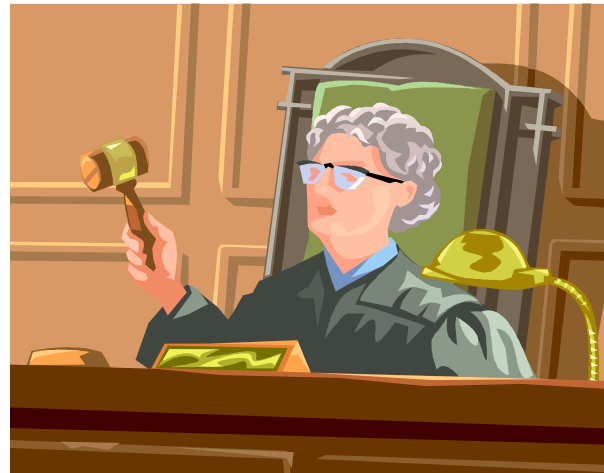


HOW THE SUPREME COURT HEARS AND DECIDES CASES

UNIT 5: Judicial Branch

Supreme Court Justices

- The main job of the nation's top court is to decide whether laws are allowable under the Constitution.
- 8 associate justices and 1 chief justice make up the Supreme Court.
- President appoints justices, with Senate approval.



How Cases Reach the Court

- The Supreme Court conducts business each year from Oct- June or July.
- Each month, justices spend 2weeks listening to oral arguments on cases and 2 weeks writing opinions and studying new cases



How Cases Reach the Court Cont'd

- Court receives most cases on appeal from lower courts
- 7,000 applications each year, court hears fewer than 200
- Accepted cases go on the Court **docket**, or calendar.



Steps in Decision Making

- Each accepted cases goes through 5 steps:
 1. written arguments
 2. oral arguments
 3. conference
 4. opinion writing
 5. announcement



Written Argument

- Lawyers first prepare a written BRIEF that explains their side of the case
- The justices study the briefs



Oral Arguments

- Each side gets 30 minutes to present its case orally.
- Justices then ask tough questions



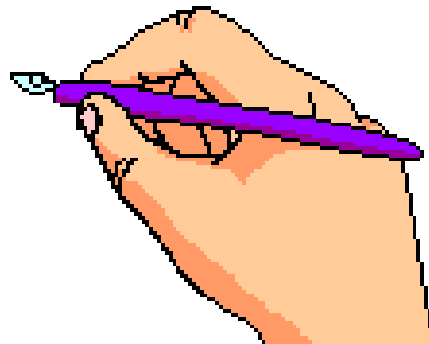
Conference

- On Fridays, justices meet privately to discuss the case.
- A majority vote decides the case



Opinion Writing

- After the Court reaches a decision, one justice writes a MAJORITY OPINION.
- It presents the views of the majority justices.
- The opinion states the facts, announces the ruling, and explains the Court's reasoning in reaching the decision



Opinion Writing Cont'd

- The Court may also write a unanimous opinion when all justices vote the same way.
- One or more justices who disagree with the majority may write **DISSENTING OPINIONS**.
- A justice who votes with the majority, but for different reasons, may write a **CONCURRING OPINION**.



Announcement

- Finally the Court announces its decision.
- Printed copies of the opinion go to news reporters.
- A copy is posted on the Court's web site



Current Supreme Court Justices

- Clarence Thomas (GHW Bush – 1991)
- * John Roberts (GW Bush - 2005)
- Anthony Kennedy (1988 – Reagan)
- Ruth Bader Ginsburg (Clinton – 1993)
- Sonia Sotomayer (Obama – 2009)
- Stephen Brewer (Clinton – 1994)
- Samuel Alito (GW Bush – 2006)
- Elena Kagen (Obama – 2010)
- Neil Gorsuch (Trump – 2017)