



INTERACTIONS BETWEEN BRANCHES

# Unit 2: AP Test Review



# Test Format for AP American Government Test 2022

## Section 1: Multiple Choice Questions

55 multiple choice questions over 80 minutes, covering analysis and knowledge of core concepts. This is 50% of the test grade.



## Section 2: Argument Essay

A 40 minute long essay that will advance a complex, nuanced argument using reference to foundational documents. It is 12.5% of your grade.



## Section 2: Short Answer

Three short answer questions (Concept Application, Quantitative Analysis, and SCOTUS Comparison). Each is worth 12.5 % of your grade and should take 20 minutes.



25-36%

HOW MUCH OF THE TEST WILL COME FROM UNIT 2?

# LAST MONTH REVIEW STRATEGY

## BIG ARGUMENTS

Make sure you can articulate answers, develop thesis statements, and contextualize these big arguments.

## KEY POINTS

Review these key points, narrowed down from our notes throughout the year. Pay particular attention to bolded terms.

## CONTEXT

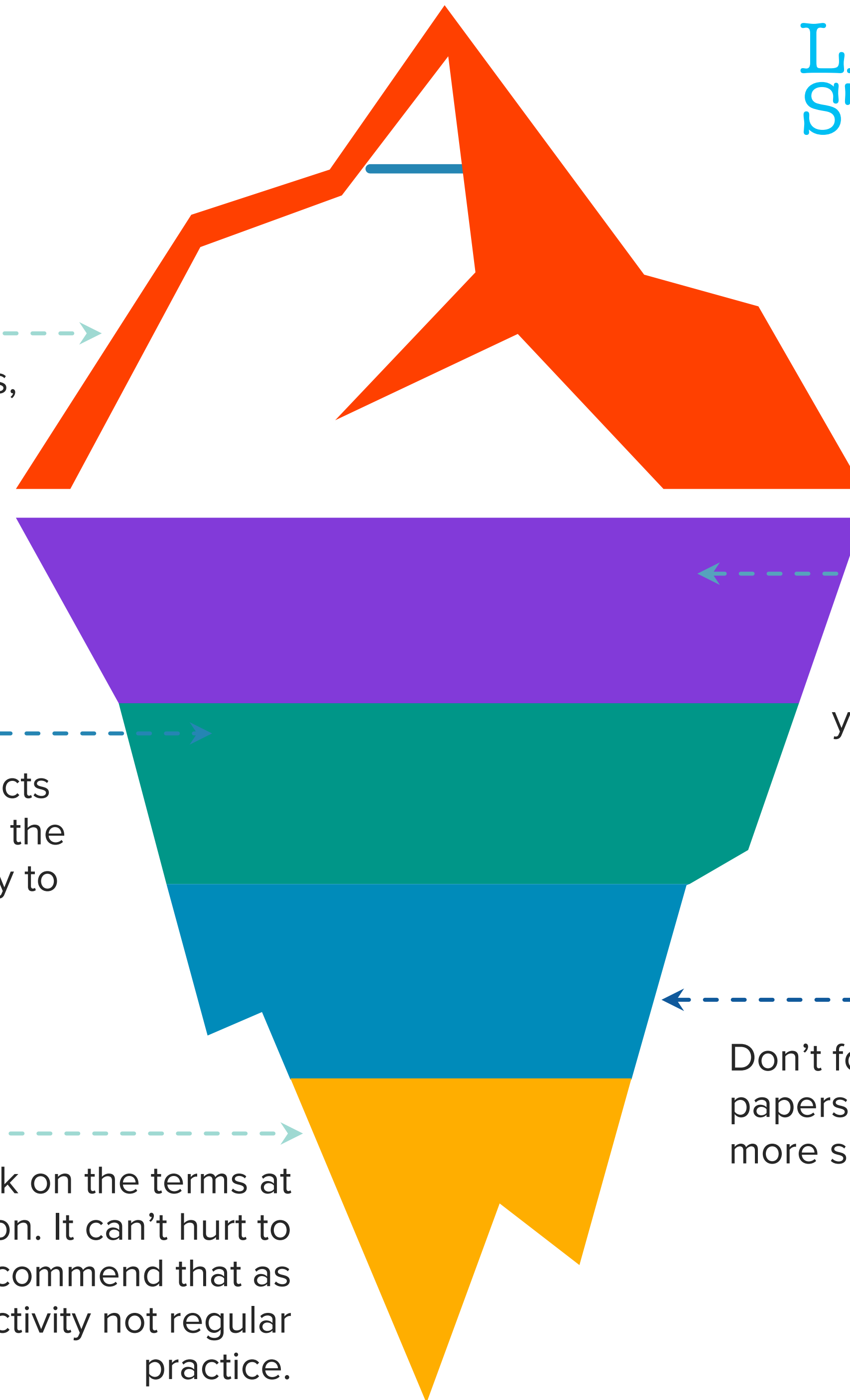
Think about how each unit connects to others. For instance, how does the compromise that denied humanity to slaves connect to the Civil Rights Movement?

## TEST PREP

Don't forget to review rubrics, sample papers, multiple choice questions and more specific test prep!

## TERMS

Your lowest priority is to work on the terms at the end of the presentation. It can't hurt to review those, but I would recommend that as a quick, periodic Quizlet activity not regular practice.



# THE BIG ARGUMENTS

**MAJOR THEMES AND CONCEPTS**

# THE BIG ARGUMENTS

- ✓ The powers of all three branches of government are a mixture of enumerated and implied powers, and there is constant tension between the branches for power.
- ✓ Partisanship has eroded the efficacy and legitimacy of all three branches of government.
- ✓ All three branches of government have become more complex and more powerful since the founding of the nation.
- ✓ The legislative branch represents the republican ideal of the Constitution, but its structure had impeded its efficacy as the most powerful “first branch” of government.
- ✓ Expansion of implied powers, combined with Congressional paralysis, has led to the development of a powerful Presidency.
- ✓ The judicial branch is designed to be an apolitical, stable institution that interprets the law. Judicial review (not explicitly in the Constitution) dramatically increased its power.
- ✓ The bureaucracy has emerged as another powerful force in government with questionable accountability over its power.
- ✓ Checks and balances are not static, but play a vital role in constraining the power of the three branches and the bureaucracy.

# KEY POINTS

**KEY POINTS WORTH LOCKING AWAY IN THE BRAIN**





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# The Legislative Branch



### HOW DOES IT DIFFER FROM PARLIAMENTS?

- ▶ Many governments in the world use **unitary systems**, in which the **prime minister** is chosen by the party/parties in power.
- ▶ This makes individual members of Congress more powerful than individuals in other governments.
- ▶ The institution is **bicameral**—with the House intended to be more democratic and the Senate a check on the passions of the people.
- ▶ Fiscal bills are supposed to originate in the House.
- ▶ It wasn't until 1913 (**17th Amendment**) that the people elected Senators directly.





|                       |  |   |
|-----------------------|--|---|
| <p>Qualifications</p> | <p>25+ years old<br/>Resident of their state<br/>Citizen for 7+ years</p>  | <p>30+ years old<br/>Citizen for 9+ years<br/>Resident of state</p>   |
| <p>Unique Powers</p>  | <p>Originate revenue bills<br/>Initiates impeachment<br/>Breaks tie in Electoral College</p>                       | <p>"Advice and consent" on treaties and presidential appointees<br/>Handles impeachment trial</p>                                     |
| <p>Members</p>        | <p>435 members<br/>2 year terms<br/>Unlimited terms</p>  | <p>100 members<br/>6 year terms, 1/3 elected every 2 yrs.<br/>Unlimited terms</p>   |
| <p>Structures</p>     | <p>Powerful speaker of the House<br/>Hierarchal Structure dominated by Rules Committee<br/>Limited debate time</p> | <p>Less centralized<br/>Looser debate that includes <b>filibuster</b><br/>Leaders less powerful except for <b>majority leader</b></p> |

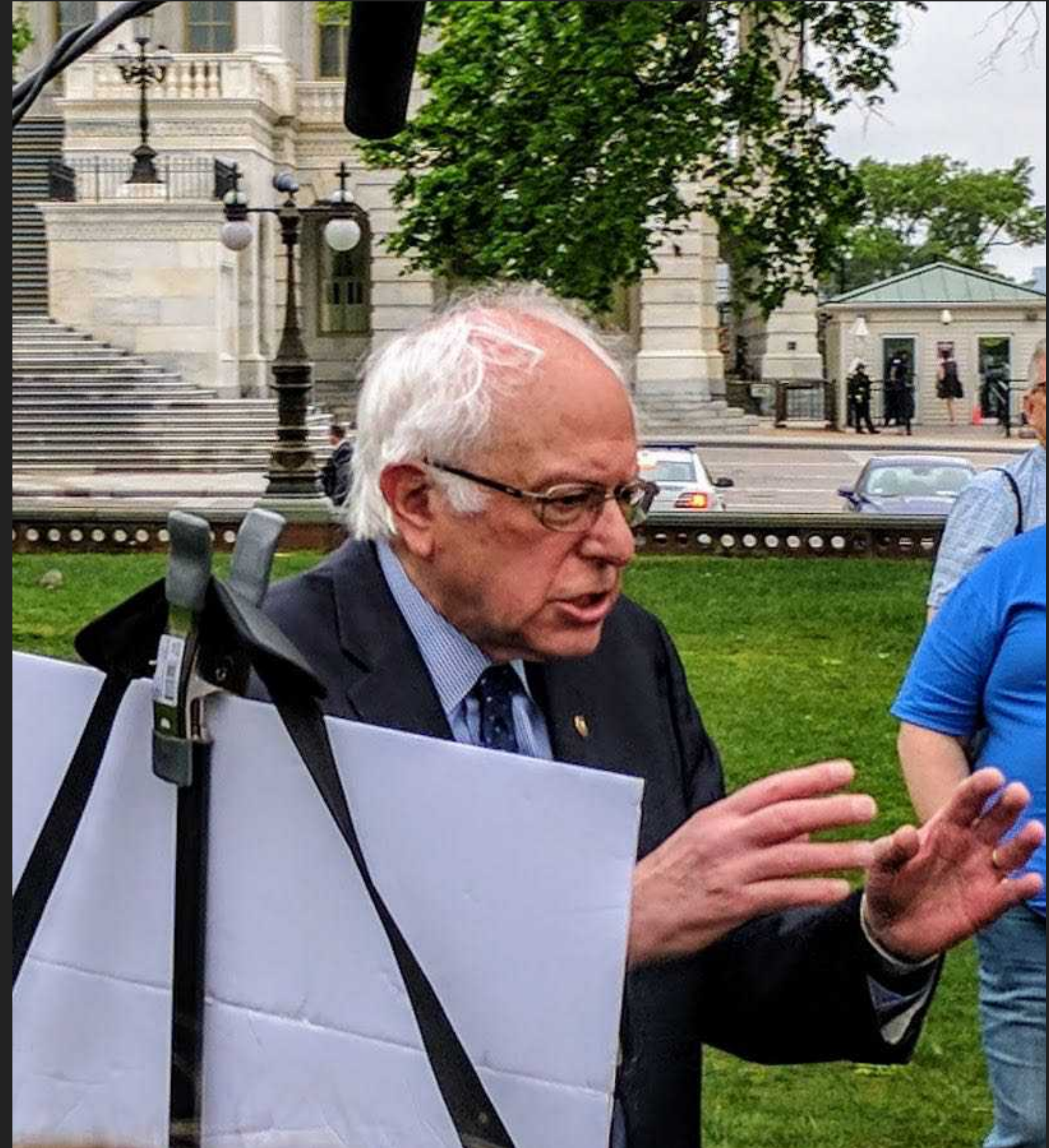
**House**

**Senate**



### THE FIRST BRANCH OR THE BROKEN BRANCH?

- ▶ Constitutionally, Congress is the **first branch**—given power in **Article I**—but many today refer to it as the **broken branch** because **partisanship** has made the body ineffective and unable to exercise power.
- ▶ There are three views for how members act:
  - ▶ **Representational view** (represent voters)
  - ▶ **Organizational view** (represent parties/interest groups)
  - ▶ **Attitudinal view** (their own agenda)





# THE POWERS OF CONGRESS

- ▶ **The Power of the Purse:** Congress has the power to raise taxes, borrow money and spend it.
- ▶ **Regulating Commerce:** As we discussed in the last unit, Congress has broadly expanded its power to regulate **interstate and intrastate commerce**.
- ▶ **Foreign Affairs:** The Senate must confirm treaties, budget for foreign aid, and exercise oversight.
- ▶ **Military Affairs:** Only Congress can declare war, draft soldiers, and fund the military.
- ▶ **All of those implied powers and checks and oversight of the Executive and Judiciary.**





## STRUCTURE OF CONGRESS

- ▶ **Speaker of the House** is the most powerful figure in the House, while the **Majority Leader** wields the most power in the Senate.
  - ▶ They set agendas, dictate speaking, and control committee assignments.
  - ▶ Each is supported by **whips**—people who run vote counts.
- ▶ The Vice President is the **President of the Senate** and can break ties.
- ▶ Informal collections and partisan groups of members are called **caucuses**.





