

## Judicial Branch

- Interpret the law, the Const.
- President appoints Federal judges, & Senate must approve appointments
- Federal judges serve for life.
  - experience
  - stability
  - President appoints someone w/ his philosophy to carry his ideas forward when he leaves office.

### → Supreme Court

- 9 justices
- Top court in the country
- Typically a case goes to Sup Ct. after a lengthy appeals process
- Sup. Ct. decisions are very significant
  - Only 2 things can overturn Sup. Ct. decision
    - Amend the Const.
    - Another Sup. Ct. decision

## \* Judicial Review \*

- Marbury v. Madison (1803)

Established the principle that the Sup. Ct. can review the constitutionality of actions by other 2 branches

- Checks & Balances

# Flexibility in Constitution

## Amendment Process

- Include in Const. b/c Society changes over time
- Difficult process  $\left\{ \begin{array}{l} 2/3 \text{ Congress} \\ 3/4 \text{ states} \end{array} \right.$
- Provides stability + flexibility
- Important in expanding + protecting rights (1-10  $\rightarrow$  Bill of Rights)

## The Elastic Clause

- Allows congress to make laws that are "necessary & proper" for carrying out its powers
- Allows Congress to adapt to changes in Society

## Interpretation of the Constitution

- Strict Construction - Follow the Constitution literally; Gov't can only do what's written in Const.
  - limits federal gov't
- Loose Construction - Believe that meaning of Const. changes over time; Gov't can do more than what's written in Const.
  - Expand federal gov't