

TEXT SUMMARY

The Supreme Court is made up of the Chief Justice and eight associate justices. It is the final authority for any case involving questions of federal law. It has the final power of judicial review, the power to decide the constitutionality of an act of government. In 1803 the Supreme Court case *Marbury v. Madison* established this power.

The Supreme Court has both original and appellate jurisdiction. Most of its cases come on appeal. It hears cases in original jurisdiction when either a State or a diplomat is involved.

The Supreme Court decides only about 100 cases a year. Most reach the Court by **writ of certiorari**, which is an order to a lower court to send up a case record for review. A few cases reach the Court by **certificate**—that is, a lower court asks

the Supreme Court to certify an answer to a matter in its case.

When the Court accepts a case, each side sends the Court a brief—a detailed written report supporting its side of the case. Both sides then present oral arguments, after which the justices vote on the case. The justices explain their decision in writing with a **majority opinion**, which gives the Court's official position. Each of these opinions stands as a **precedent**, or an example for similar cases. A justice who agrees with the decision may write a **concurring opinion** to add points to the majority opinion. A justice who disagrees with the ruling may write a **dissenting opinion**.

THE BIG IDEA

The Supreme Court stands as the final authority on all issues pertaining to federal law.

GRAPHIC SUMMARY: How Cases Travel Through the Supreme Court

How a Case Reaches the Supreme Court

- **by writ of certiorari:** The Supreme Court orders a lower court to send it a case's record.
- **by certificate:** A lower court asks the Supreme Court to certify a matter's answer.
- **by origination:** If a State or a diplomat is involved.



How the Supreme Court Rules on the Case

- Both sides send in briefs.
- Both sides present oral arguments.
- Justices vote and write a majority opinion.

Although most cases reach the Supreme Court on appeal, some do originate there.

REVIEW QUESTIONS

1. What happens before the Supreme Court hears oral arguments?
2. **Diagram Skills** How does a case that reaches the Supreme Court by certificate do so?