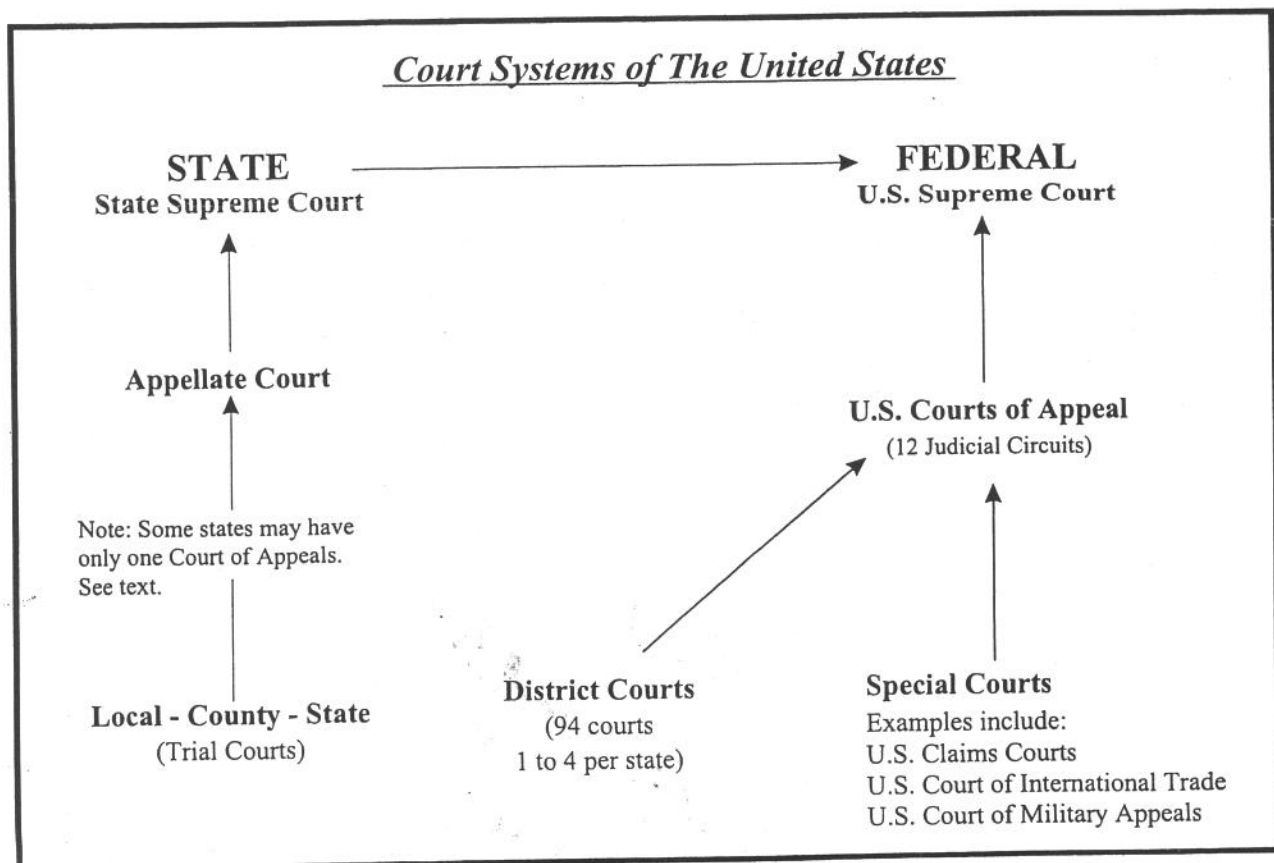


Court Systems of the United States

One of the chief purposes of government, according to the U.S. Constitution, is to ensure domestic tranquillity. The primary function of every court system is to fulfill the promises of peace and order implied in the Constitution. The courts, as part of the judicial branch of government, seek to resolve problems arising out of civil and criminal law. Were it not for these courts, an atmosphere of violence and anarchy might prevail.

The U.S. court system is one of the most complex in the world, with courts on almost every level of government. Each state has a supreme court, courts of appeal, and courts of lower jurisdiction, that handle minor civil and criminal offenses. The highest court in the land is, of course, the U.S. Supreme Court. The following diagram gives a general idea of how the U.S. court system is structured.



State Courts

As stated above, each of the fifty states has its own court system, which typically consists of trial courts and appellate courts, including a state supreme court.

Trial Courts

Also known as “trials of first instance,” trial courts deal with parties in conflict, hear **witnesses**, review **evidence** and facts, and reach a decision or verdict. These courts may be divided further into criminal courts and civil courts.

- **Criminal courts** handle cases in which individuals are accused of a crime. The trial may be heard before a jury, or the defendant may elect to have the judge decide the verdict. If the defendant is judged guilty, the punishment will vary, depending on the severity of the crime and other factors such as a prior criminal record
- **Civil courts** deal with private disputes between individuals or corporations. The public is not involved in civil actions, and the state does not prosecute them as it does criminal cases. The object of a civil case in which the defendant is judged to be wrong is to attempt to restore the situation to what it might have been had no legal wrong been committed. In many instances, the defendant may have to pay money to the wronged party. These are called

compensatory damages. **Punitive damages** are sometimes awarded against a defendant to punish him or her and to let the community know that such behavior will not be tolerated.

