A Lifetime of Law:

The Process of U.S. Supreme Court Appointments

Article III of the Constitution establishes the Judicial Branch of our government, represented by the Supreme Court. The structure of the court is left to Congress — there have been as few as six members, but since 1869 we've held to the standard of nine justices, including a chief justice. All justices are nominated by the president, confirmed by a majority vote in the Senate, and hold their offices for life.



The only way a federal judge can be "fired" from his or her job is through impeachment by the House of Representatives and conviction in the Senate. Otherwise, justices serve until their death or retirement.



WHY DO SUPREME COURT APPOINTMENTS MATTER?



The Supreme Court is the highest court in the United States, and the state courts must follow any decisions they make.



Because of their lifelong appointments, Supreme Court justices have a great deal of power.



They never have to face re-election, and they don't have to make sure that their decisions please the Senate or the president who appointed them.

THE ROAD TO SUPREME COURT APPOINTMENT



The president contacts many sources for nominee recommendations, including the Department of Justice, the Federal Bureau of Investigation, members of Congress, sitting judges and justices, and the American Bar Association. Some judicial hopefuls nominate themselves.



released to the public, the Senate holds public hearings. They interview the nominee regarding his or her record as a judge and lawyer and where the candidate stands on key issues as well as examine any indiscretions.



The Senate votes on the nominee. If there is a simple majority in favor of the candidate, he or she becomes the new justice.



The newly appointed justice takes two oaths. The first is the judicial oath administered by the chief justice in the presence of other members of the Court. The second is administered in open





The average justice serves for 14 years and retires at the age of 71.

Think it Through

- 1. What do you think are the most important qualities a chief justice should have?
- 2. Do you agree with the current appointment process?
- 3. What would you change, if anything, about the appointment process? Why?



