A Seat, A Case

How Supreme Court justices join, serve, and leave the Court

USG.C.4.4.A "Explain the length of terms, selection and confirmation process, jurisdiction, and process for the removal of Supreme Court justices."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each step in choosing or removing a justice, circle each description of how a case reaches the Court, and number the statements about how long a justice may serve. Use your marks to compare these parts of the Court's work.

Who Serves, and Which Cases Are Heard?

1. When a seat opens on the U.S. Supreme Court, the president cannot fill it alone. The president nominates a person, often after reviewing that person's legal work and views. The Senate may hold committee hearings, question the nominee, and then vote on confirmation. A majority vote in the Senate can confirm the nominee, who can then take the judicial oaths and join the Court. Once seated, justices have no fixed term. The Constitution says they hold office during "good Behaviour," which generally means they may serve for life unless they resign, retire, die, or are removed through impeachment and conviction.

2. Not every legal dispute can reach the Supreme Court. Its jurisdiction, or authority to hear cases, is limited mainly to questions under federal law or the U.S. Constitution. Most cases arrive through appellate jurisdiction: the Court reviews decisions from lower federal courts or from a state's highest court when a federal question is involved. For example, a lawsuit about a federal pollution rule might move through lower federal courts before the Court considers it. In a small group of cases, including disputes between states, the Court has original jurisdiction, so the case can begin there. Even when a case qualifies, the Court usually chooses whether to review it.

3. Suppose a justice is accused of serious wrongdoing. Neither the president nor a public petition can simply fire that justice, and an unpopular ruling alone does not end the justice's service. The Constitution provides impeachment as the way to remove a federal judge. The House of Representatives votes on articles of impeachment; a simple majority vote approves an article and formally impeaches the justice. The Senate then holds a trial. Removal requires a vote to convict by two-thirds of senators present. A justice who is impeached but not convicted stays in office. These separate steps prevent a single official from dismissing a justice over a decision.

2 ANSWER WITH EVIDENCE

Use the passage

1. Explain the different roles of the president and the Senate in putting a new justice on the Court.

2. How is a justice's length of service different from a fixed term, and what events could end that service?

3. Explain the difference between the Court's appellate and original jurisdiction. Give one route or case type from the passage.

4. Why can't a vote in the House of Representatives alone remove a justice?

3 YOUR TURN

Your own words

A resident loses a First Amendment challenge to a state sign law in the state's highest court, one Supreme Court justice retires, and another is accused of taking a bribe. Write a five- or six-sentence briefing explaining the possible path of the case, how the vacancy is filled and how long the new justice may serve, and how the accused justice could be removed.

ANSWER KEY

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HIGH SCHOOL · USG.C.4.4.A

PART 1 · READ AND MARK

Underline each step in choosing or removing a justice, circle each description of how a case reaches the Court, and number the statements about how long a justice may serve. Use your marks to compare these parts of the Court's work. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Explain the different roles of the president and the Senate in putting a new justice on the Court.	**The president nominates a person. The Senate votes on confirmation, which requires a majority vote.**
2	How is a justice's length of service different from a fixed term, and what events could end that service?	**Justices have no fixed term and may serve for life. Service can end through resignation, retirement, death, or removal after impeachment and conviction.**
3	Explain the difference between the Court's appellate and original jurisdiction. Give one route or case type from the passage.	**With appellate jurisdiction, the Court reviews a lower court's decision, such as a lower federal court's ruling on a federal pollution rule. With original jurisdiction, a case can begin at the Supreme Court, as a dispute between states can.**
4	Why can't a vote in the House of Representatives alone remove a justice?	**A House majority vote impeaches the justice, but removal also requires conviction by two-thirds of senators present at a Senate trial.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Because the resident raised a First Amendment claim in the state's highest court, the resident can ask the Supreme Court to review that decision. The Court has appellate jurisdiction here, but it usually chooses whether to take the case. For the open seat, the president nominates a replacement and the Senate votes on confirmation. If confirmed, the new justice has no fixed term and may serve for life. An accusation of bribery does not itself remove the other justice. The House must impeach by majority vote, and removal requires conviction by two-thirds of senators present at a Senate trial.

Accept other accurate examples of appellate or original jurisdiction from the passage. In the briefing, look for a possible review rather than an automatic appeal, and distinguish an accusation or impeachment from removal.