



# THE STATE AND FEDERAL COURT SYSTEM

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# THE STATE COURT SYSTEM

- 1. The State Court System is composed of several level, or tiers, of court
  - a. Trial Courts of Limited Jurisdiction
  - b. Trial Courts of General Jurisdiction
  - c. Appellate Courts (sometimes also know as the Intermediate Appellate Courts)
  - d. The State Highest Court (often called the State Supreme Court)

## EXAMPLE OF A LAWSUIT

- First Step: Plead your case before a Trial Court (ex: small claims, family law, civil litigation, etc.)
- Second Step: if he/she loses then you plead your case in the Appellate Court
- Final Step: if the case involves a federal statute or a federal constitutional issue, the decision of a state supreme court on that issue maybe

# HIGHEST STATE COURTS

- Highest appellate court in any state is usually called the supreme court, but may go by another name. (court of appeals in New York and Maryland)
- The highest courts decisions are final, unless issues of federal law are involved, in which case the United states supreme court may overrule a decision.

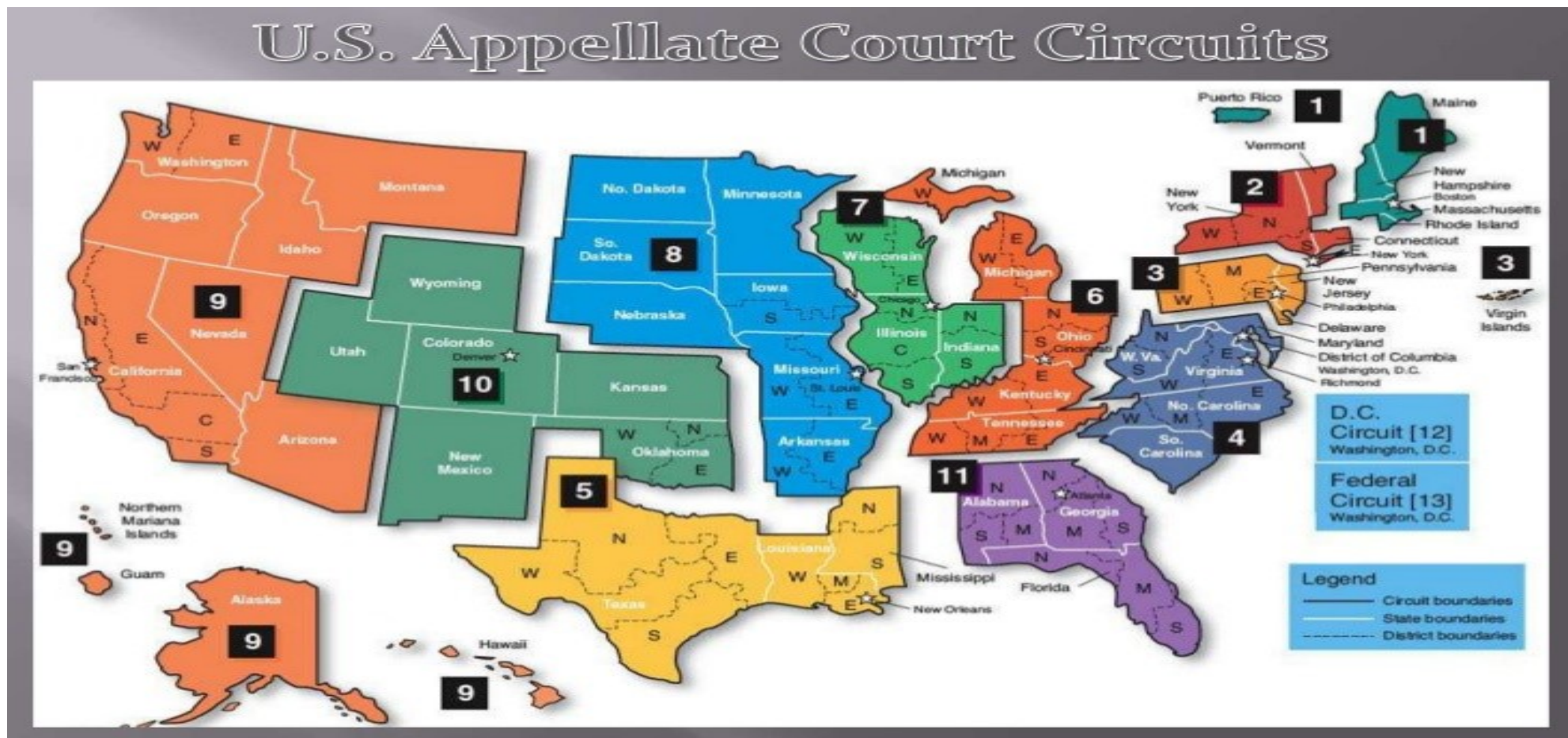
# THE FEDERAL COURT SYSTEM

- The federal court system is a three tier court system consisting of:
  - 1. U.S district courts (trial courts of general jurisdiction)
  - 2. U.S courts of appeals (intermediate court of appeals)
  - 3. The United States supreme court
- Federal court judges are chosen by the president of the United States, with the U.S senates approval. only 7 federal judges have been removed from office in the entire history of the United States.

# U.S DISTRICT COURTS

- U.S District Courts are the general trial courts of the United States federal court system.
- Deal with most of the court cases.
- Have original jurisdiction in matters involving a federal question and concurrent jurisdiction with state courts when diversity jurisdiction exists.
- There is at least one federal district court in every state.

# GEOGRAPHIC BOUNDARIES OF THE U.S. COURT OF APPEALS & U.S. DISTRICT COURTS



# U.S. COURTS OF APPEALS

- The thirteen U.S. Court of Appeals (referred to Courts of Appeals) this also includes the Court of Appeals for D.C. Circuit.
- Has national appellate jurisdiction over certain types of cases, such as those involving patent law and those in which the U.S. government is a defendant.
- All decisions of a circuit of appeals are binding on all courts within the circuit courts jurisdiction and are final in most cases
- An appeal to the United State Supreme Court is possible



# THE UNITED STATE SUPREME COURT

- This is the HIGHEST LEVEL of the three federal court.
- The United State Supreme Court consist of nine justices.
- The Supreme Court can review any case decided by any federal courts of appeal.
- It has appellate authority over cases involving federal questions that have been decided in the state courts.
- The Supreme Court is the final authority on the Constitution and Federal Law

# APPEAL TO THE SUPREME COURT

- First Step: a party must request the Court to issue a writ of Certiorari. A writ of Certiorari is an order issued by the Supreme Court to a lower court requiring the latter to send it the record of the case to review.
- The Court will not send the case to review unless 4 of the 9 justices approve it. This is call the **rule of four**.
- **FYI:** most petitions for writs are denied. (thousands application come in and the Supreme Court hears fewer than 100)

# PETITION GRANTED BY THE COURT

- 2 reasons why the Supreme Court will grant your writ:
  - 1. That raise important constitutional questions
  - 2. When the lower Courts have issued conflicting decisions on a significant issue
- The justices never explain their reasons for hearing certain cases and not others.