## COMMITTEES

- ▶ Much of the real work of Congress is done in committees. There are three types:
  - ▶ **Standing committees:** permanent bodies that meet every Congress.
    - ▶ The most important are **Appropriations, Ways and Means, and Foreign Relations**
    - ▶ **Committee chairs** are almost always based on seniority.
  - ▶ **Select committees:** short-term committees who meet for a specific purpose. The committee on Benghazi and HUAC were examples.
  - ▶ **Joint Committees:** committees that contain members of both houses. The most important are **conference committees**, which hash out the differences between House and Senate versions of bills.
- ▶ Much of the **real power of members of Congress** comes from committee assignments.



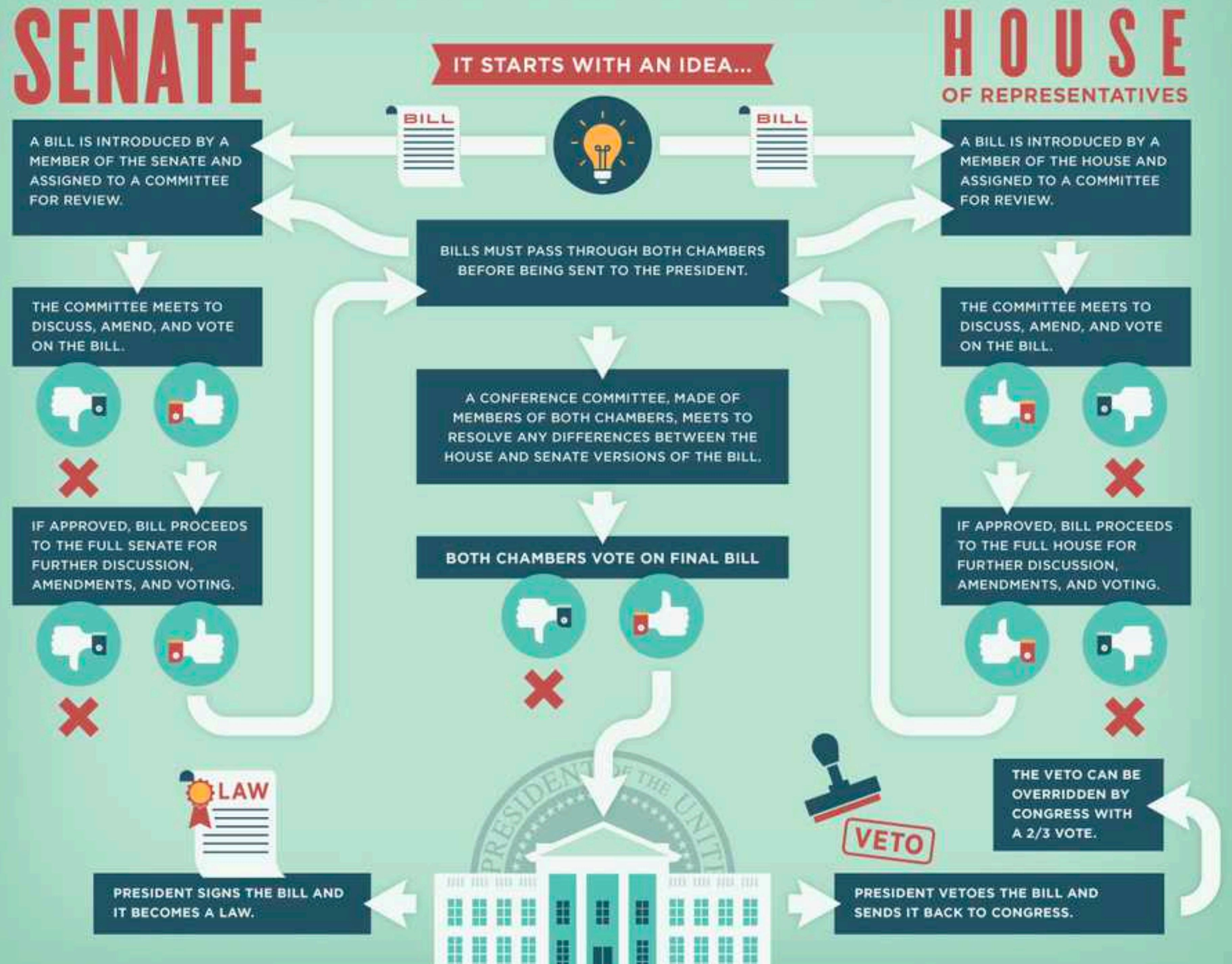
**BENGHAZI COMMITTEE**



# CONGRESS

## HOW DOES A BILL BECOME A LAW

- ▶ The process is **complex** and **time consuming**.
- ▶ Key terms
  - ▶ Committees
  - ▶ Conference committees





# HOW THEY GET ELECTED

- ▶ **Senators** are elected for **six year terms** and represent whole states. **1/3 of the body** is elected **every two years**.
- ▶ **Representatives** are elected for **two year terms** and represent **districts** inside their states. **Every member** is elected **every two years**.
- ▶ Districts go through **reapportionment** every ten years based on **Census** data. District lines are redrawn to be equal in population inside states.





## REAPPORTIONMENT SHENNANIGANS

- ▶ **Gerrymandering** occurs when districts are drawn to promote the interests of a candidate/party. It is illegal to gerrymander based on race, but legal to do so for partisan purposes.
  - ▶ **Packing**
  - ▶ **Cracking**
- ▶ **Districts must:**
  - ▶ Be contiguous
  - ▶ Meet the standard of **“one person, one vote.”**
- ▶ Only about 40-50 seats are competitive in a given year.





## BAKER V. CARR

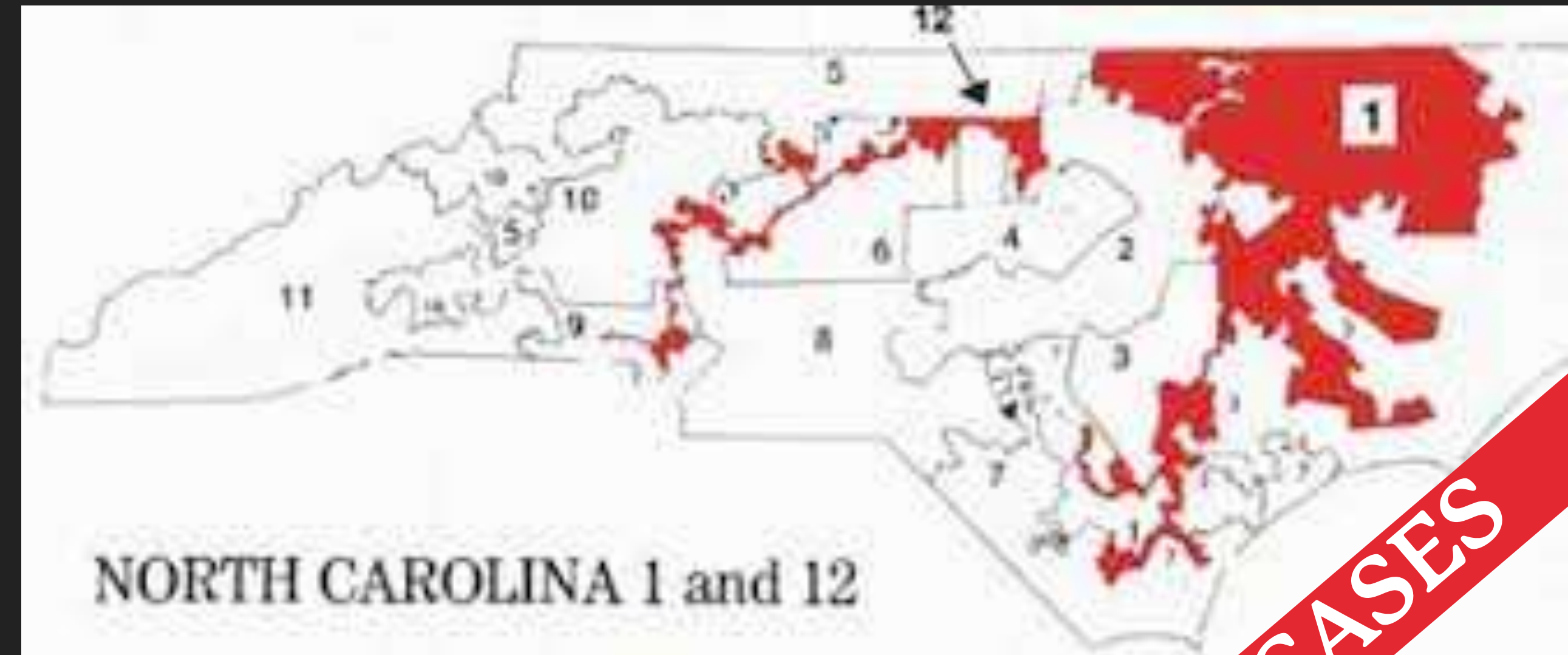
- ▶ In **Baker v. Carr (1962)**, a 6-2 court ruled that state legislative districts also had to follow the “one man, one vote” principle.
- ▶ Many states had not adjusted representation for decades, so rural counties had disproportionate representation.
- ▶ The Court applied the 14th Amendment and argued that the court could intervene in districting to preserve the Equal Protection Clause.
- ▶ The dissent argued that the 14th Amendment was limited to questions of discrimination.





## SHAW V. RENO

- ▶ In **Shaw v. Reno (1993)**, a 5-4 court ruled that a North Carolina district was constructed to disenfranchise Black voters.
- ▶ The Court held that court could block districts that were **racially gerrymandered** for violations of the **Equal Protection Clause**.
- ▶ Those dissenting argued that a) people of the same race often share views and b) that some race-based gerrymandering is inevitable.
- ▶ Today, some are challenging states that create **majority-minority districts** using Shaw as precedent.



LANDMARK CASES



## THE BUDGET

- ▶ Perhaps the most important function of Congress is setting the nation's budget.
- ▶ The budget is divided into two major categories:
  - ▶ **Mandatory spending** comprises over 60% of the federal budget and includes Social Security, entitlement programs, and interest on the debt.
  - ▶ **Discretionary spending** is where the fighting happens. It's everything else.
  - ▶ The **deficit** represents the annual difference between what the government takes in and what it spends. The deficit in 2020 was \$2.807 trillion.
  - ▶ The current U.S. **national debt** is 30,000,000,000,000.





## THE FILIBUSTER

- ▶ The **filibuster** is a rule that says 60 votes are needed to pass legislation in the Senate, other than **budget reconciliation**.
- ▶ What are some arguments for the filibuster?  
Against it?
- ▶ Half of the filibusters ever done in the Senate have been in the last 12 years.



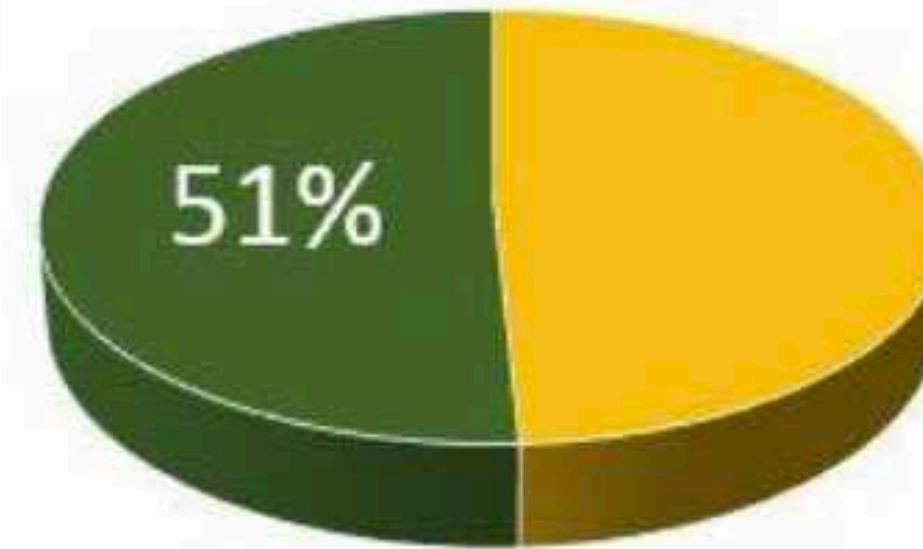
**SENATOR STROM THURMOND**



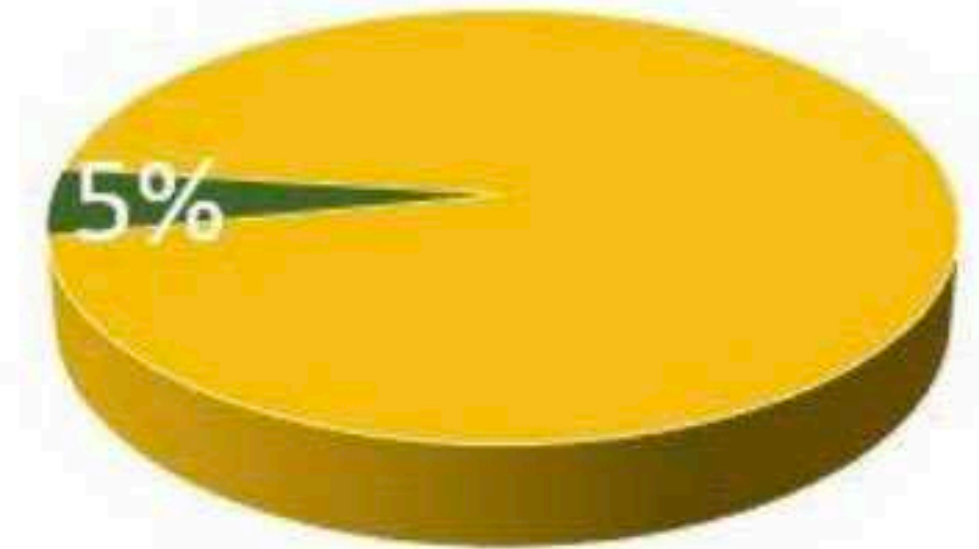
## WHO IS IN CONGRESS?

- ▶ Members of Congress are disproportionately older, whiter, richer, and more male than the US population.
  - ▶ 96% have a college education.
  - ▶ The average member of the House is 58, the average Senator 64.
- ▶ On the other hand, the 2021 Congress is the most diverse in history.

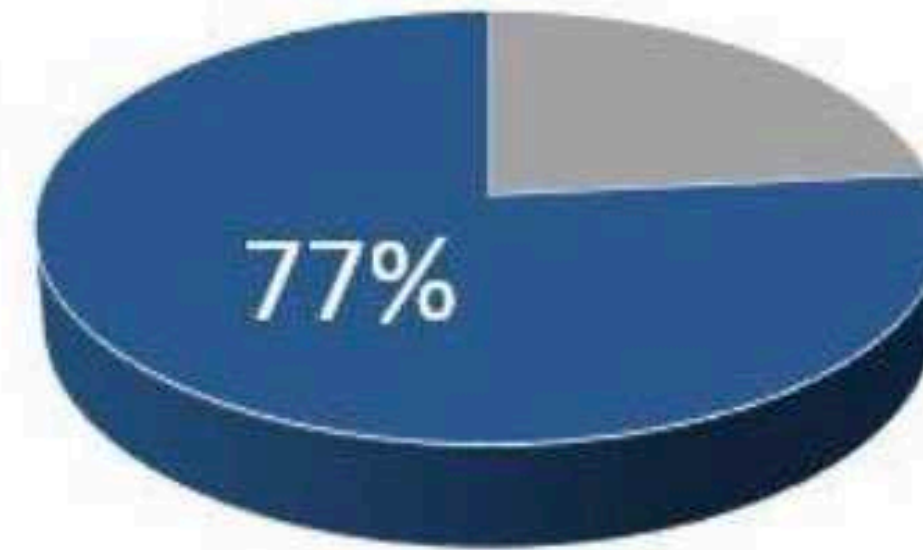
Millionaires in Congress



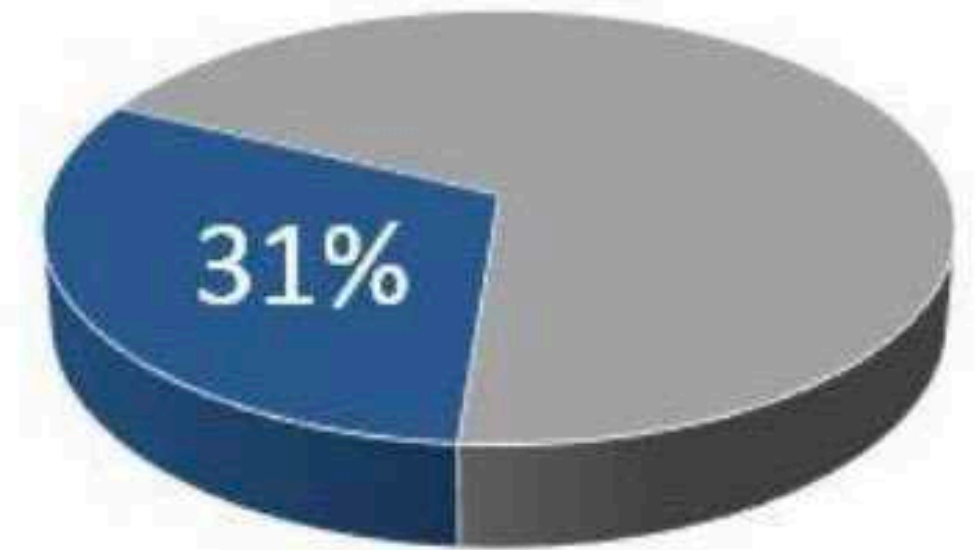
Millionaires in America



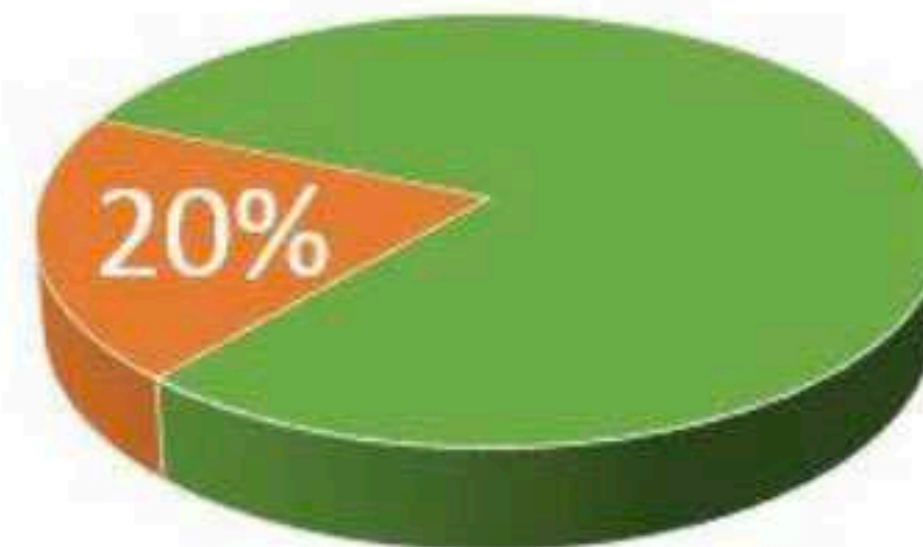
White Men in Congress



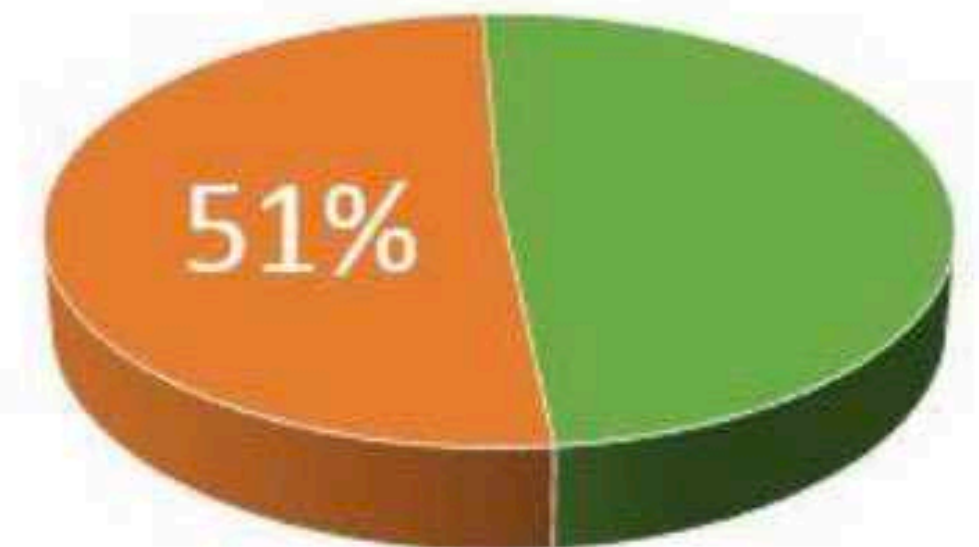
White Men in America



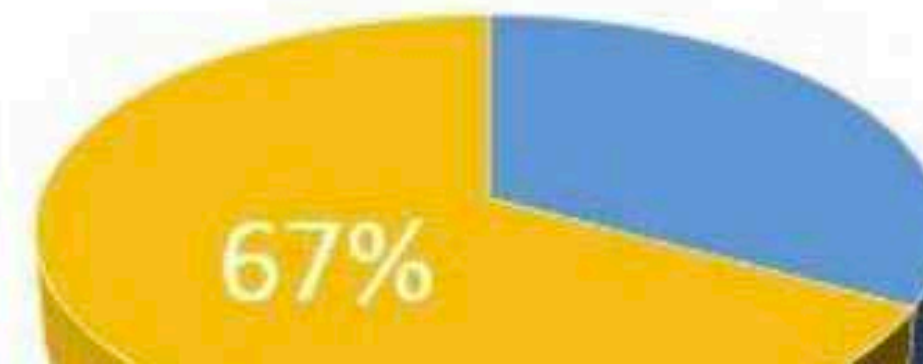
Women in Congress



Women in America



Over 55 in Congress



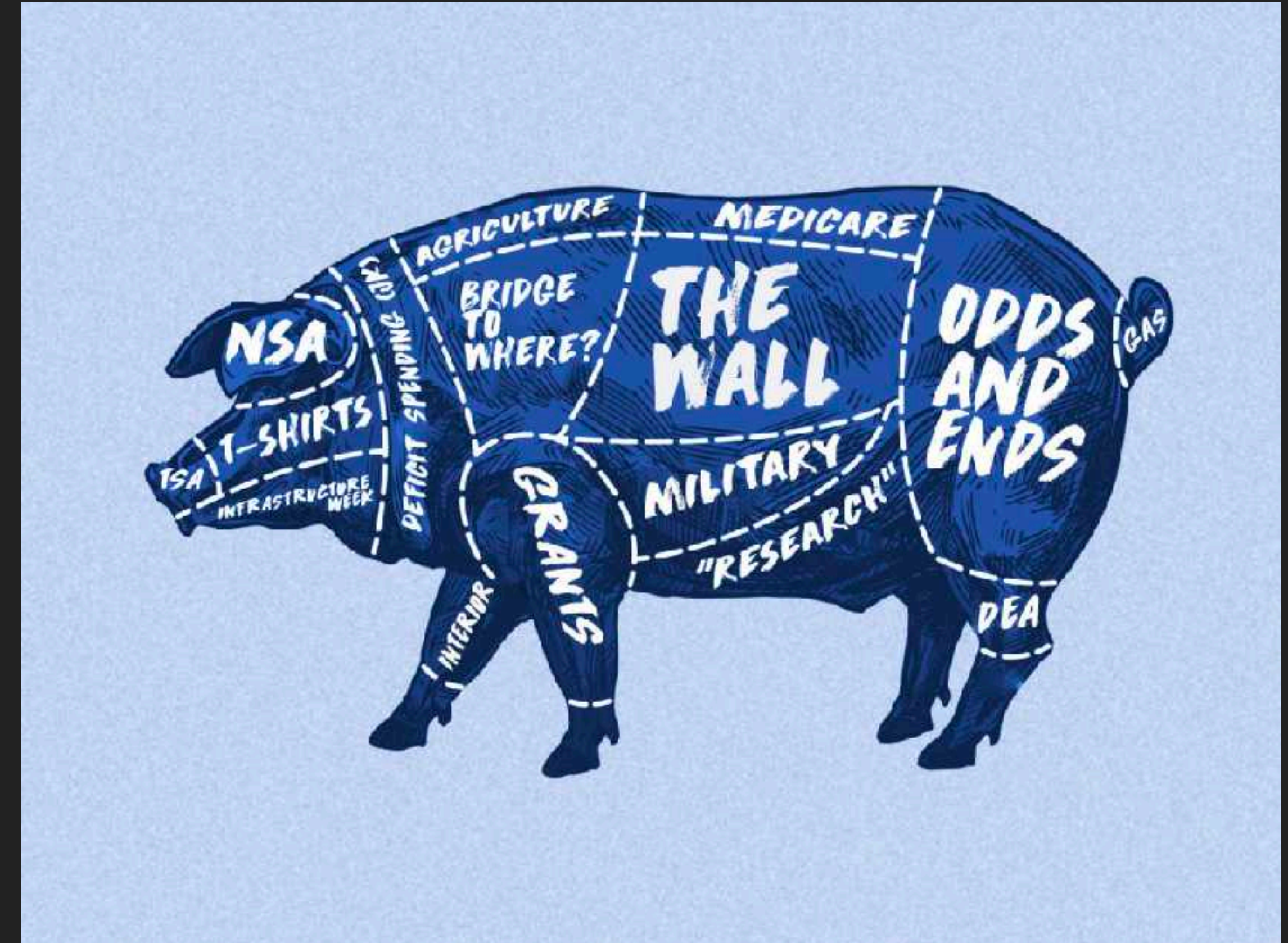
Over 55 in America



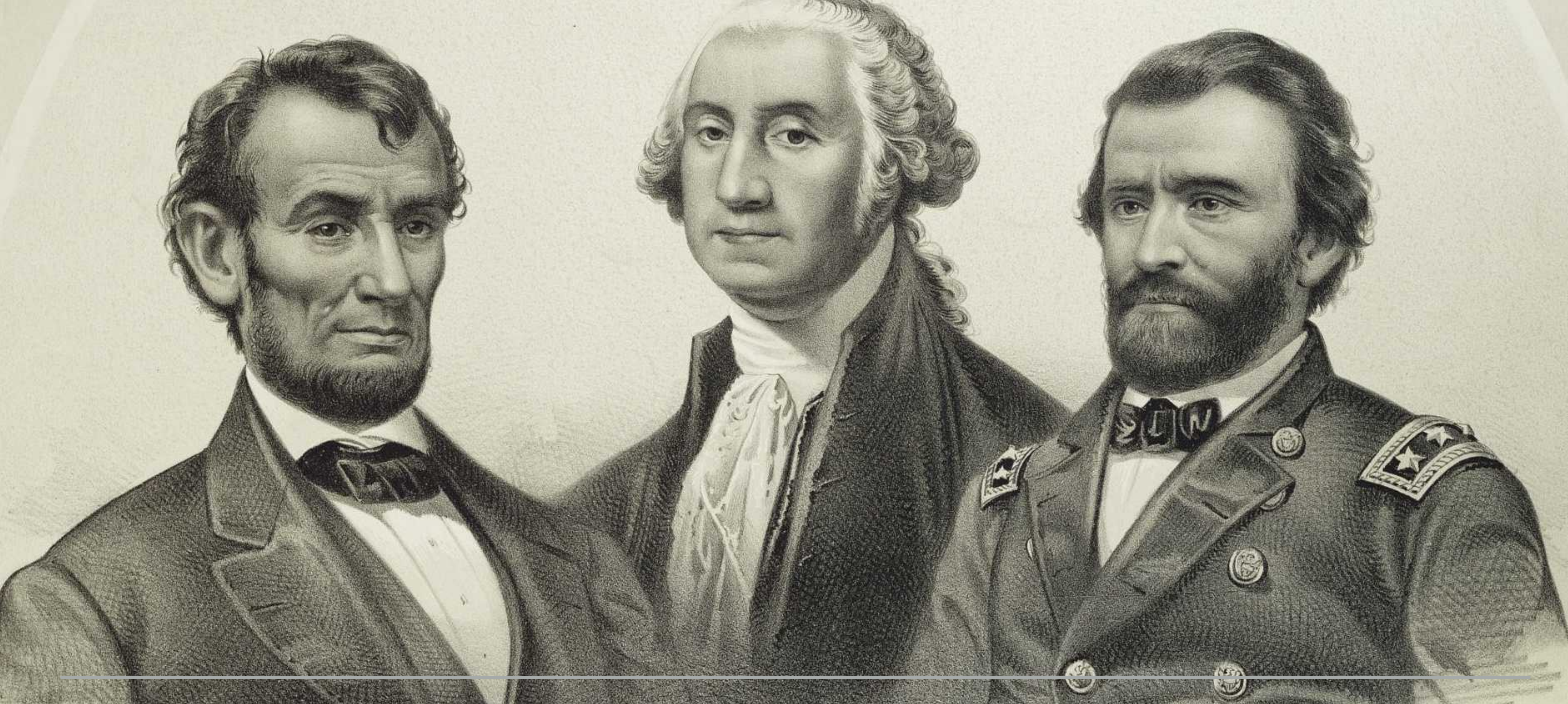


# WEIRD CONGRESSIONAL VOCABULARY

- ▶ A **caucus** is a group of like-minded members. Examples: Black Congressional Caucus, Freedom Caucus.
- ▶ **Double tracking** is a process by which the Senate can move on to other business while a filibuster delays the body.
- ▶ **Franking** is the privilege members of Congress enjoy that lets them mail to their members.
- ▶ A **hold** is a measure that allows a single member of the Senate to stall debate on a bill.







# The Executive Branch



### WHO CAN BE PRESIDENT?

- ▶ To be elected President, you must be:
  - ▶ 35 years old
  - ▶ A natural-born citizen
  - ▶ Have lived in the US for 14 years.
- ▶ Presidents are elected for **four-year** terms, and after the **22nd Amendment**, can only be elected twice or serve ten years.
- ▶ The VP can replace the President if the Cabinet agrees (**25th Amendment**).
- ▶ Succession order: VP, Speaker of the House, President of the Senate, Secretary of State





## THE PRESIDENT

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### WHAT ARE THE PRIMARY ROLES OF THE PRESIDENT?

- ▶ **Head of State:** The president leads and dictates American foreign policy.
- ▶ **Chief Executive:** implementer/enforcer of federal policy
- ▶ **Commander-in-Chief:** leader of the military
- ▶ **Chief Legislator:** source of the primary policy agenda
- ▶ **Party Leader:** leader of his political party
- ▶ **Moral Leader:** leader of the nation's moral vision
- ▶ **Crisis Manager:** first responder to national/international crises





# ENUMERATED POWERS OF THE PRESIDENT

- ▶ The enumerated powers of the President are found in **Article 2**:
  - ▶ Enforcement of the laws
  - ▶ Pardons/Commutations
  - ▶ Nominate justices/judges
  - ▶ Commander-in-Chief
  - ▶ In charge of foreign policy
  - ▶ Veto
    - ▶ Pocket Veto
    - ▶ Congress can override



