

Name: \_\_\_\_\_

Date: \_\_\_\_\_

# Judiciary Terms

- |   |                          |
|---|--------------------------|
| 1. concerns non-criminal disputes between private parties   | A. Majority opinion      |
| 2. lawsuit brought on behalf of a class of people against a defendant, e.g., lawsuits brought by those who have suffered from smoking against tobacco companies   | B. Stare decisis         |
| 3. parties involved in a case   | C. Writ of habeas corpus |
| 4. One who brings the charges and in matters of criminal law, the government is the plaintiff. (Name is listed first in the name of the case)   | D. Precedent             |
| 5. The party who has been charged (listed second on the case)   | E. brief                 |
| 6. Sufficient legal reasons to bring charges (Plaintiffs must have)   | F. Judicial activism     |
| 7. issues able to be settled as matter of law   | G. Writ of certiorari:   |
| 8. A written statement submitted by the lawyer for each side in a case that explains to the judge(s) why they should decide the case (or a particular part of a case) in favor of that lawyer's client.   | H. Defendant             |
| 9. writings intended to influence a judge's decision in cases where the group is not itself a litigant. Often explains the possible effects of the judge's decisions, brings new points of view to the case, or provides additional information not presented | I. Plaintiff             |
| 10. The Supreme Court relies on precedents—that is, earlier laws or decisions that provide some example or rule to guide them in the case they're actually deciding   | J. Dissenting opinion    |
| 11. written by a Supreme Court Justice who voted with the majority, but for different reasons   | K. Rule of four          |
| 12. written by a Supreme Court Justice (or Justices) who express a minority viewpoint in a case   | L. Solicitor general     |
| 13. philosophy that the courts should take an active role in solving problems possibly even charting new constitutional ground to alleviate pressing needs  | M. Senatorial Courtesy   |
| 14. philosophy that the courts should defer to elected lawmakers in setting policy, and should instead focus on interpreting law rather than making law   | N. Concurring opinion    |

15. power of the courts to review the constitutionality of laws or government actions	O. Judicial review
16. written to express the majority viewpoint in a Supreme Court case	P. Amicus curiae briefs
17. authority of a court to hear a case first, usually when it goes to trial. They determine the facts of the case and decide the case.	Q. Writ
18. authority of a court to hear an appeal from a lower court. May review the decision of the lower court and either remand the case or uphold, revise or overturn the decision.	R. Appellate jurisdiction
19. The Supreme Court will hear a case if at least four Justices agree to do so.	S. Civil law
20. Latin for “let the decision stand.” Supreme Court policy of following precedent in deciding cases.	T. Class action lawsuit
21. A formal written command, issued from the court, requiring the performance of a specific act.	U. Litigants
22. Deters unlawful imprisonment. A writ that is often used to bring a prisoner before the court to determine the legality of his imprisonment. A prisoner wanting to argue that there is not sufficient cause to be imprisoned would file a writ of habeas corpus. It may also be used to bring a person in custody before the court to give testimony, or to be prosecuted.	V. Writ of mandamus
23. Court order directing a party to perform a certain action. (Marbury v Madison)	W. Standing to sue
24. An order issued by the Supreme Court directing the lower court to transmit records for a case for which it will hear on appeal. The Supreme Court is usually not required to hear appeals of cases. A denial of “cert” by the Supreme Court allows the previous ruling to stand.	X. Original jurisdiction
25. Senators of the president’s party from the state where a district is located , or the circuit court nominee resides, can stop confirmation.	Y. Judicial restraint
26. A presidential appointee and the third ranking office in the Department of Justice. They are in charge of the appellate court litigation of the federal government.	Z. Justiciable disputes