

Judiciary Review

[Wilson chapter 14 and *Separate but Equal*]

Name: _____
Period: ____

1. A case on appeal reaches the Supreme Court via a writ of what?
2. A chief justice is able to exercise his influence most effectively by doing what?
3. A crucial decision involving the protection of private property interpreted the Fourteenth Amendment's reference to "person" to mean what?
4. A diversity case is one involving what?
5. A judge who holds to judicial activism believes what?
6. *Amicus curiae* briefs amount to a form of judicial what?
7. Between 1789 and the Civil War, the Supreme Court was primarily occupied with the issues of what?
8. California is suing Arizona over the use of the Colorado River. The case will be heard by what court?
9. Citizen X is suing his neighbor Y for ramming his \$7,000 car. This case could be heard in what court?
10. Clarence Gideon managed to have his case heard before the Supreme Court by doing what?
11. From the Civil War to the 1930s, the Supreme Court was primarily occupied with what type of issues?
12. From what things does the power of federal courts to make policy derive?
13. How did Alexander Hamilton describe the judiciary in *Federalist* #78?
14. How many (approximately) federal laws that have actually been overturned by the Supreme Court?
15. How successful have attempts by Presidents Nixon, Reagan, and Bush to produce a less activist court been?
16. Identify the rulings in *Marbury v. Madison* that had legal and political significance.
17. In most cases presented to the Supreme Court, the bulk of the argumentation presented by either side will be found where?
18. It has been suggested that senators actually appoint district judges, and presidents confirm them, through the practice of what?

19. Justice Ruth Bader Ginsburg, for example, votes on the side of a majority of Supreme Court justices on a particular case even though her reasoning differs from the others. She may choose to express her reasons in what kind of opinion?
20. Politically, what type of judge is most likely to be an activist these days?
21. Senate conservatives, for example, might make their approval of a Supreme Court nominee contingent on that individual's personal views about the death penalty. Such concern for a nominee's ideology is known as what kind of test?
22. Taxpayer X believes that the federal Endangered Species Act is unconstitutional. What will he have to show before his case can be heard on its merits?
23. The behavior of Justices Holmes, Warren, Burger, and Blackman suggests what? (in relation to presidential selection of justices)
24. The *Dred Scott* case involved what legal issue?
25. The majority of cases heard by federal courts begin where?
26. The period in Supreme Court history from 1936 to the present has been marked by a concern for what?
27. The strongest type of Supreme Court opinion is a(n) what?
28. The Supreme Court tradition of deferring to the legislature on matters of economic regulation was established during what historical period?
29. Under the doctrine of sovereign immunity, a citizen cannot do what?
30. Until the 1930s, how did the Supreme Court interpret the Fourteenth and Fifteenth Amendments?
31. What are important reasons federal courts follow precedent?
32. What are measures of the power of the federal courts?
33. What are restraints under which the federal courts operate?
34. What are the basic differences between a constitutional court and a legislative court?
35. What are the measures of the policy-making role of the Supreme Court?
36. What did the Supreme Court's acceptance of New Deal principles probably avoid?
37. What does a President usually look for in selecting judges for the federal courts?

38. What does the “dual-court system” of the United States refer to?
39. What happens if a vote by the Supreme Court ends in a tie?
40. What is “court packing?”
41. What is “fee shifting?”
42. What is the chief judicial weapon in the government’s system of checks and balances?
43. What is the major issue confronting the Supreme Court in America today?
44. What key government official is involved in the determination of whether a case should be appealed to the Supreme Court?
45. What principles were established by rulings of the Supreme Court in *Marbury v. Madison* and *McCulloch v. Maryland*?
46. What was exemplified by the 1952 steel mill seizure case?
47. What was the principle that the Supreme Court used in overturning Fulton’s monopoly on a New York steamboat operation?
48. When a citizen sues and wins a suit against a government official for withholding a benefit to which a citizen is entitled, it is called what kind of suit?
49. Which case that we have studied in class is an example of a class action suit?
50. Which courts are mandated by the U.S. Constitution?
51. Which courts exercise the judicial powers found in Article III of the Constitution?
52. Why are presidents often disappointed by the records of their Supreme Court appointees?
53. Why did major reasons class-action suits become more common in recent years?
54. Why did the Founders expect that judicial review would be relatively passive?
55. Why is it that only in the U.S. will you see intense battles over confirmation of Supreme Court judges?