

VISUAL 9.1

OVERVIEW OF THE SUPREME COURT

Origins

Article 3, Section 1 of the U.S. Constitution provides that “[t]he judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”

Members

- The Chief Justice
- Eight Associate Justices
- Lifetime appointments for the Justices

Jurisdiction

- Judicial Review (established in *Marbury v. Madison*): The power to decide on the constitutional validity of a legislative or executive act.
- According to the Constitution (Art. 3, Sect. 2), the Supreme Court can hear cases involving:
 - i. laws of the United States (Federal laws)
 - ii. Treaties
 - iii. Ambassadors, other public Ministers and Consuls
 - iv. Lawsuits to which the United States shall be a Party
 - v. Controversies between two or more States or between a State and Citizens of another State or between Citizens of different States. . .

VISUAL 9.2

TYPES OF ECONOMIC CASES HEARD BY THE U.S. SUPREME COURT

Regulation

Cases that deal with the power of Congress, or the state legislatures, to regulate aspects of the economy. Such cases have involved minimum-wage issues, the right to contract, economic liberties, etc.

Competition

Cases that deal with whether Congress, or the state legislatures, can pass legislation promoting competition in the market. Such cases typically involve questions of monopoly power (arising, for example, under the Sherman Antitrust Act).

Interstate Commerce

Cases that deal with the power of Congress to regulate commerce that crosses state lines. The Court has held that Congress can regulate in such cases when not doing so would have a significant, negative effect on trade and commerce.

Copyrights/Patents

Cases that deal with the intellectual property deriving from creative efforts (e.g., inventions, artwork, books, movies, software, etc.). Such cases have considered both individual claims of copyright and the definition of *invention*.