**Unit 3 - Federalism and the Judicial Branch**

1. **Constitution, Article III**

**A. Framers’ Intent – Have a Strong, Independent Judiciary a the Third**

 **Equal Branch of Government**

1. **Hamilton: “Judiciary is the weakest branch.”**
	* 1. **Need to Know Document - *Federalist # 78\*\*\****
2. **How to empower the Court?**
	* 1. **Lifetime Appointments**
		2. **Judicial Review?**
			1. **Federalist View**
			2. **Democratic-Republican View**
		3. **Define Original Jurisdiction in Article III, Section 2**
			1. **Controversies Between States**
			2. **Controversies Involving Foreign Dignitaries**
		4. **Appellate Jurisdiction in all other cases**
		5. **Defines Treason**
3. **Federal Court Structure**
	* 1. **Article III**
			1. **Supreme Court**
			2. **Congress Creates the Number of Seats on the Supreme Court**
			3. **Congress Creates Lower Federal Courts**
		2. **Judiciary Act of 1789**
			1. **5 Seats on the Supreme Court**
				1. **Chief Justice and Four Associates**
				2. **5 Federal District Courts**
				3. **Each Justice “Rides a Circuit”**
			2. ***Writ of Mandamus***
				1. **Prevent Government Corruption**
				2. **Court Order to Fulfill Tasks Associated with Job**
			3. **Essential Court Case: *Marbury v. Madison (1803)\*\*\*\****