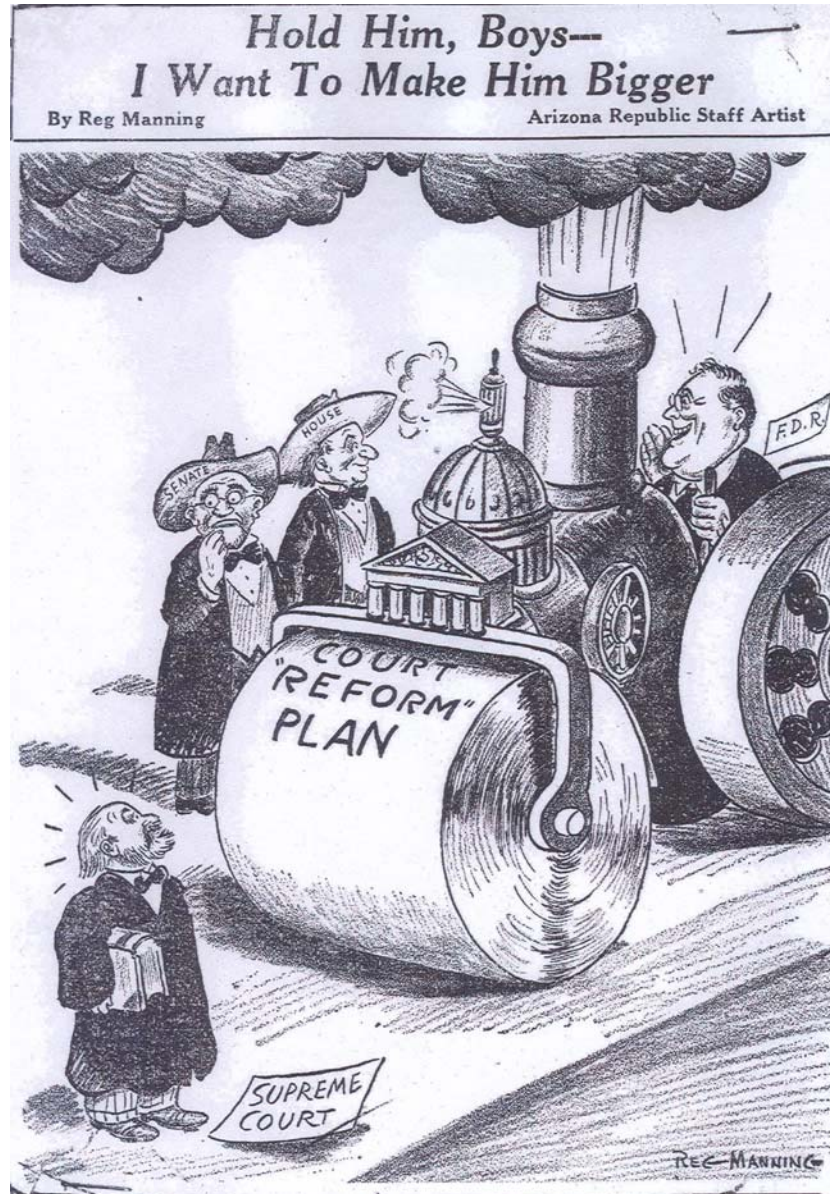




Curriculum Guide

The Presidency and the Supreme Court

Franklin D. Roosevelt Presidential Library and Museum



The Presidency and the Supreme Court

Suggested Readings
Vocabulary



Curriculum Guide

The Presidency and the Supreme Court

Suggested Readings

Jonathan Alter

The Defining Moment: FDR's Hundred Days and the Triumph of Hope

John Q. Barrett

That Man: An Insider's Portrait of Franklin D. Roosevelt

(by Robert H. Jackson, William E. Leuchtenburg, and John Q. Barrett)

Douglas Brinkley

The Reagan Diaries

Sandra Day O'Connor

The Majesty of the Law: Reflections of a Supreme Court Justice

John W. Dean

Broken Government: How Republican Rule Destroyed the Legislative, Executive, and Judicial Branches

Michael C. Dorf

No Litmus Test: Law versus Politics in the Twenty-First Century

William E. Leuchtenburg

The White House Looks South: Franklin D. Roosevelt, Harry S. Truman, and Lyndon B. Johnson

Anthony Lewis

Make No Law: The Sullivan Case and the First Amendment

G. Edward White

The American Judicial Tradition: Profiles of Leading American Judges

David A. Nichols

A Matter of Justice: Eisenhower and the Beginning of the Civil Rights Revolution

Juan Williams

Enough: The Phony Leaders, Dead-End Movements, and the Culture of Failure That Are Undermining Black America—and What We Can Do About It.



Curriculum Guide

The Presidency and the Supreme Court

Vocabulary

Amicus curiae – Latin term meaning ‘a friend of the court’ it describes a brief in which individuals not a party to a suit can have their views heard by the court.

Appellate Jurisdiction – the authority of a court to hear a case on appeal, the focus of this court is not on questions of guilt or innocence, but on legal questions that have been raised by the first proceedings.

Article III – the section of the Constitution that establishes the Supreme Court and the right of the Congress to create “inferior” courts.

Concurring Opinion – the opinion of one or more judges who vote with the majority on a case but who wish to set out different reasons for reaching their decision.

Defendant – the party who is defending against the charges brought forth by the plaintiff.

Dissenting Opinion – the opinion of the judge or judges who are in the minority on a particular case.

Judicial Activism – the idea that judges should take a broad view when applying the Constitution to social or political questions, critics call this approach ‘legislating from the bench.’

Judicial Restraint – the idea that judges should take a narrow view when applying the Constitution to social or political questions that arise in a legal case.

Judicial Review – the power of a court to declare acts of Congress or laws or actions at any level of local, state or federal government unconstitutional.

The Judiciary Act – passed by Congress in 1789 this act established the courts below the Supreme Court such as the district courts and courts of appeal.

Litigants – the two or more sides engaged in a legal dispute.

Original Jurisdiction – the authority of a court to be the first to hear a particular case.

Plaintiff – the party that initiates the legal complaint, the one who brings the charges.

Plurality Opinion – a court opinion that occurs when a majority of the justices agree on a decision in a case but do not agree on the legal basis of the decision.

Precedence – the principle that courts rule based on judicial reasoning from prior cases.

Standing – the right to bring legal action because you have been directly affected by the actions or issues under dispute.

Stare Decisis – the legal doctrine that says precedent should guide judicial decision making.

Writ of Certiorari – announcement that the Supreme Court will hear a case on appeal from a lower court, four of the nine justices must concur in the issuance of the writ.

Writ of Habeas Corpus – the right of a person to be informed of, and able to challenge, the reason they are being detained or imprisoned.