



# The Judicial Branch

## Discussion Guide

### Let's review

*At the start of each discussion, review the conversation ground rules for returning and new members alike to set the stage for active participation by all. You may want to use a timer as you go around the room. And don't forget to decide who will take notes and post a discussion recap.*

- **Be open and curious:** Everyone has a unique perspective, so be prepared to hear a different point of view. Listen first, and focus on the facts.
- **Be respectful and engaged:** Be sure that everyone has a chance to speak before adding a second comment or perspective. Encourage each other's participation.
- **Be focused and concise:** Keep the conversation centered on the issue and the brief.

**The "Table-it" Rule:** If the group has gone off-topic but the area is of interest, the group can table the conversation and save it for another time to be addressed in a different manner.

### Let's begin

- **Take five minutes** to review the [Executive Summary](#) for this brief. Highlight the main point of each section and key statistics.
- Each member is invited to answer the following questions in a **two-three minute reaction** to the brief:
  - Introduce yourself, and share what "lens of care" did you wear when reviewing this brief (e.g. personal, professional, community, state, nation, global)?
  - What did you find most interesting or surprising from reading the brief? What matters?

### Spread the Word: Some Facts to Share with the Group During Your Discussion

- [Article III of the U.S. Constitution](#) establishes the judicial branch to decide the constitutionality of laws and resolves disputes regarding the law. The **federal system** and **state system** consist of trial courts, appellate courts, and high courts.
- In total, there are about [30,000 state judges](#) and over [1,700 federal judges](#). Over [95% of legal cases](#) are handled by state courts, such as business disputes, traffic offenses, divorce, wills and estates, buying, and selling property.
- The Judiciary Act of 1869 fixed the [number of justices at nine](#), and has not been changed since. From the appointment of first Supreme Court Justices in 1789 to the consideration of Amy Coney Barrett in 2020, the Senate has confirmed 120 [Supreme Court nominations](#) out of 164 received.

## Let's discuss

*Below are questions for the group to consider and discuss, or choose your own.*

- **Community:** Have you participated in your states' judicial selection process? Why or why not? If you could choose the method of judicial selection in your state, which would you choose and why?
- **Government:** What is your view of the role of home-state Senators in the judicial selection process? During election years, should the legislative and executive branches make any changes to the timing of the judicial selection process? Should judges have term limits?

## Let's act

Spread the Word: Some Facts to Share

- **Take it local. Talk to your neighbors** to identify how what happens in the judicial branch at both the federal and state level affects your community. Identify opportunities to work with other community members in your area.
- **Explore the impact of the judicial branch in your community.** Visit Ballotpedia's [County Courts and Judges page](#) to see how courts are structured and who are the judges in your state and county, and [Ballotpedia's Judicial Election Portal](#) to see past results of judicial elections and upcoming judicial elections. See the [Federalist Society's State Courts Guide](#) to determine how judges are selected in your state.
- **Research your elected officials' positions.** You can find contact information for federal, state, and local government officials [here](#). State or municipality's websites will also have information to contact leaders. Try looking at the drop-down menu for a *Government* tab.
- **Establish a relationship with your legislators.** It's easy to establish a relationship with your legislators. Start by introducing yourself. You can also learn to write to your representatives or set up a meeting with a legislator on [The Policy Circle website](#).
- **Consider writing a letter to the editor or an op-ed on your stance on judicial power in your local paper.** Learn how on [The Policy Circle website](#).

## Next Steps for Your Circle

- **Post a Recap:** Summarize your discussion to share thoughts with members not present, and share planned actions from group members. Designate who will post a meeting recap on your circle page.
- **Decide your next meeting topic.** Want to discuss a related brief at your next meeting? Suggestions include:
  - [The U.S. House of Representatives](#)
  - [The U.S. Senate](#)
  - [The Executive Branch](#)
- **Dive Deeper into the issues.** If this is an area you would like to pursue further, consider taking possible steps to influence policy. The Policy Circle offers resources for [developing a message about your issue](#) and [organizing a petition](#) to amplify your voice and raise awareness. Don't miss our [latest events](#) that help you dive deeper on this issue and more.