Court systems governing trial courts may vary widely from place to place. Major population centers may have courts of general jurisdiction, but to expedite matters, they may be organized into special branches such as criminal, civil, traffic, and juvenile courts. In many areas, these courts are known as **inferior courts**. They handle minor civil and criminal cases (such as **misdemeanors** and minor **felonies**). They may also handle preliminary parts of more serious criminal cases such as setting bail, advising the accused of his or her rights, appointing defense counsel, and deciding whether evidence justifies holding a defendant for a trial in a higher or **superior court**.

Appellate Courts and Supreme Courts

Appellate courts handle cases in which the fairness of the lower court’s decision is in question. Most states refer to their highest court as a supreme court. New York is a notable exception, calling its highest court the Court of Appeals and using the designation of “supreme court” for lower courts. Some states do not have intermediate appellate courts.

Joshua Bartholomew has been arrested in Midville. His is accused of armed robbery of a Midville convenience store. After reviewing the evidence, the municipal judge has set bail, and Mr. Bartholomew is sent to the local jail until bail can be posted. Mr. Bartholomew has retained the services of a local attorney (had he been unable to do so because of insufficient financial resources, a court-appointed attorney would have been named). Because of the seriousness of the charges against the defendant, the trial is transferred to a higher or superior court.

In our case, Joshua Bartholomew, the defendant who was charged with armed robbery, has been found guilty by the jury hearing the trial. The judge has sentenced Mr. Bartholomew to the state penitentiary. Mr. Bartholomew's attorney is appealing the verdict on the grounds that the judge made errors during the trial; that is, the judge did not allow several pieces of evidence to be introduced that would have been favorable to the defendant. The appellate court will review the case and, if it believes that this evidence should have been admitted, will probably order that the case be retried. The original judge may preside at the retrial unless some particular bias was shown or unless the judge is no longer assigned to the court.

Appellate courts are usually presided over by several judges, whereas trial courts have only one judge. The higher the court, the greater the force of its decision. The decision of an appellate court is binding within its jurisdiction, meaning that the rules it lays down must be followed by lower courts when faced with the same issue.

A party involved in a trial in a lower court who believes that the trial ruling was wrong may file an appeal. An exception would be in a case of an acquittal of a defendant accused of murder. If this individual was found not guilty, the state cannot appeal the verdict or retry the defendant.

Federal Courts

Federal courts were created in accordance with Article III of the Constitution. These include the special district, circuit, and supreme courts of our federal government.

Special Courts

Special courts include the following:

- **The U.S. Claims Court** - This court has jurisdiction over monetary claims against the United States based on the Constitution or acts of Congress.
- **The U.S. Court of International Trade** - This court has jurisdiction over civil

actions against the United States involving federal laws governing imports.

- **The U.S. Court of Military Appeals** - This court reviews court martial convictions for all the armed services. It is subject to review by the U.S. Supreme Court only in a limited number of cases.

District Courts

District Courts are the trial courts of general federal jurisdiction. They hear all matters that relate to federal laws and, in some cases, that involve U.S. Citizens of different states. There are 94 district courts, with between one and four in each state and one in the District of Columbia. States with larger populations such as California, Texas, and New York have four courts each. Usually one judge presides, but in some cases three judges are required to make up the court.

U.S. Courts of Appeal

These courts were created to relieve the U.S. Supreme Court of having to review all trials originally decided by federal courts. Decisions of these courts are final except when law provides for direct review by the Supreme Court. Twelve judicial circuits compose the courts of appeal system, and each of the 50 states and the District of Columbia is assigned to one of them.

A case that reached the U.S. Supreme Court was Griffin v. California (1965). Griffin was convicted of murder in the first degree in a jury trial in a California court. He did not testify at the trial. The Fifth Amendment of the U.S. Constitution states that no person "shall be compelled in any criminal case to be a witness against himself." The prosecutor made much of the failure of the defendant to testify, inferring that this proved his guilt. The trial court judge instructed the jury that it was the defendant's constitutional right not to testify; however, he went on to state that the jury could take this failure to testify into consideration. The defendant was found guilty and sentenced to death. The California Supreme Court upheld the conviction. Because the appeal was based on a constitutional issue, the case was sent to the U.S. Supreme Court. The Supreme Court reversed the lower court's ruling. As a result of the Supreme Court ruling, the case was remanded for a new trial with the proper instructions read to the jury.

U.S. Supreme Court

The highest court in the land is composed of nine Supreme Court justices, one of who is named the Chief Justice. In both civil and criminal law, the Supreme Court is the ultimate court of appeal. All other remedies must be exhausted before the Court can be petitioned for appeal or review of a lower court decision. Cases originating in state courts can be appealed to the Court directly from state supreme courts; cases originating in federal court must first go through the U.S. District Court and the U.S. Courts of Appeal. The court itself decides whether to hear a case or

let the decision of the lower court stand. In all cases, the Court will decline to review decision lacking the substantial federal issue.

Although this description of the U.S. Court system is simplified, it serves effectively as a basic introduction to its structure. Remember that the structure of the court system may vary from state to state, and the names of the courts on similar levels may also be different. Check to see how your state judicial system may vary from what is presented here. Make those adjustments in our presentation to your class.