

# Dual Court System

Chapter 3

## Federal Courts

- Three levels of courts: trial, appeals, Supreme
- Derives powers from U.S. Constitution and federal laws
- Hears cases involving federal law
- Most judges appointed for life
- U.S. Supreme Court can hear appeals from state supreme courts



### Federal cases involve

- Two or more states
- Ambassadors and other high-ranking public figures
- Federal crimes (treason; piracy; counterfeiting)
- Bankruptcy
- Patent, copyright, trademark
- Admiralty (maritime law)
- Antitrust
- Securities and banking regulation
- Other cases specified by federal statute

## State Courts

- Three levels of courts: trial, appeals, supreme\*
- Derives powers from state constitution and state laws
- Hears cases involving state law
- Most judges elected or appointed for set terms
- State appeals courts never hear cases that originate in federal courts.



### State cases involve

- Interpretation of state constitution
- State criminal offenses
- Tort and personal injury law
- Contract law
- Probate
- Family law
- Sale of goods
- Corporations and business organizations
- Election issues
- Municipal/zoning ordinances
- Traffic regulations
- Real property

\*structure and names of courts vary by state

# Dual Court System

- In the United States the **justice** system has two parts:
  1. **The Federal Court System**
  2. **The State Court System**
    - Federal courts hear cases involving **federal** matters and matters involving **diversity** of citizenship.
    - State courts have their own rules.

# Jurisdiction

Jurisdiction is the **power** and **authority** given to a court to hear a case and make a **judgment**.

- Federal Courts have jurisdiction over several types of cases:
  - Actions in which the United States or one state is a party, except those actions between a state and its citizen.
  - Cases that **raise** a federal question, such as interpreting the **constitution**.
  - Diversity of **Citizenship** cases

# Jurisdiction

- **Admiralty** cases, or those pertaining to the sea.
  - Patent and **Copyright** cases.
  - Bankruptcy Cases
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- Example of a Federal Case
    - Local police of a large city caught a woman breaking into a federal government building. The police arrested the woman, but because the crime was committed against federal property, she was turned over to federal authorities for trial in a federal district court.

# Federal Court Arrangement

- Federal courts are arranged in three steps:
  1. **U.S. District Court**
    - a. located all throughout the US
  2. **U.S. Court of Appeals**
  3. **Supreme Court of the U.S.**

# District Courts

- District Courts have **original** jurisdiction over most federal courts, meaning they try a case the **first time** it is heard.
- Both **civil** and **criminal** cases can be tried in these courts.

# Court of Appeals

- The US Court of Appeals, is also known as **Appellate Courts**, are **intermediate** courts, which means they are between the lowest and highest courts.
- These courts hear **appeals** from cases that were made at lower courts.
- **Appellate Jurisdiction** – this means that any party to a suit decided in a **federal** district court may appeal to the court of appeals for a new **hearing**.





# Court of Appeals

- The United States is divided into **thirteen** circuits
- Each circuit has **several** district courts and **one** court of appeals.
- A panel of **three judges** is responsible for making decisions at each court of appeals
  - No witnesses are heard, no jury is present, and no evidence is presented
  - Only questions of law can be raised, not questions of fact.

# Supreme Court

- This is the **highest** court in the United States.
- It has original jurisdiction on the following cases:
  - Involving ambassadors, consults, other public ministers, and cases in which the state is a party.
  - Appellate jurisdiction is the courts main function.
  - Must hear all cases that involve the **constitution** or **federal** law.
- There are **9** members of the supreme court, serving **life** terms and are elected by **president**.

# Special US Courts

- These courts have been set up by **congress**.
- These courts hear only certain kinds of cases:
  - Suits brought by citizens against the federal government.
  - Disagreements over taxes on imported goods.
  - Disputes between tax payers and the IRS.

# State Court System

- The state court system operates in almost the same manner as the federal court system.

# Local Trial Courts

- Local courts are courts of **limited** jurisdiction that handle minor matters, such as:
  - Misdemeanors
  - Civil actions involving small amounts of money.
- Minor cases can also be heard in these various types of courts:
  - **Traffic** Courts
  - Police Courts
  - **Municipal** Courts

# Local Trial Courts

- There are also special local courts that deal with:
  - Juveniles
  - Family Disputes
  - Small Claims

# General Trial Courts

- Each county in most states has at least **one** general trial court or a court of general jurisdiction.
- These courts can handle both **civil** and **criminal** cases
- These courts also go by the following names:
  - County Court, Court of **Common Pleas**, or Circuit Court

# Special Courts

- In most states, there have been special courts set up to hear special cases.
- Examples:
  - Probate courts handle property of deceased people and handle adoptions
  - Domestic Relations courts and juvenile courts.



# Domestic Relations Courts

- These cases are in almost each county in every state.
- These courts handle **divorce**, annulment, and dissolution proceedings.
- This court is also responsible for matters concerning the **distribution** of property at the end of a **marriage**, including alimony and child support.

# Juvenile Courts

- Juvenile courts have special **jurisdiction** over **delinquent**, unruly, **abused**, or neglected children up to a certain age.
- Hearings are in more of an **informal** setting rather than in a **courtroom**.
- Young people who are **tried** in juvenile court have **no right** to a trial by jury or **released** on bail.



# Juvenile Court

**Delinquent Child** – is a minor under a certain age (generally 16-18) who **committed** an adult crime.

- Some states have adopted to their laws a minor who attempts to purchase a firearm.

**Unruly Child** – is a general minor who has done something **inappropriate** that is not considered an adult **crime**.

- Violating curfew, skipping school, or use of tobacco or underage drinking.

**Neglected or Abused Child** – is one who is **homeless**, destitute, or without adequate **parental** care.