

Name _____

How the Supreme Court Works

Directions: Place these events in their proper sequence. Write the correct number on the line.

_____ The Court hears oral arguments. The Chief Justice calls the case and lawyers present their arguments. The Justices are allowed to interrupt and ask questions at any time. The Chief Justice generally allows 30 minutes per side, although technically each side gets an hour.

_____ Litigants who lost the original case appeal to the U.S. Supreme Court and file a petition for a writ of certiorari (in Latin means "made more certain").

_____ The Court's print shop, in its basement, prints the opinions to prevent leaks to the media

_____ Three opinions may be written: the majority opinion, the official opinion of the Court; the dissenting opinion, consists of Justices who do not agree with the majority, and sometimes a concurring opinion may be written by Justices who agree with the majority, but have different reasons for agreeing with the majority.

_____ Friday conferences are held for the Justices to meet and discuss cases. Often the discussions are informal. The Chief Justice initiates discussion of the case. Each justice is asked to give their opinion and express their viewpoint then each associate justice casts a vote-in order of seniority. The vote of the Chief Justice counts the same as an associate justice's vote.

_____ Federal district courts/courts of appeals render a decision on a given court case

_____ Court decisions carry legal authority, but courts have no power to enforce them. They depend on other branches, and state officials to enforce their decisions. This process is called judicial implementation, the process by which the court decisions become policy that affects the behavior of others.

_____ Litigants (counsel) submit briefs to the Supreme Court for the Justices to review. The briefs contain statutes, constitutional provisions, and precedents for their side of the argument. Interest groups, state and local governments, and individuals, and other organizations file amicus curiae (means "friends of the court") briefs. These briefs contain information, evidence, and perspectives not included in litigants original briefs.

_____ If the Chief Justice is in the majority, he assigns the writing of the opinion to himself or another justice. If he is not in the majority, the most senior associate justice in the majority assigns it. The writer circulates the draft among the others, who suggest revisions.

_____ The nine Justices consider the case and review the petition separately. If four Justices believe an issue has not been resolved satisfactorily or consistently by the lower courts, the petition (sometimes called the "cert", short for writ of certiorari) is granted (called the "rule of four").

_____ The Supreme Court announces its decisions and distributes the opinions to the general public

_____ The Court reaches a tentative decision based on votes during the Friday conferences. Once decisions have been made, an opinion of the legal reasoning behind the decision must be formally stated.