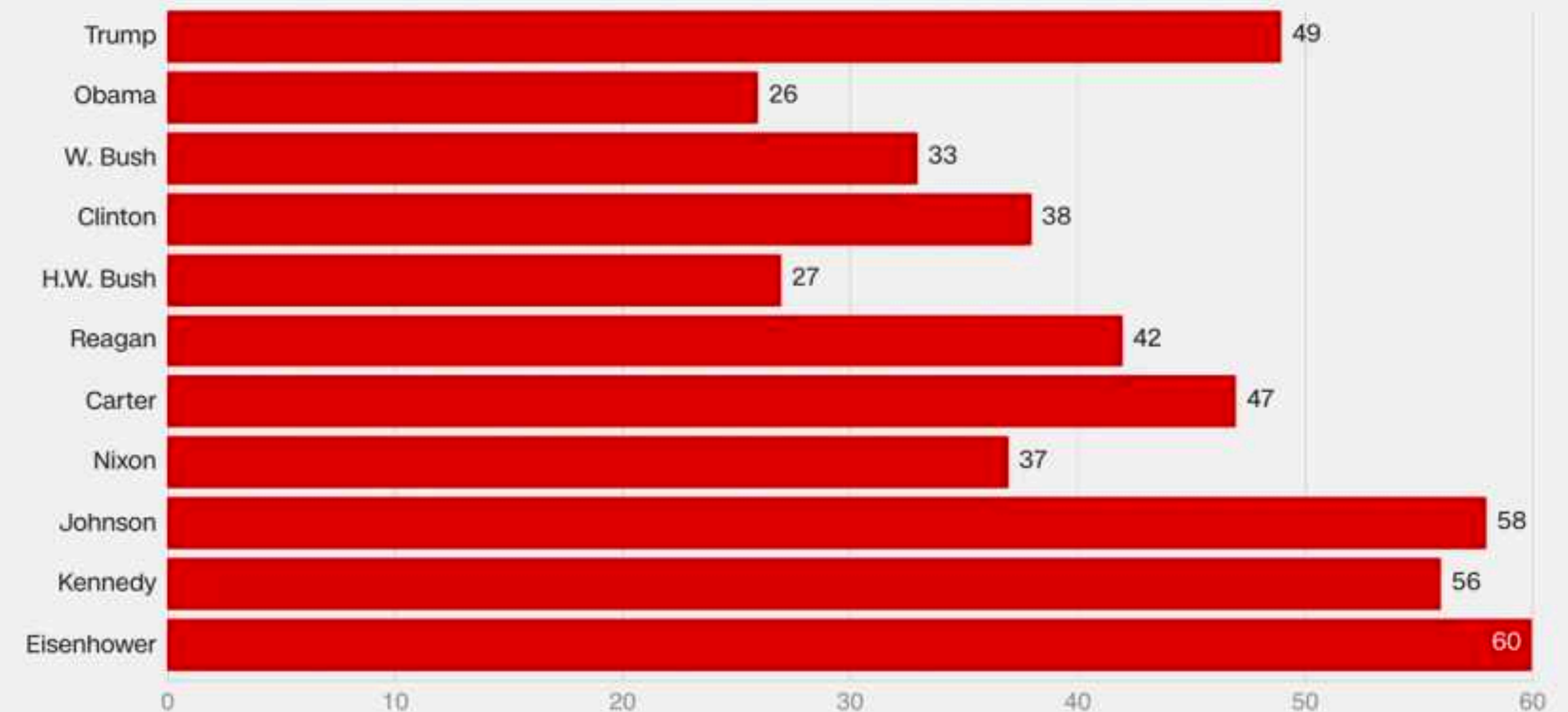


## INFORMAL POWERS

- ▶ Four broad areas of informal power give the modern Presidency more authority:
  - ▶ **Executive orders:** written directions for federal action. Civil Rights Enforcement/Emancipation Proclamation are examples.
  - ▶ **Executive actions:** a directive signaling how to/whether to enforce a law.
  - ▶ **Signing statements:** Presidential statements about the meaning of laws Presidents sign.
  - ▶ **Executive privilege:** the ability to keep advice/secrets free from scrutiny.

### Executive orders through October 13 of past presidents

Trump's executive orders signing rate breaks with a decades-long trend



Johnson count spans from the 1965 inauguration through Oct. 13 of his full elected term

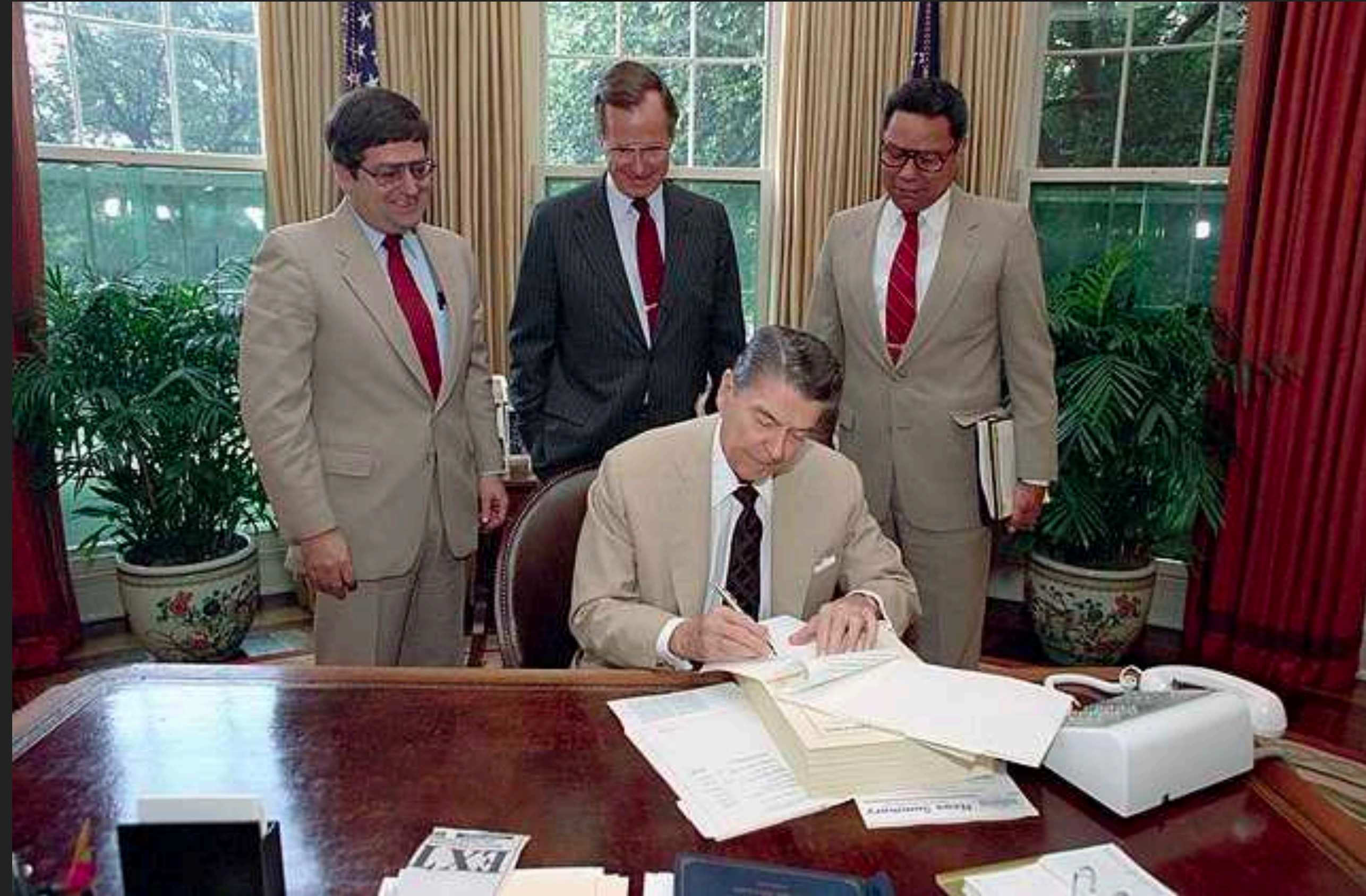


Source: Archives of the American Presidency Project; Federal Register



# FORMAL CHECKS ON POWER

- ▶ Congress has the authority to make laws
- ▶ Impeachment
- ▶ Congressional oversight
- ▶ Judicial review
- ▶ Senate approval of cabinets/justices/appointees
- ▶ Electoral college
- ▶ Filibuster



**RONALD REAGAN VETOES A BILL**



## INFORMAL CHECKS ON POWER

- ▶ Public opinion
- ▶ The media
- ▶ Partisan politics
- ▶ Interest groups
- ▶ Money
- ▶ Divided Government





## THE PRESIDENT

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### THE CABINET

- ▶ Today, the President has a 15 person **cabinet**. Washington had four.
- ▶ They oversee agencies as large as 3.1 million people (Defense) to as small as 5,000 (Education).
- ▶ As the role of the federal government has grown, so has the Cabinet. Seven were added between 1953-2002.
- ▶ The most important members are the **Secretary of State, Attorney General, Secretary of Defense, and Secretary of the Treasury.**





# EXECUTIVE OFFICE OF THE PRESIDENT

- ▶ The President also has a policy body that makes direct policy, the **Executive Office of the President**. It contains:
  - ▶ **Office of Budget and Management**
  - ▶ **National Security Council**
  - ▶ **Council of Economic Advisors**
  - ▶ **National Economic Council**



**THE NSC DURING THE VIETNAM WAR**



## THE PRESIDENT

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### THE WEST WING

- ▶ The President also has an Executive Staff that is directly responsible to him. They work in the **West Wing** of the White House:
  - ▶ **Chief of Staff (VERY IMPORTANT)**
  - ▶ **Press Secretary**
  - ▶ **White House Counsel**





# PRESIDENTIAL AGENDA

- ▶ Political scientists and the media talk about the president's **agenda**, his plan for the nation.
- ▶ Some Presidents, like Reagan and Trump, rest their agenda on implementation of a **political philosophy**.
- ▶ Others, like President Clinton and Obama, rest their agenda on a lengthy set of **policy proposals**.
- ▶ What are the the political and pragmatic benefits and drawbacks of each?

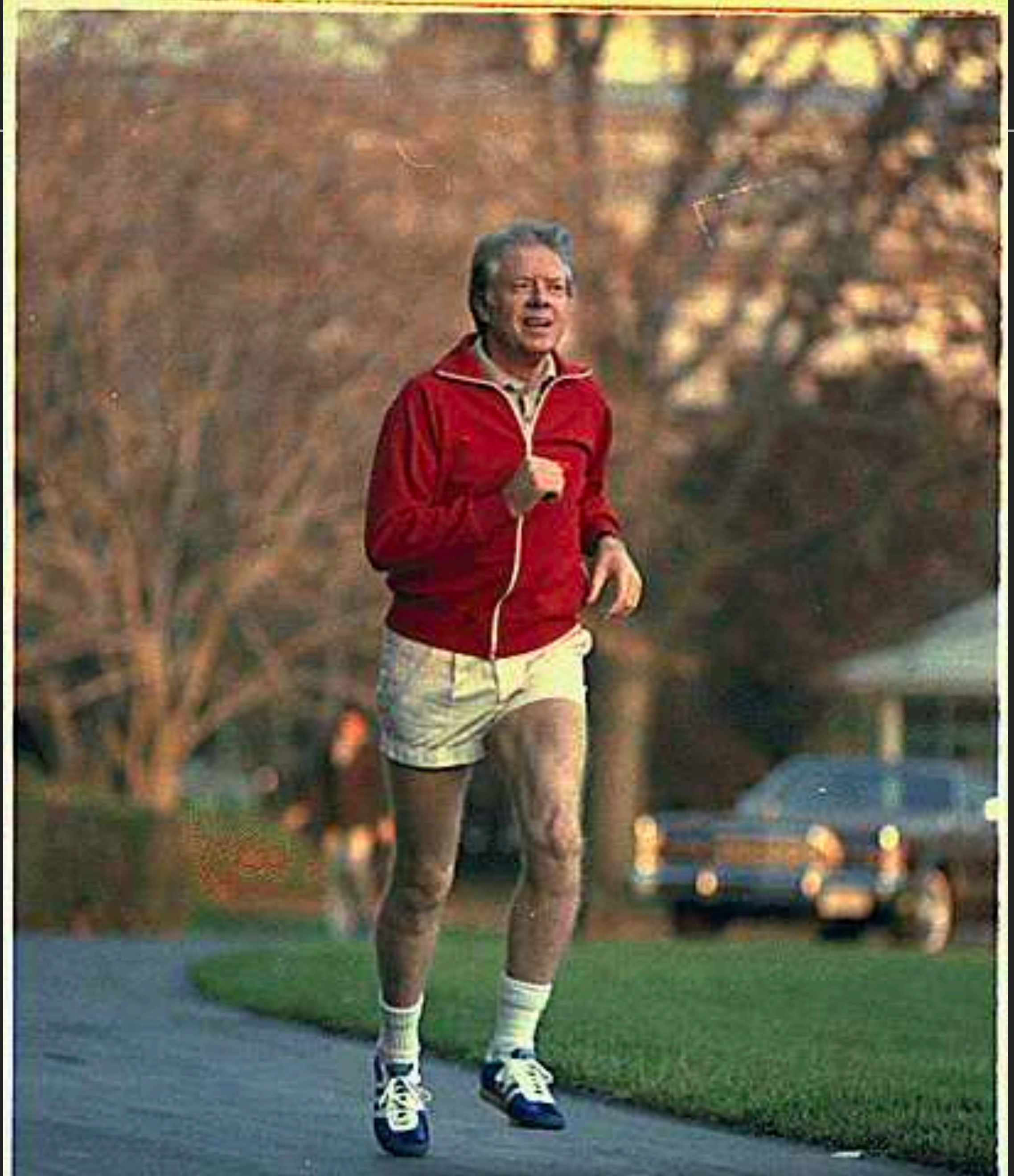


**THE BIDEN AGENDA**



## HOW DO PRESIDENTS GET THINGS DONE?

- ▶ There are generally three ways that Presidents organize their administrations:
  - ▶ **pyramid structure:** The President's team reports to him through a formal chain of command.
  - ▶ **circular structure:** the President has a team of close advisors who report to him.
  - ▶ **ad hoc structure:** several Cabinet members, EOP members, and committees report to the President directly.



