

Hierarchy of Laws

- Federal Constitution and Treaties
- Federal Statutes and Regulations
- State Constitutions
- State Statutes
- Local Ordinances

Article VI, Clause 2

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Court System

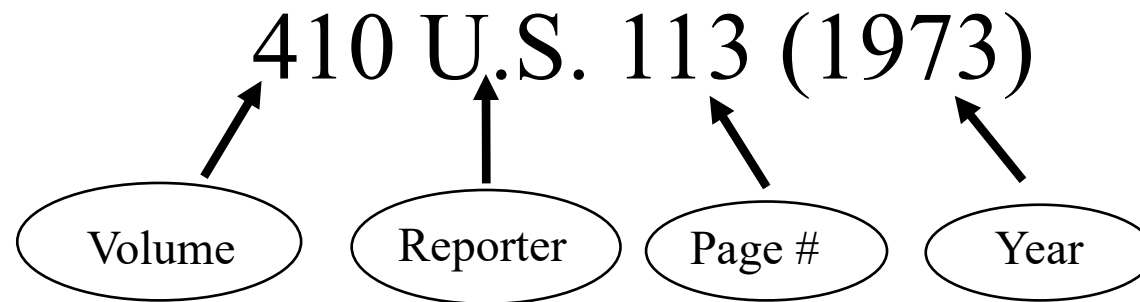
Federal Courts

- Supreme Court
- Courts of Appeal
- District Courts
- Specialized Courts

State Courts

- Highest Appellate Court
- Intermediate Appellate Court
- Trial Courts
- Specialized Courts

Understanding Legal Citations



Case Briefing

1. Facts
2. Legal Issues
3. Decision
4. Reasoning

Marbury v. Madison

Facts:

Marbury was appointed a justice of the peace in Washington, D.C. by the President. His commission was signed by the Secretary of State, but never delivered to him. When he sought delivery of the commission, the Secretary of State refused to deliver it to him.

Marbury v. Madison

Legal Issues:

1. Did Marbury have a legal right to his commission of office?
2. If he has a right, and that right has been violated, does the law afford him a remedy?
3. If it does afford him a remedy, is it a mandamus issuing from the Supreme Court?
4. Did Congress unconstitutionally expand the Supreme Court's original jurisdiction?
5. If Congress acted unconstitutionally, can the Supreme Court nullify the law?

Marbury v. Madison

Decision:

1. Yes
2. Yes
3. No
4. Yes
5. Yes

Marbury v. Madison

Reasoning: