CHAPTER 3

Court Systems

3-1  Forms of Dispute Resolution
3-2  The Federal Court System
3-3  State Court Systems
3-1 Forms of Dispute Resolution

GOALS
- Explain how disputes can be settled without going to court
- Name the different levels of courts and describe their jurisdictions and powers
DISPUTE RESOLUTION

How can disputes be resolved without going to court?

- Alternatives:
  - mediation
  - arbitration
Dispute Resolution (cont’d)

- How do courts settle disputes?
  - Trial courts
    - Hear testimony & review evidence
    - reach a verdict
    - original jurisdiction

A Time To Kill Closing Argument
Dispute Resolution (cont’d)

How do courts settle disputes?

Appellate courts
- Review decisions of lower courts
- concerned with issues of law only
- attorneys are questioned by judge
- types of decisions:
  - affirmed (upheld)
  - reversed (overturned)
  - amended (changed)
  - remanded (sent back to trial court for correction or new trial)
3-2 The Federal Court System

GOALS

- Identify the source of power of the federal courts
- Name the major federal courts and describe their jurisdictions and powers
ORIGIN OF THE FEDERAL COURT SYSTEM

Federal Judiciary Acts established:

- U.S. Supreme Court (1789)
- 13 District Courts (1789)
- Federal Courts of Appeal (1891)
- Specialized Courts (created as needed)
  - Tax Court
  - Bankruptcy Court
JURISDICTION OF THE FEDERAL COURTS

3 Levels of Federal Courts:

- Federal District Courts
  - general jurisdiction
  - trial court
  - determine facts
  - make initial determinations of law to decide case
  - federal questions
  - lawsuits-citizen v different state or foreign nation
  - more than $75,000 in dispute
JURISDICTION OF THE FEDERAL COURTS (cont’d)

3 Levels of Federal Courts:

○ Federal Courts of Appeal
  - jurisdiction over district court
  - does not accept new evidence in case
  - does not call witnesses
  - reviews transcripts, oral arguments & briefs
  - 13 courts of appeal around the country
JURISDICTION OF THE FEDERAL COURTS (cont’d)

3 Levels of Federal Courts:

- United States Supreme Court (USSC)
  - original & appellate jurisdiction
  - Constitutional issues only
  - final decision
  - can be overturned by themselves
  - can be overturned by a constitutional amendment
FEDERAL COURT SYSTEM

(Cases Involving Federal Law)

13 UNITED STATES COURTS OF APPEALS
(12 Circuit Courts)
(1 Court of Appeals for the Federal Circuit)

STATE SUPREME COURTS

UNITED STATES DISTRICT COURTS

SPECIALIZED FEDERAL COURTS*

MANY FEDERAL AGENCIES

*Among the federal courts with specialized jurisdiction are the Tax Court, Court of International Trade, and the Claims Court. The Bankruptcy Court acts as an adjunct of the District Courts.
State Court Systems

GOALS

- Compare the structure of a typical state court system with the structure of the federal courts
- Explain the jurisdictions of the specialized courts in a typical state system
A TYPICAL STATE COURT SYSTEM

Resembles Federal System (organized in 3 tiers)

- State Trial Courts
  - courts of record: exact account
  - criminal & civil matters
  - review decisions of smaller courts
  - makes determination of facts using jury/judge
State Courts of Appeals

- reviewed by panel of judges (3)
- evaluate records, briefs from case
- may hear oral arguments
- no new evidence can be presented
- render decision (same as federal)
A TYPICAL STATE COURT SYSTEM (cont’d)

- State Supreme Courts
  - 3 or more justices review case
  - decision on matter of law
  - if constitutional or federal questions of law involved, further appeal can go to USSC
A TYPICAL STATE COURT SYSTEM

SUPREME COURT

INTERMEDIATE APPEALS COURT
(In Populous States)

TRIAL COURT
(Of Original, General Jurisdiction)

(Courts of Limited Jurisdiction)

FAMILY COURT

JUVENILE COURT

MUNICIPAL COURT

PROBATE COURT

CRIMINAL COURT

JUSTICE’S COURT
(The Court of a Justice of the Peace)

SMALL CLAIMS COURT
STATE COURTS WITH SPECIALIZED JURISDICTIONS

○ Associate Circuit Courts (County Courts)
  - minor criminal cases
  - state traffic offenses
  - lawsuits under $25,000
  - not courts of record
  - ease of burden off of higher courts
STATE COURTS WITH SPECIALIZED JURISDICTIONS (cont’d)

○ City or Municipal Courts
  ▶ administer own ordinances
  ▶ traffic division
  ▶ non-traffic division
  ▶ less serious violations
  ▶ can be appealed to state trial court
STATE COURTS WITH SPECIALIZED JURISDICTIONS (cont’d)

- Small Claims Court
  - handle disputes less than $2500
  - attorney not required
  - judge hears case (no jury)
  - decision can be appealed to state trial court
STATE COURTS WITH SPECIALIZED JURISDICTIONS (cont’d)

Juvenile Courts

- >13<18
- juvenile is entitled to his/her full constitutional rights
- can have attorney representation
- criminal cases are not public knowledge
- courtroom is closed
- records are sealed
- court has wide powers in decision and penalty
- appeals go to circuit courts

Inside the Juvenile Court
STATE COURTS WITH SPECIALIZED JURISDICTIONS (cont’d)

- Probate Courts

  - administer wills and estates

https://www.youtube.com/watch?v=rhzQw4xQx0Q
PREVENT LEGAL DIFFICULTIES

■ Be prepared . . .
■ To avoid expensive litigation should a dispute develop, when you enter a contract include a provision requiring the use of a mediator or an arbitrator.
■ To be sure of the rules and costs of any litigation that might develop under a legal document you sign, specify the jurisdiction in which such disputes must be resolved.

Continued on the next slide
PREVENT LEGAL DIFFICULTIES

- Know the facts about your state’s juvenile court system especially with respect to ages, rights, and sentencing options.
- Have your parents see an attorney to make out a will and utilize other methods to avoid the expenses of probate.