**PRESIDENT JIMMY CARTER**



## LIMITS ON PRESIDENTIAL POWER

- ▶ **Time and attention span:** The demands of the modern Presidency are almost unimaginable: Congress, public events, political obligations, foreign affairs, and more lead to 90+ hour work weeks.
- ▶ **Unexpected crises** can dominate the President's attention and distract him from his agenda.
- ▶ **The static nature of federal programs and budgets** limits the amount of change a President can make.





THE PRESIDENT

THE VICE PRESIDENT

“The vice  
presidency is not  
worth a bucket  
of warm piss.”  
—John Garner







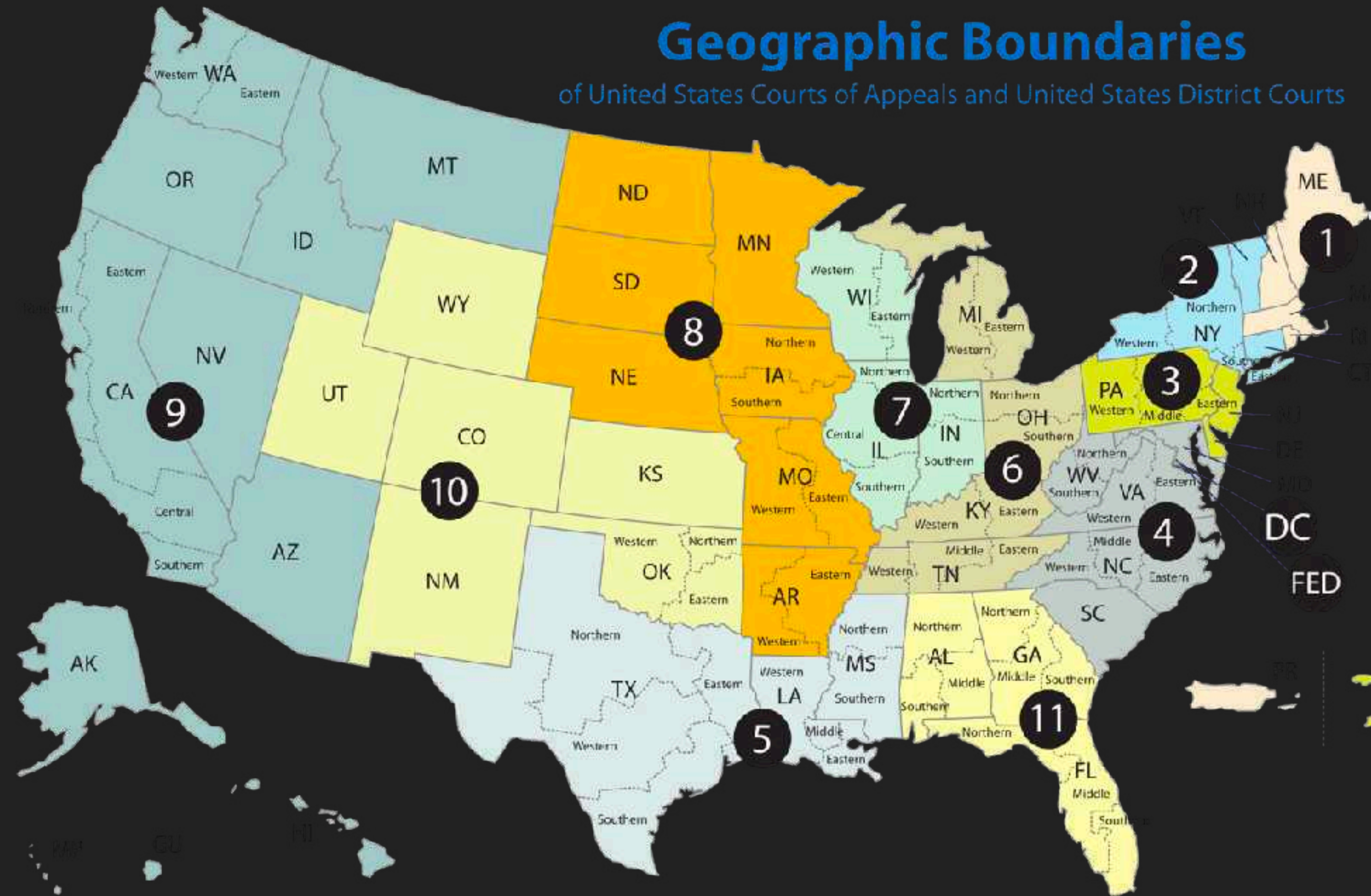
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# The Judicial Branch



## THE COURTS

- ▶ The power of the courts is defined in **Article III**, which mentions only the **Supreme Court**.
- ▶ Judges are appointed for life.
- ▶ The Supreme Court has **original jurisdiction** in cases between states.
- ▶ Almost all of the cases it hears are **appellate jurisdiction**.
- ▶ The US federal court system is three-tier:
  - ▶ **94 US District Courts**
  - ▶ **13 Circuit Courts of Appeal**
  - ▶ **The Supreme Court**





## MARBURY V. MADISON

- ▶ **Marbury v. Madison (1803)** established the principle of **judicial review**—the idea that the courts can determine whether a law is constitutional.
- ▶ The Court ruled that the Jefferson Administration was wrong not to deliver commissions to John Adams's **midnight judges**. The Court ruled that its review was a new power—so the judges did not need to get their jobs—but established its power and the idea that the Constitution was law, not principle.
- ▶ The decision was 4-0.

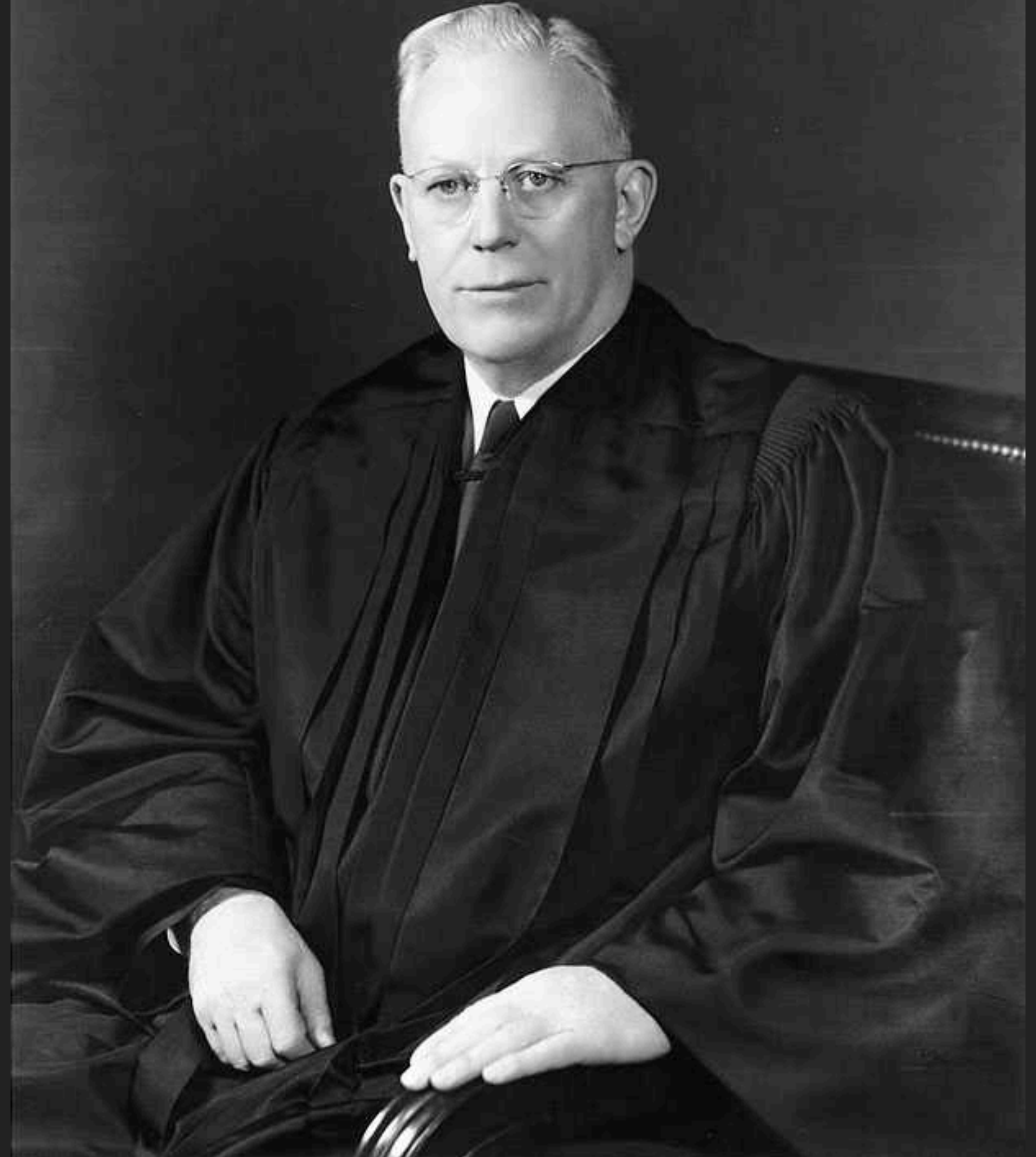




# SUPREME COURT RULINGS

- ▶ The Court takes cases from state and federal courts.
- ▶ A **petition for certiorari** is a request to review a lower court decision.
- ▶ After considering **oral and written arguments** and considering **amicus briefs**, the court will rule.
  - ▶ The **majority decision** comes from winning justices.
  - ▶ The **dissent** is written by the losing justices.
  - ▶ **Concurrences** are written by those who are either on the D or M, but have a different view.

