have a case moved from a State court to a federal court.

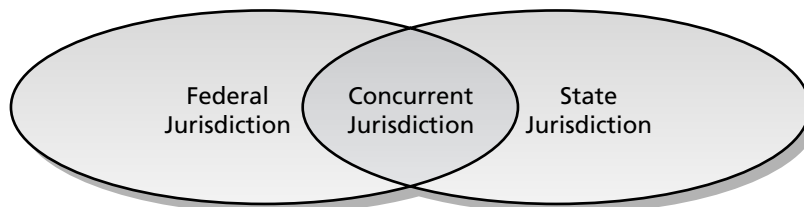
A court that first hears a case has **original jurisdiction** over it. A court that hears a case on appeal from a lower court has **appellate jurisdiction** over the case.

The President nominates federal judges, and the Senate then confirms them. Judges of the Supreme Court and the constitutional courts serve for life and may only be removed from office by impeachment.

THE BIG IDEA

The Constitution outlines the structure of the federal judiciary, the jurisdiction of the courts, and the functions of federal judges.

GRAPHIC SUMMARY: Types of Federal Court Jurisdiction



Some cases may be tried in either a federal or a State court.

REVIEW QUESTIONS

1. How are federal judges appointed?
2. **Diagram Skills** What does *concurrent jurisdiction* mean?