Building the Courts

Trace how Congress shaped the federal court system

9-12.GOV.39 "Analyze the origin and evolution of the modern federal court structure including the Judiciary Act of 1789."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each change Congress made to the federal courts, and circle the need or problem the change addressed. Number the underlined changes in chronological order to trace how the system evolved.

From One Court to Three Levels

1. The Constitution created one Supreme Court but left Congress the power to establish lower federal courts. That choice mattered: a national court system could hear disputes involving federal law, yet people needed places to bring those cases. In 1789, Congress passed the Judiciary Act, which organized thirteen federal district courts and three circuit courts beneath the Supreme Court. District courts handled certain cases, including disputes involving ships and waterways; circuit courts heard major trials and appeals. Supreme Court justices also traveled to sit on circuit courts, a demanding practice called circuit riding. The act turned a constitutional outline into a working court system.

2. As the country grew, the early arrangement became harder to manage. More districts meant more travel for justices, and the Supreme Court faced an increasing number of appeals. Congress responded in 1891 by creating federal circuit courts of appeals. These courts reviewed decisions from lower federal courts, so many appeals no longer had to go directly to the Supreme Court. The change added a clearer middle level between federal trial courts and the nation's highest court. It did not erase the district courts. Instead, Congress adjusted how cases moved through the system as the volume of federal litigation expanded.

3. Further changes clarified each court's job. In 1911, Congress abolished the older circuit courts, which had heard trials, while leaving the newer circuit courts of appeals in place. Federal district courts became the principal federal trial courts. A 1925 law expanded the Supreme Court's ability to choose which appeals to hear, allowing it to focus on cases with broad national importance. Today, district courts usually hear federal cases first; courts of appeals review many district court decisions; and the Supreme Court hears a small share of cases. The modern three-level structure grew through congressional changes, not from a complete blueprint in the Constitution.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did the Judiciary Act of 1789 turn the Constitution's plan for federal courts into a working system?

2. What pressures did the growing country place on the early courts, and how did the 1891 change respond?

3. Why is it important to distinguish the circuit courts abolished in 1911 from the circuit courts of appeals?

4. How did the 1891 and 1925 changes work together to shape the Supreme Court's role?

3 YOUR TURN

Your own words

Imagine Congress had not created circuit courts of appeals in 1891. In four sentences, predict two pressures federal courts might face, then explain how the actual changes in 1891 and 1925 addressed those pressures. Use evidence from at least two paragraphs.

ANSWER KEY

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HIGH SCHOOL · 9-12.GOV.39

PART 1 · READ AND MARK

Underline each change Congress made to the federal courts, and circle the need or problem the change addressed. Number the underlined changes in chronological order to trace how the system evolved. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did the Judiciary Act of 1789 turn the Constitution's plan for federal courts into a working system?	**The Constitution created the Supreme Court and allowed Congress to establish lower courts. The act organized district and circuit courts beneath the Supreme Court so federal cases had places to be heard.**
2	What pressures did the growing country place on the early courts, and how did the 1891 change respond?	**Growth increased justices' travel and the number of appeals reaching the Supreme Court. Congress created circuit courts of appeals to review many lower-court decisions.**
3	Why is it important to distinguish the circuit courts abolished in 1911 from the circuit courts of appeals?	**The older circuit courts heard trials and were abolished. The circuit courts of appeals, created in 1891 to review decisions, remained in place.**
4	How did the 1891 and 1925 changes work together to shape the Supreme Court's role?	**The 1891 courts reviewed many appeals that otherwise could have reached the Supreme Court. The 1925 law gave the Supreme Court more choice over which appeals to hear, helping it focus on nationally important cases.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Without circuit courts of appeals, more appeals might have gone to the Supreme Court, increasing its workload. Justices might also have faced greater pressure to review decisions while managing travel and other duties. In 1891, Congress created courts of appeals to review many lower-court decisions instead. In 1925, Congress gave the Supreme Court more choice over which appeals to hear, helping it focus on cases with broad national importance.

Accept predictions grounded in the passage, such as a heavier Supreme Court appeals workload or continued demands on justices' time. Students should distinguish the 1891 appeals courts from the older circuit courts abolished in 1911.