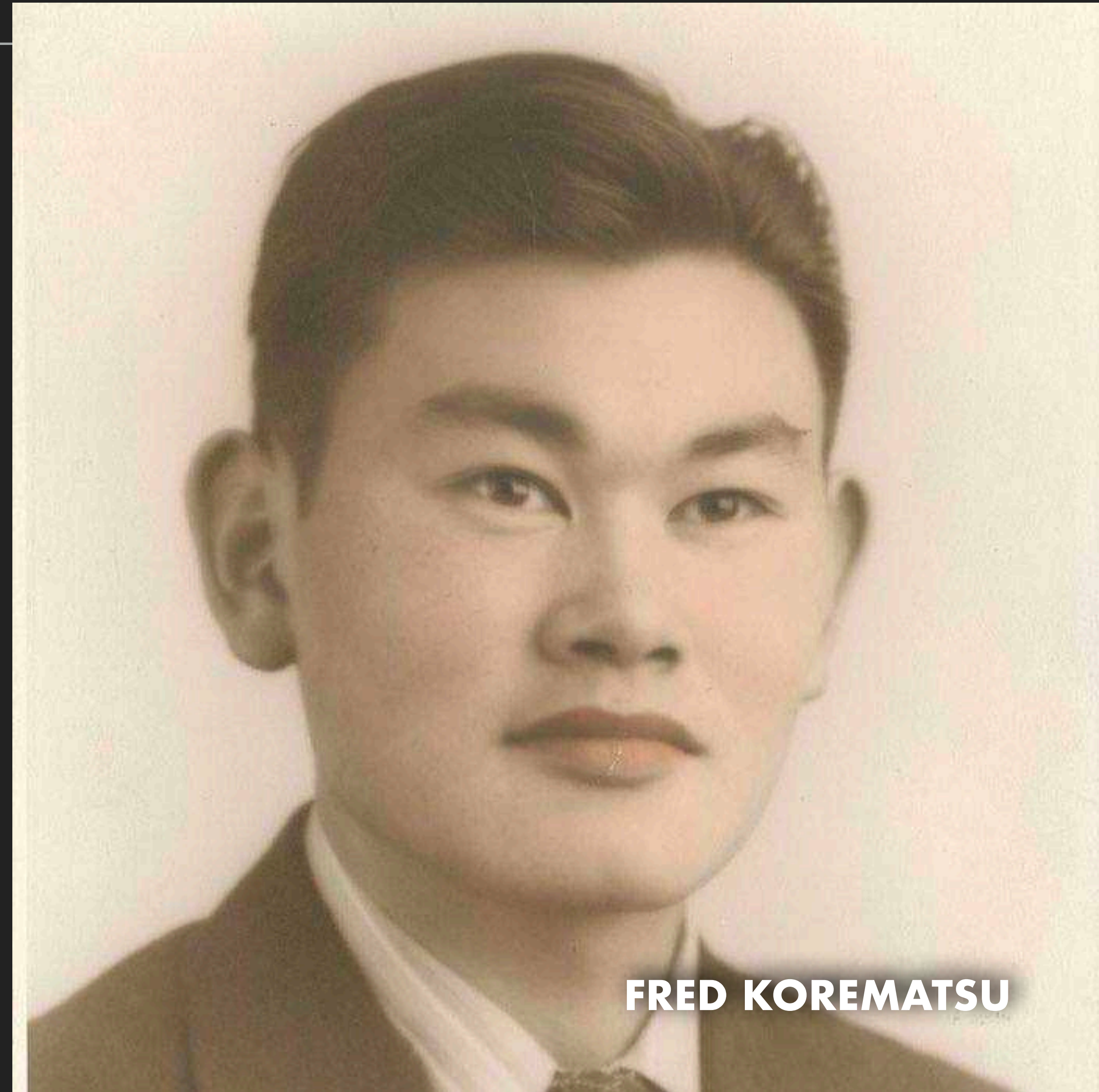
CHIEF JUSTICE EARL WARREN





# PRECEDENT AND LEGITIMACY

- ▶ **Precedent** is established when the court rules and the concept of **stare decisis** means that courts should be hesitant to overturn precedent.
- ▶ **Binding precedent** means lower courts must honor the Supreme Court decisions.
- ▶ Critics argue that the Court is swayed by partisan politics and not precedent.
- ▶ Some accuse justices of **judicial activism** when they go beyond the law and text of the Constitution.



FRED KOREMATSU



# JUDICIAL PHILOSOPHY

- ▶ **Strict constructionists** argue that the Court should follow the Constitution as it was written and intended at ratification.
  - ▶ For example, the Court argued in the 1900s, that minimum wage and child labor laws were unconstitutional.
  - ▶ Some critics argue that this **originalism** relies on misleading interpretation of Founder intent and outdated moral/legal values.
  - ▶ Some are **textualists**, who claim to rely on the written text only.
- ▶ **Liberal constructionists** interpret the Constitution as a **living document** that reflects changes in society.
  - ▶ For example, the 2015 Obergefell v. Hodges decision that permitted same sex marriages.
  - ▶ Some critics argue this ideology leads to dangerous **judicial activism**, where justices make, rather than interpret, law.





## JUDICIAL PHILOSOPHY, PART 2

- ▶ **Judicial minimalists** believe the Court should rule on narrow questions of law and rarely change Constitutional understanding. **Chief Justice John Roberts** is a minimalist.
- ▶ **Maximalist or judicial activist** philosophy argues that the Courts should lead social change and make broad rulings. The era of the **Warren Court** exemplifies this approach.
- ▶ **IMPORTANT NOTE:** Some legal scholars argue **all these philosophical differences are merely cosmetic** and that justices make broad social policy no matter the philosophy they espouse.



**CHIEF JUSTICE JOHN ROBERTS**



## ERAS OF THE COURT

- ▶ The court was very conservative through the Progressive Era-New Deal.
- ▶ The **Warren Court** dramatically expanded civil liberties and civil rights. More on that to come.
- ▶ The current Court is very conservative, with a 6-3 ideological bent.



**SUPREME COURT, 1932-37**



## CHECK ON JUDICIAL POWER

- ▶ Lack of enforcement power.
- ▶ Senate confirmation.
- ▶ Senatorial courtesy/blue notes.
- ▶ Impeachment.
- ▶ Congress has the power to determine which courts hear certain cases (Article III).



**JUDGE JOHN PICKERING**



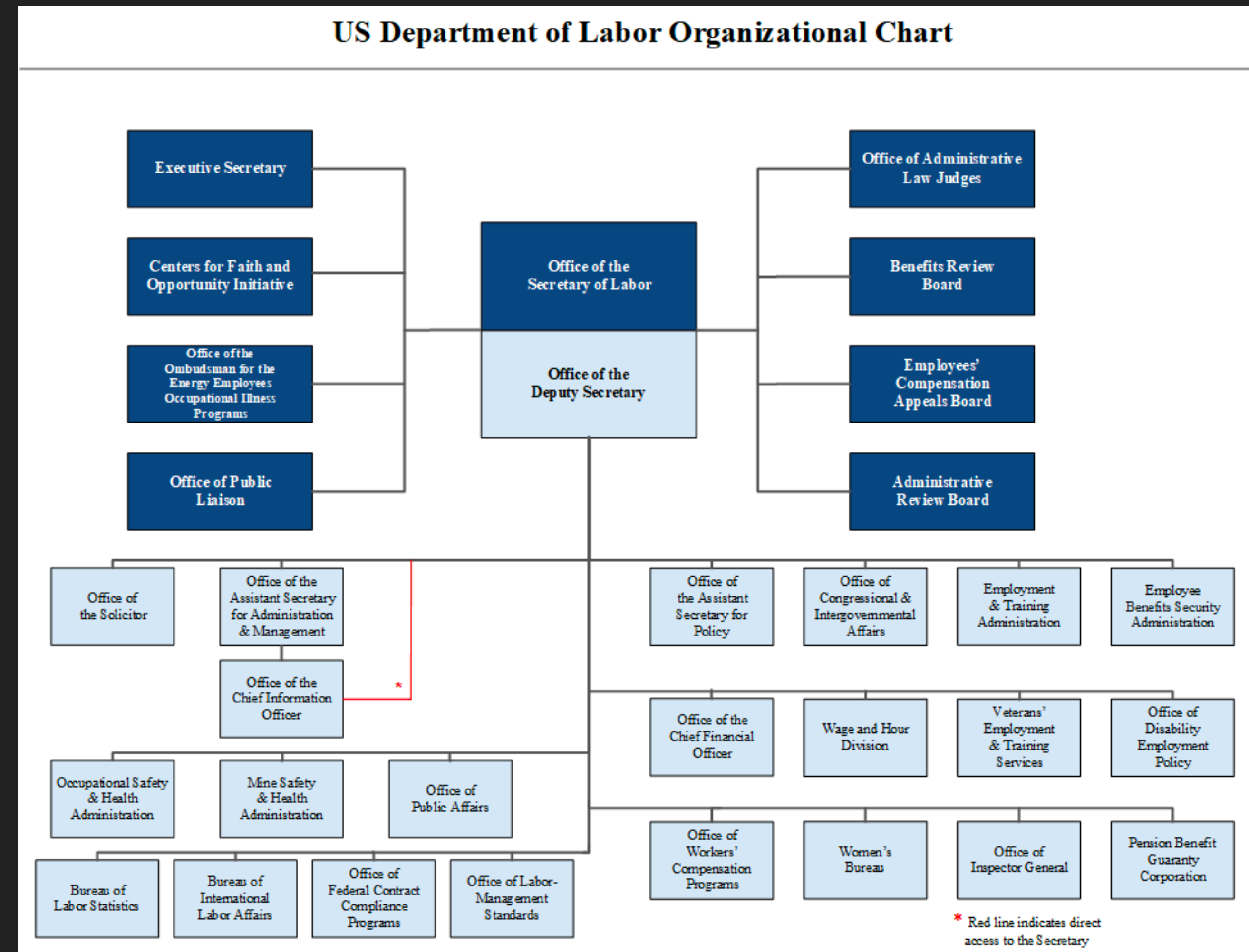


# The Bureaucracy



## WHAT IS THE BUREAUCRACY?

- ▶ A **bureaucracy** is “a large, complex organization composed of appointed officials.”
- ▶ In the US, both the legislative and executive branches exercise authority over the bureaucracy.
- ▶ Much of the US runs on **government by proxy**—where Congress passes laws and the bureaucrats and those they hire do the work.

