THE JUDICIAL BRANCH AND ARTICLES IV–VII

Cases for the Supreme Court

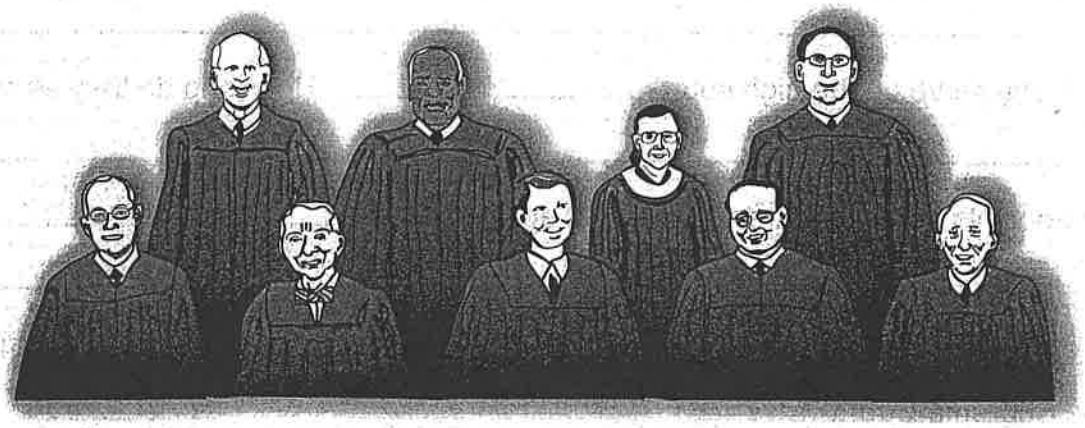
(See Article III, Section 2)

The Constitution tells the federal courts exactly what types of cases they can hear. The Supreme Court only has the jurisdiction, or power to hear cases, that the Constitution gives it. For example, the Supreme Court does not handle divorce cases, but the Constitution says the Court may hear cases involving two or more individual state governments.

The kinds of cases the federal and Supreme Courts may hear are cases coming from any question involving: 1) the Constitution, 2) federal laws, 3) treaties, and 4) laws governing ships. The courts may also hear cases coming from people concerning: 1) ambassadors or public ministers, 2) the United States government itself, 3) two or more state governments, 4) citizens of different states, and 5) a state or its citizens versus a foreign country or foreign citizen.

These cases are what are known as *original jurisdiction.* Under *appellate jurisdiction,* the Supreme Court can only hear a case after it has gone through the court system first (the district courts and the appeals courts, or the state supreme court). Only after these lower courts have heard the case can the Supreme Court respond.

If a case has made it through the court system and wishes to be heard by the Supreme Court, the lawyers must submit to the nine justices what is called a *writ of certiorari* (cert). A writ of cert is a formal request to the Supreme Court to hear a case. The justices vote and either accept or reject that request based upon the possible impact of the case on society, or simply because of the large number of cases they have to hear. If a case is decided by the Supreme Court, it has traveled a long way to get there!



There are eight associate justices and one chief justice on the Supreme Court.