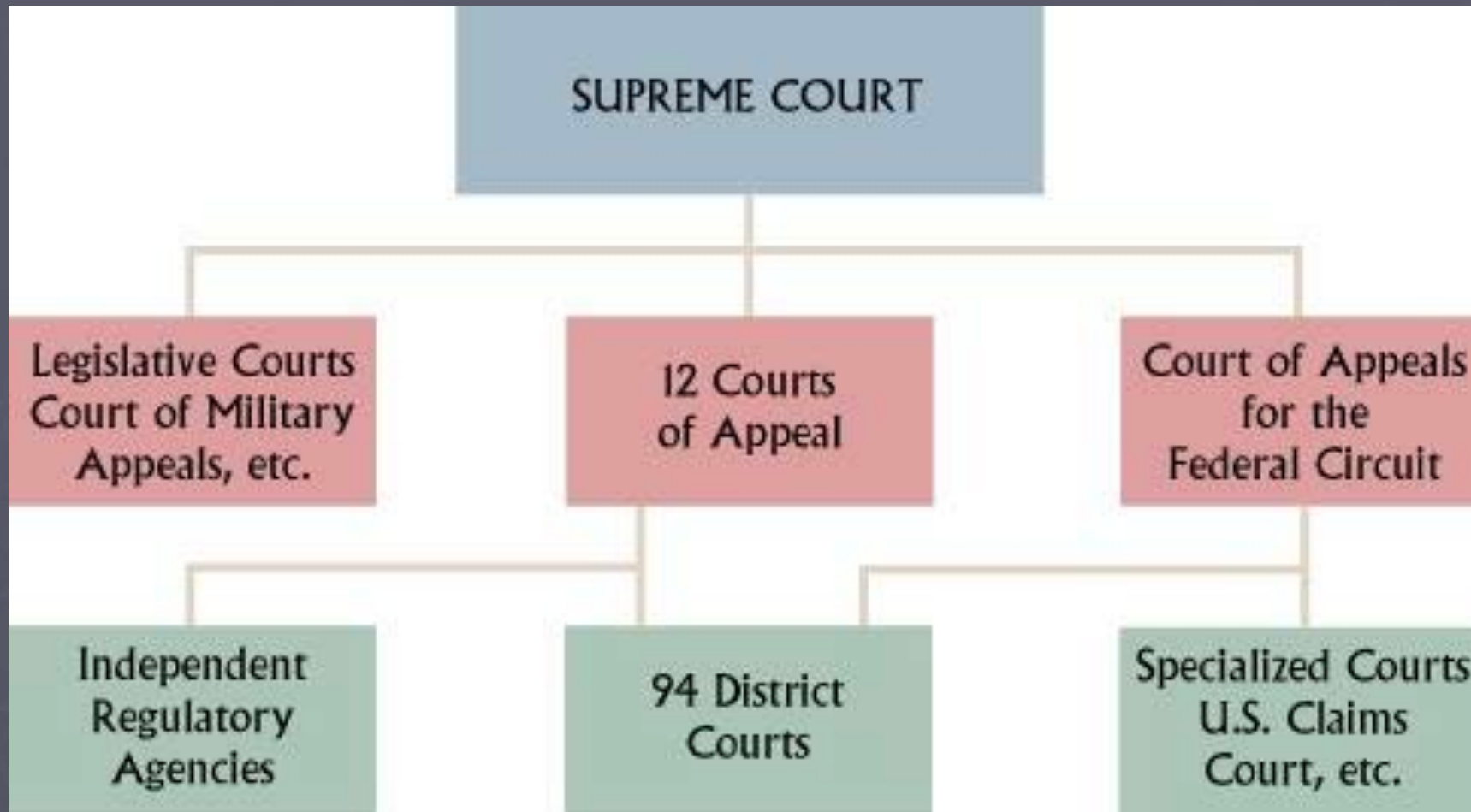


Role of the Judicial Branch Court

To Interpret the Laws

Structure of the US Court System



Idea of Jurisdiction

- Most cases will start and end in a lower court which has original jurisdiction
 - Cases can be sent to Court of Appeals which will review the conduct of the case to see if any errors were committed or Constitution inconsistencies in the application of the law
 - Cases can be further appealed to Supreme Court
 - Rarely are picked up and heard

MAJOR ENVIRONMENTAL CASES INVOLVING EPA AUTHORITIES IN 2013-2014 TERM

MINGO LOGAN COAL V. EPA

Status: Supreme Court denies review of case involving EPA withdrawal of a Corps of Engineers' permit after construction began on a mining project. (March 24)

EPA V. EME HOMER CITY GENERATION

Status: Supreme Court reverses lower-court ruling and upholds EPA's cross-state air-pollution rule (CSAPR). (April 29)

UTILITY AIR REGULATORY GROUP V. EPA

Status: Decision pending in case centering on question of EPA's authority to regulate greenhouse gases.

SOURCE: ENR

The Supreme Court

- Made up of 9 Justices to avoid a tie
- Cases can be recommended to the Supreme Court or the Supreme Court can decide to take a case on
 - Only takes on cases of Constitutional importance or anything to do with Federal Law
- More frequently court is being used to determine intent and how law should be followed



Overview of Justices

- No formal qualifications to become a justice
- Once appointed they serve for life
 - H.O.R can impeach
- Justices suppose to be non-partisan
 - Presidents appoint nominees
 - Presidents chose judges who agree with their stance on issues
 - Senators approve nominations
 - Senate more like to approve Judges who agree with their interpretations off constitution (or non-partisan views)



Importance of Marbury v. Madison (1803)

- In case the Supreme Court decided that in order to fulfill its duties, as laid out in the Constitution it has the right of Judicial Review
 - Gives itself the ability to declare laws and actions by the Federal and State Governments as “Unconstitutional”
 - Will often have to issue stays on different actions while it reviews them to determine whether or not the actions are legal



Environmental Powers of the Judicial Branch

- Settle disputes between the United States and Foreign Countries
 - Ex. Ontario suing Illinois over actions that might introduce Asian Carp into Lake Michigan in violation of agreements between US and Canada
- Settles disputes between States
 - Ex. *Georgia v. Tennessee* (1907) for Pollution from Copper mine is TN lowering air quality in GA