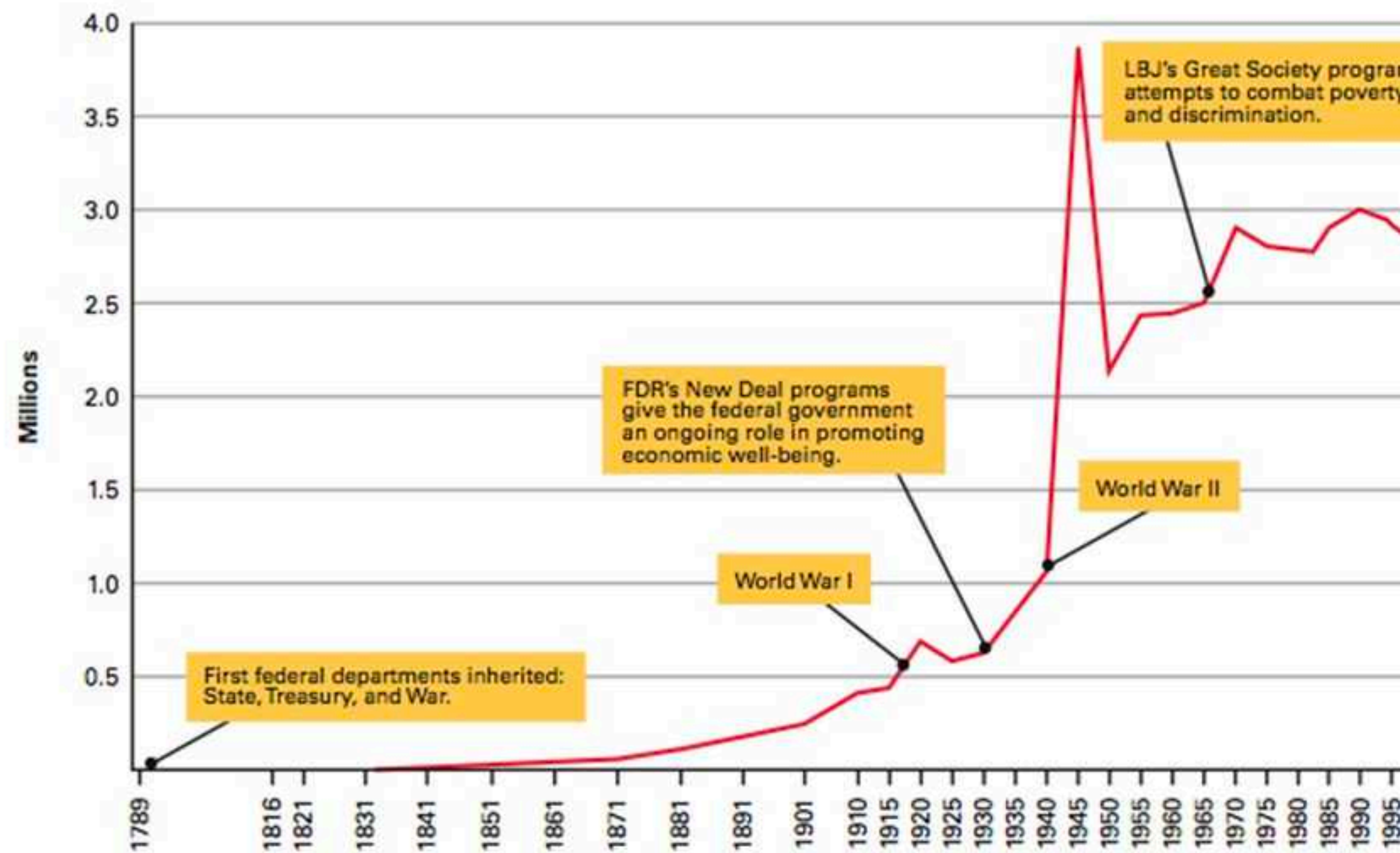




## EVOLUTION OF THE BUREAUCRACY

- ▶ The Constitution does not describe a bureaucracy.
- ▶ A system of **patronage** led to a growth in the bureaucracy through the 19th century.
- ▶ Until the Progressive Era, the bureaucracy primarily served businesses rather than regulating it.
- ▶ The **New Deal**, **World War II**, and the **Great Society** led to the growth of a large, unionized, professional federal bureaucracy.
- ▶ Much of the work of the bureaucracy today is **outsourced** to private contractors.
- ▶ **3% of the bureaucracy today is reserved for the President** to fill with partisans and those who share his agenda.

**FIGURE 8.1: How many employees work in the federal executive branch?**





# POWER OF THE BUREAUCRACY

- ▶ The **Civil Service**—the federal civilian workforce is 2 million people today, but 13 million more work at state, local, and private agencies.
- ▶ The key to their power is **discretionary authority**—the power to choose actions and make policy not spelled out in law. The three main applications are:
  - ▶ Paying **subsidies** to particular groups
  - ▶ Transferring money in **grants** to states and local government
  - ▶ Devising **regulations**.



**SPECIALITY CROP BLOCK GRANTS**



## SNAP EXAMPLE

- ▶ A major anti-poverty program in the US is called the **Supplemental Nutrition Assistance Program (SNAP)**.
- ▶ SNAP is administered by the **Department of Agriculture** under the **Food and Nutrition Service**.
- ▶ Benefits, though, are distributed by the individual states, who are overseen by the **Division of Social Services** in the **Department of Health and Human Services**.
- ▶ States can ask for waivers to implement differences in the program.

**Bureaucratic work is important to get people enrolled, prevent fraud and abuse, and ensure funding.**

**BUT**

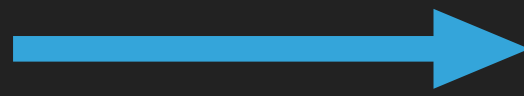
**The multi-layered bureaucracy allows interest groups to influence the process, adds expense, and complexity.**



## WHO IS THE BUREAUCRACY?

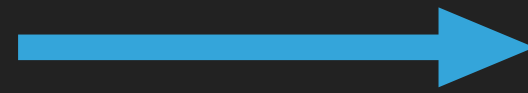
In addition to the cabinet-level departments, the bureaucracy includes:

▶ **Government corporations:** businesses created by Congress like the Post Office and Amtrak



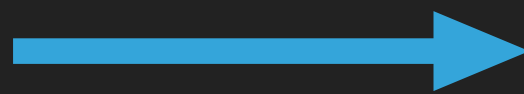
They compete with private industry and charge for their services, but are subject to direct govt. oversight.

▶ **Independent agencies:** small organizations with very narrow agendas, like NASA



Not really independent from Presidential authority, but independent from cabinet agencies.

▶ **Regulatory agencies:** watchdog organizations like the Securities Exchange Commission, Federal Elections Commission.



5-11 members, appointed by President, who cannot remove them before end of term



# PROBLEMS WITH BUREAUCRACY

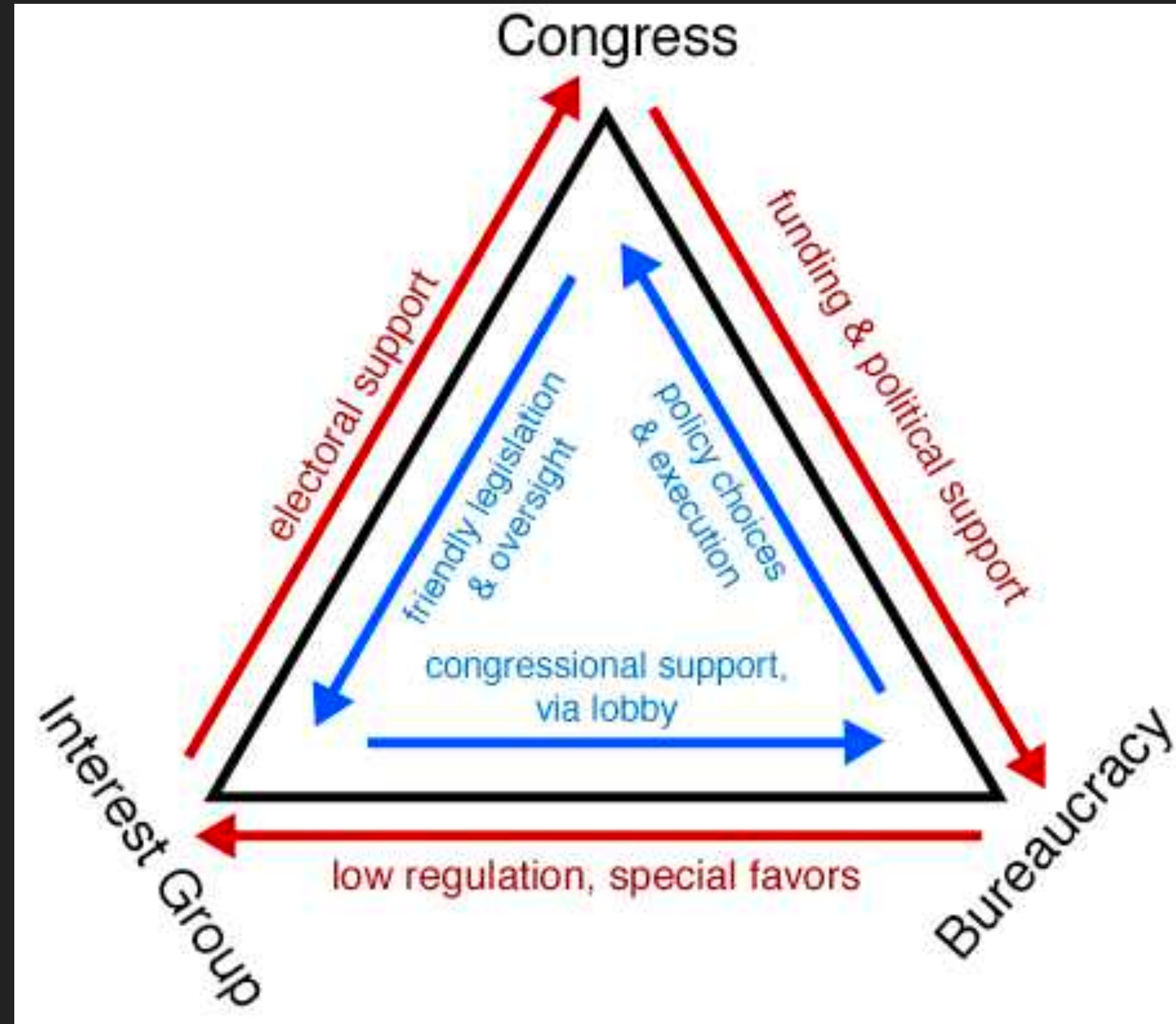
- ▶ The most common complaint about the bureaucracy is that it generates **red tape**, complex rules and procedures needed to get things done.
- ▶ **Bureaucratic imperialism**—overreach of agencies—most often occurs when Congress fails to define clear parameters.
  - ▶ **Conflict**
  - ▶ **Duplication**
- ▶ **Waste and cost overruns** are often the result of legal requirements to buy American or other restrictions.
  - ▶ The \$91 screw.





## THE IRON/ISSUE TRIANGLE

- ▶ The relationship between agencies, Congressional committees and interest groups that leads to policy benefiting those in power.





### LIMITS ON BUREAUCRATIC POWER

1. Congress can hold **oversight hearings** and limit the money **appropriated** for a bureaucratic policy.
2. Citizens and states can **challenge bureaucratic rules on constitutional grounds in the courts.**
3. Specific legislative limits include:
  - ▶ **Freedom of Information Act (1966)**
  - ▶ **National Environmental Policy Act (1969)**
  - ▶ **Privacy Act (1974)**
  - ▶ **Open Meeting Law (1976)**





# TERMS

**CAN'T HURT TO KNOW WHAT THESE MEAN**



## KEY TERMS

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- pork barrel spending
- gerrymandering
- marginal seats
- Seventeenth Amendment
- standing committees
- conference committees
- caucuses
- filibuster
- cloture rule
- implied powers
- omnibus bill
- reconciliation bills
- redistricting
- Baker v. Carr (1962)
- One man, one vote.
- Shaw v. Reno (1993)
- President Pro Tempore
- riders
- joint committees
- Committee of the Whole
- safe seats
- select committees
- whip
- advice and consent
- congressional oversight
- earmark
- expressed powers
- floor leaders
- House Judiciary Committee
- Ways and Means Committee
- markup session
- reapportionment
- trustee model
- deficit
- delegate model
- politico model
- gridlock
- hold
- Impeach
- mandatory spending
- President of the Senate
- Senate Majority Leader
- Speaker of the House
- swing districts
- unanimous consent
- ambassadors
- bully pulpit
- Cabinet
- Chief of Staff
- Commander in Chief
- executive agreement
- Executive Office of the President (EOP)
- executive order
- executive privilege
- imperial presidency
- inherent powers
- lame duck period
- line-item veto
- National Security Council
- pocket veto
- recess appointments
- signing statements
- Twelfth Amendment
- Twentieth Amendment
- Twenty-Second Amendment
- Twenty-Third Amendment
- Twenty-Fourth Amendment
- veto
- appropriations
- discretionary authority
- iron triangle
- issue networks
- patronage
- red tape
- spoils system
- amicus curiae brief
- appellate jurisdiction
- Attorney General
- binding precedent
- certiorari
- class action suit
- common law
- concurring opinion
- defendant
- dissenting opinion
- diversity citizenship
- Dred Scott v. Sanford
- injunction
- judicial activism
- judicial review
- judicial self-restraint
- liberal constructionist
- litmus test
- majority opinion
- original jurisdiction
- per curiam opinion
- petition for certiorari
- petitioner
- plea bargain
- precedent
- senatorial courtesy
- solicitor general
- special legislative courts
- stare decisis
- strict constructionist
- Supreme Court
- U.S. Circuit Court of Appeals
- U.S. District Courts
- writ of certiorari