

The Judicial Branch

Article III of the Constitution establishes the judicial branch or federal court system. It is comprised of the Supreme Court and other federal courts. The Bill of Rights protects individual rights including the guarantee that every person accused of wrongdoing has the right to a fair trial before a competent judge and a jury of one's peers.



The judicial branch has the sole power to interpret the law, determine the constitutionality of the law, and to apply it to individual cases. All laws in the country must follow the Constitution.

The judicial branch includes justices of the Supreme Court and federal judges. Currently, the Supreme Court is made up of nine judges, called justices, who are nominated by the president and confirmed by the Senate. The Supreme Court is the highest court in the land and the only part of the federal judiciary specifically required by the Constitution.

The justices and federal judges remain in office for life, until they retire, or are removed from office. They can only be removed from office by impeachment from the House of Representatives and a conviction by the Senate after a trial.

If the Supreme Court rules that a law passed by Congress, a state government, or an executive order made by the president is unconstitutional, then the law can no longer be enforced. The legislative branch can attempt to rewrite and enact the law in a way that is constitutional. The decisions made by the Supreme Court apply to all states. This is one of the "checks" of the judicial branch on the other branches of government.

It is the judicial branch's responsibility to ensure that everyone is treated the same in court – because everyone is entitled to due process (fair treatment) in the eyes of the law which is guaranteed by the 5th and 14th Amendments.

Look for modern examples of due process of law - the protection of one's life, liberty or property - in news reports of ongoing court cases in-print or online.

*Next installment: **Citizens and the Fourth Estate***



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