Judiciary

Introduction

• Independence of judicial branch
• Complexity of judicial branch
• Judicial Review

Structure of Court System

• Article III
• Judiciary Act
• Jurisdiction
• U.S. District Courts
• Courts of Appeals (Circuit Courts)
• Supreme Court

Appointing Judges and Justices

• Politics of federal judicial appointments
• Supreme Court appointments
• Merit
• Ideology
• Politicization of modern nomination process
TABLE 9.3: Who are the Justices of the Supreme Court in 2012?

<table>
<thead>
<tr>
<th>Name</th>
<th>Year Appointed</th>
<th>Party</th>
<th>Law School</th>
<th>Appointment Process</th>
<th>Religion</th>
<th>Prior Government Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Justice Roberts</td>
<td>2010</td>
<td>R</td>
<td>Harvard</td>
<td>Direct Appointment</td>
<td>Protestant</td>
<td>None</td>
</tr>
<tr>
<td>Justice Kennedy</td>
<td>1993</td>
<td>D</td>
<td>Stanford</td>
<td>Direct Appointment</td>
<td>Jewish</td>
<td>None</td>
</tr>
<tr>
<td>Justice Scalia</td>
<td>1986</td>
<td>R</td>
<td>Stanford</td>
<td>Direct Appointment</td>
<td>Catholic</td>
<td>None</td>
</tr>
<tr>
<td>Justice Breyer</td>
<td>1994</td>
<td>D</td>
<td>Harvard</td>
<td>Direct Appointment</td>
<td>Roman Catholic</td>
<td>None</td>
</tr>
<tr>
<td>Justice Alito</td>
<td>2006</td>
<td>R</td>
<td>Stanford</td>
<td>Direct Appointment</td>
<td>Roman Catholic</td>
<td>None</td>
</tr>
<tr>
<td>Justice Sotomayor</td>
<td>2009</td>
<td>D</td>
<td>Yale</td>
<td>Direct Appointment</td>
<td>Catholic</td>
<td>None</td>
</tr>
<tr>
<td>Justice Thomas</td>
<td>1991</td>
<td>R</td>
<td>Yale</td>
<td>Direct Appointment</td>
<td>Judaism</td>
<td>None</td>
</tr>
<tr>
<td>Justice Kennedy</td>
<td>2010</td>
<td>D</td>
<td>Harvard</td>
<td>Direct Appointment</td>
<td>Jewish</td>
<td>None</td>
</tr>
<tr>
<td>Justice Scalia</td>
<td>1986</td>
<td>R</td>
<td>Stanford</td>
<td>Direct Appointment</td>
<td>Catholic</td>
<td>None</td>
</tr>
</tbody>
</table>

POLITICIZATION OF SC NOMINATIONS

- Gorsuch
- Kagan
- Sotomayor
- Alito
- Roberts
- Breyer
- Ginsburg
- Thomas
- Kennedy
- Scalia

50 votes for confirmation
60 votes to break a filibuster

FIGURE 9.3: How Many Cases Does the Supreme Court Handle?

SUPREME COURT CASES

- Making it to the court
- Writ of Certiorari

QUIET DAYS AT THE SUPREME COURT

Number of cases, by term, since 1946

THROUGH MAY 16, 2016
Deciding the Case

- Interpretation
- Precedent (*stare decisis*)
- Judicial restraint and judicial activism
- “Activist Judges”
- Attitudinal Model
- Briefs and arguments
- The Opinion

Courts and the Public

- Public policy
- Public Opinion and court decisions