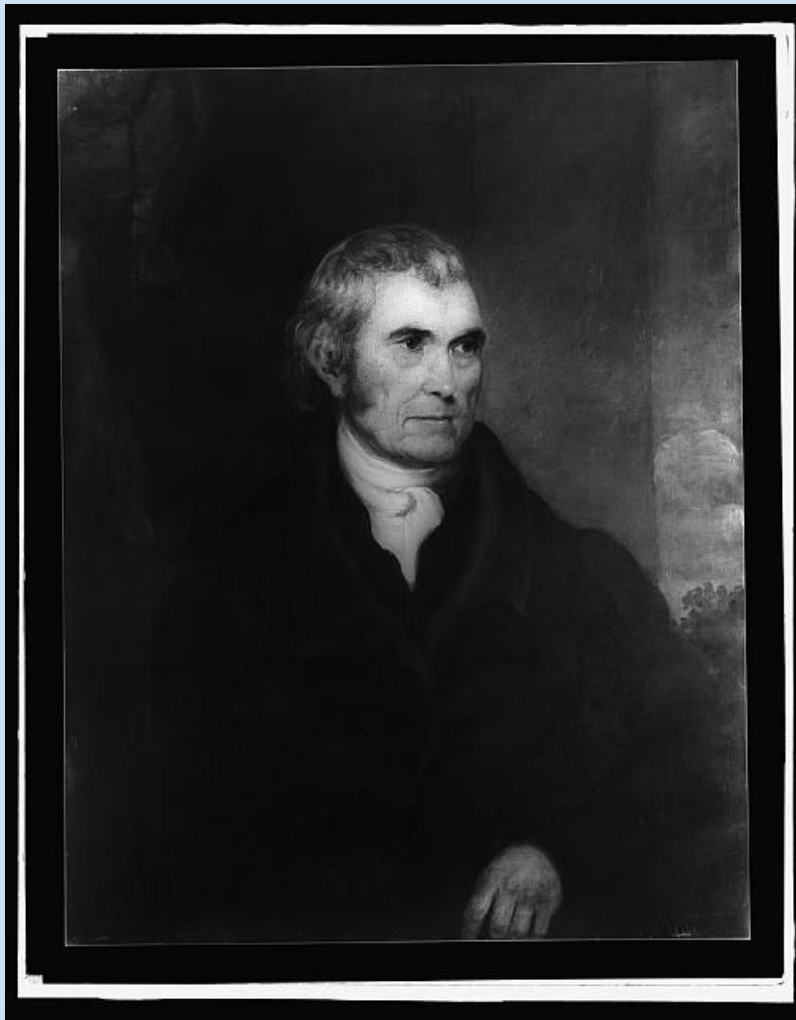


# JOHN MARSHALL

“It is emphatically the province and duty of the Judicial Department to say what the law is. Those who apply the rule to particular cases must, of necessity, expound and interpret that rule. If two laws conflict with each other, the Courts must decide on the operation of each.”

*Marbury v. Madison* (1803)



# **JUDICIAL REVIEW**

The power of the judicial branch to review the actions of the executive and legislative branches and determine whether or not they are unconstitutional (this includes national and state actions).

# THE SUPREMACY CLAUSE

**ARTICLE VI, CLAUSE II**

# ARTICLE VI, CLAUSE II

*“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”*



## Supreme Court

- Highest court in the federal system
- Nine Justices, meeting in Washington, D.C.
- Appeals jurisdiction through *certiorari* process
- Limited original jurisdiction over some cases



## Courts of Appeal

- Intermediate level in the federal system
- 12 regional "circuit" courts, including D.C. Circuit
- No original jurisdiction; strictly appellate



## District Courts

- Lowest level in the federal system
- 94 judicial districts in 50 states & territories
  - No appellate jurisdiction
- Original jurisdiction over most cases

# Groff v. DeJoy (2023)

*The U.S. Supreme Court rule 9-0 in favor of Groff*

*Accommodating Groff's religious beliefs by forcing others to work overtime or take extra shifts did not meet the burden of "undue hardship"*