

# Article III: The Judicial Branch

## JUDICIAL BRANCH & SUPREME COURT

The Judicial Branch is one of the three co-equal branches of the United States government. It is in charge of interpreting laws and ensuring that they are applied fairly and in accordance to the constitution. The highest court in the Judicial Branch is the Supreme Court, which has the power to overturn laws or executive actions if they violate the Constitution. Supreme Court Justices are nominated by the President, confirmed by the Senate, and serve "during periods of good behavior" which has been interpreted to mean for life (unless they retire or are impeached and removed). In 1869, Congress set the number of justices to 9 (1 chief justice, 8 associate justices). The judicial branch also encompasses other lower courts such as United States District Courts and United States Courts of Appeals. The Supreme Court has original and appellate jurisdiction.

**"The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."**

United States Constitution, Article III, Section 1



Chief Justice John G. Roberts Jr.  
Collection of the Supreme Court of the United States



**1 Supreme Court of the United States**

**13 United States Courts of Appeals**

**94 United States District Courts**

## LOWER FEDERAL COURTS

All federal courts have limited jurisdiction, which generally means there must be a constitutional question or involve federal law. All federal, Article III, Judges are appointed by the President and approved by the Senate. Federal Judges have a life-time appointment and, at a certain age, they can retire or take senior status which reduces their workload. The number of judges in each court is determined by the Judicial Conference.

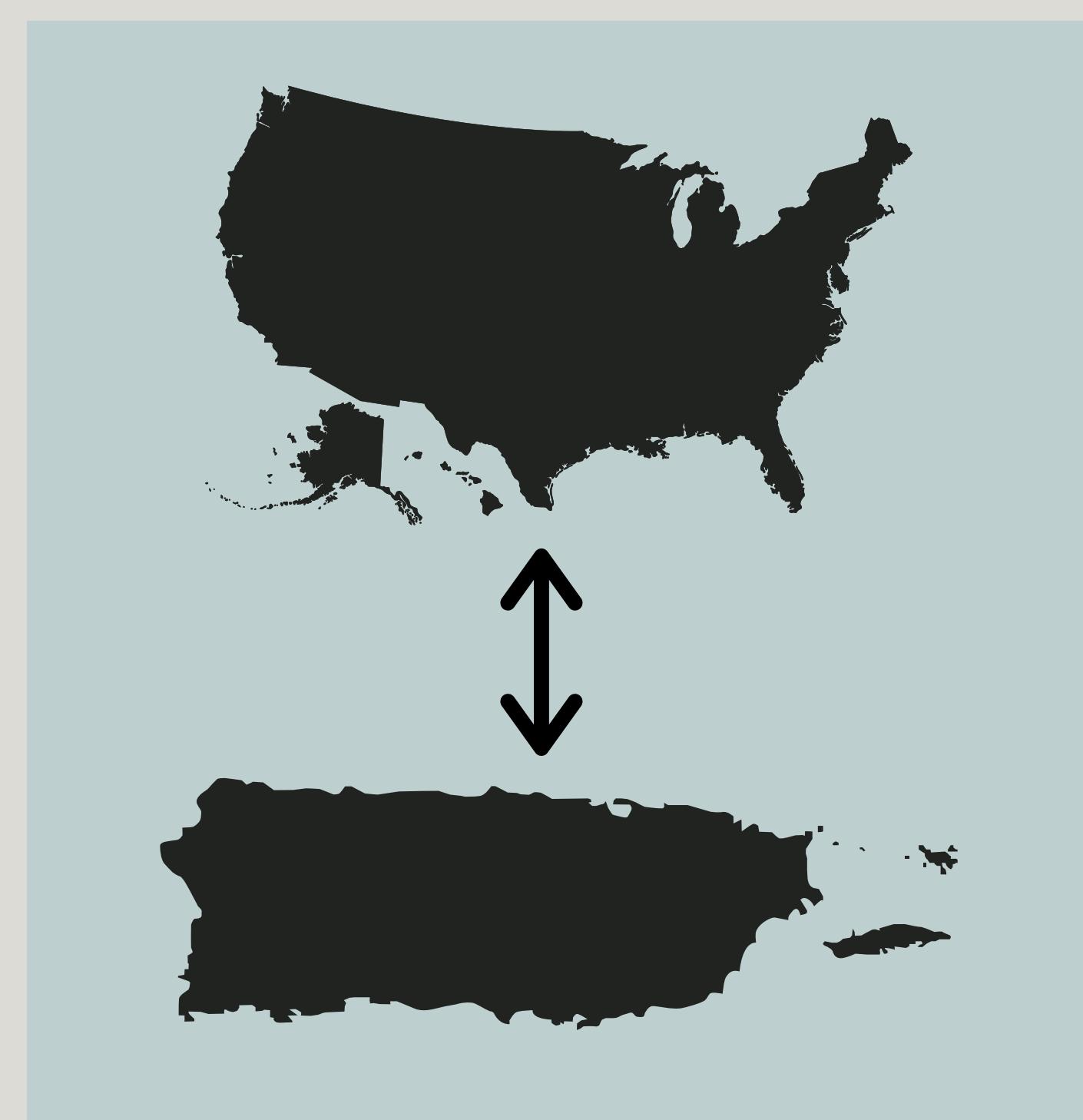
There are 13 United States Courts of Appeals—12 regional and one federal—and they have appellate jurisdiction over civil and criminal appeals from the district courts in their circuit. The appeals judges sit in three-judge panels when they hear oral argument. They do not retry the case or hear new evidence; they determine whether or not the lower court applied the law correctly. For example, if a case is appealed from the United States District Court for the District of Puerto Rico it would be heard by the United States Court of Appeals for the First Circuit.

There are 94 district courts in the US, which primarily serve as the trial courts and have original jurisdiction. There is at least one district court per state, and larger states have up to four. District judges can appoint magistrate judges to help deal with the district court's case load. Puerto Rico has seven district judges and five magistrate judges. Magistrate judges serve renewable eight-year terms.

## FEDERALISM

Federalism is a political system where the power is divided between a central government (federal) and state governments. Its main focus is to prevent one level of government from becoming too powerful. Having divided powers allows diverse policies, promotes innovation, and encourages local control. Sometimes it creates controversy, however, due to who has more authority on topics such as education, healthcare, and environmental issues.

FEDERAL	STATE	BOTH
Prints Money	Run Schools	Enforce Laws
Declares War	Manage Elections	Collect Taxes



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