

**AP United States Government
Chapter 14 Study Guide – The Courts**

Name: _____

Vocabulary: Be able to define and identify the significance of the following terms.

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|------------------------------|--------------------------------|-----------------------------|
| 1. Judicial review | 9. Plaintiff | 17. Recess appointment |
| 2. <i>Marbury v. Madison</i> | 10. Defendant | 18. Judicial activism |
| 3. <i>Stare decisis</i> | 11. Litigate | 19. Judicial restraint |
| 4. Jurisdiction | 12. <i>Amicus curiae</i> brief | 20. Strict construction |
| 5. Federal question | 13. Class-action lawsuit | 21. Loose construction |
| 6. Standing to sue | 14. <i>Writ of certiorari</i> | 22. Judicial implementation |
| 7. Original jurisdiction | 15. Rule of four | 23. Political questions |
| 8. Appellate jurisdiction | 16. Senatorial courtesy | |

Questions: Complete the following as you read chapter 14 in your textbook.

1. Explain the common-law tradition in England.

2. How does the principle of *stare decisis* affect decisions in our court system?

3. Explain how the following form the body of American law.
 - a. Constitutions:

 - b. Statutes and administrative regulations:

 - c. Case law:

 - d. Judicial review:

4. What is meant by a dual court system?

5. Explain the two basic requirements for a case to make it to court.
 - a. Jurisdiction:

 - b. Standing to sue:

6. Explain the role of the following types of federal courts.
 - a. U.S. district courts:

 - b. U.S. courts of appeals:

 - c. U.S. Supreme court:

7. Explain the following courts that arose out of the war on terrorism.
 - a. The FISA court:

b. Alien “removal” courts:

8. What is the role of interest groups in bringing litigation?
9. How do interest groups use *amicus curiae* briefs to influence court decisions?
10. What are class-action lawsuits?
11. What factors bear on the Supreme Court’s decision to hear cases?
12. What is a *writ of certiorari*?
13. How does the “rule of four” work in the Supreme Court process?
14. Explain how the way in which Supreme Court cases are heard and decided differs from other courts.
15. Explain the difference between the different type of Supreme Court opinions.
 - a. Unanimous opinion:
 - b. Majority opinion:
 - c. Concurring opinion:
 - d. Dissenting opinion:
16. What considerations go into a president’s judicial nominations?
17. Explain the role of the Senate Judiciary Committee and senatorial courtesy in the judicial approval process.
18. How does a president’s ideology play into the judicial appointment process?
19. How does senatorial ideology affect the judicial appointment process?

20. Why do recess appointments cause considerable controversy?

21. Describe the difference between judicial activism and judicial restraint.

22. Describe the difference between strict construction and broad (or loose) construction.

23. Explain the ways in which the following can check the power of the courts.
 - a. Executive branch:

 - b. Legislative branch:

 - c. Public opinion:

 - d. Judicial traditions and doctrines: