

Chapter 5: Federal & State Court Structure

Chapter Outline:

- ✓ § 5.1 Court Structure
- ✓ § 5.2 Court Titles for Local Jurisdictions

§ 5.1 COURT STRUCTURE

federal courts

Federal courts are part of the judicial branch of the United States government. In other words, they are part of the national court system.

Federal courts have jurisdiction over cases involving federal questions, cases where the United States is a party, cases where specific statutes grant jurisdiction, and cases in which diversity of citizenship exists.

state courts

State courts are part of the judicial branch of the relevant state. Both federal and state courts have trial and appellate levels. As we will see, the question of jurisdiction involves whether the question before the court is a state issue or a federal issue.

branches of government

There are three elements that make up both state and federal government structure: *Legislative*, *Executive*, and *Judicial*.

legislative branch

The branch that creates or enacts the law. At the federal level, Congress is the highest entity. On the state level, the state legislature is the highest entity.

executive branch

The branch which enforces or executes the law. The highest federal entity is the President. The highest state entity is the governor.

judicial branch

The branch that interprets the law. The state and federal court systems comprise the judicial branch.

administrative hearings

Administrative agencies settle disputes through administrative hearings. Tax disputes, Social Security matters and immigration issues are often administrative matters resolved in administrative hearings.

trial court

There are two levels of courts: Trial Level and Appellate Level. Trial courts, with a single judge, are where the legal action is initiated and facts and evidence are presented. In most cases, either party can demand a trial by jury, where permitted by law.

appeal

An appeal is a request that a higher court review what a lower court decided. Usually, the loser in the trial court appeals to a court of appeals. The loser in the court of appeals may then appeal to the Supreme Court. A party has one automatic right of appeal to the next highest court.

appellant or petitioner

The party who loses at the trial level usually initiates the appeal and is the appellant.

appellee or respondent

The party against whom the appeal is brought.

federal court structure

There are three basic federal courts. The U.S. District Court (trial-level court), the U.S. Courts of Appeal (appellate-level court), and the U.S. Supreme Court (appellate-level court).

United States District Court *(trial-level court)*

U.S. District Courts are the trial courts where federal actions commence. Every state has at least one federal district and many states are broken into multiple districts.

United States Courts of Appeal (*appellate-level court*)

The federal appellate court is broken into federal circuits and is often referred to as the Circuit Court of Appeals. A Circuit is a collection of Districts. Thus, a Circuit Court is responsible for appeals from a collection of District Courts.

United States Supreme Court (*appellate-level court*)

This is the country's highest court. It is comprised of nine justices who are nominated by the President and confirmed by the U.S. Senate.

appellate courts

Appellate courts review trial court decisions by reviewing the record to determine whether the trial court erred. Appellate courts have several judges. Since juries are the triers-of-fact, and the facts were determined at trial, appellate courts only deal with questions of law, not of fact.

stare decisis

To stand by previous court decisions. This term means: "Let the decision stand." It is the doctrine whereby a previous court decision will guide the court in deciding a current case (unless there is a compelling reason to hold otherwise).

§ 5.2 COURT TITLES FOR LOCAL JURISDICTIONS

Every state and federal jurisdiction is made up of trial and appellate courts. The titles and numbers of the courts vary. There are local trial courts, statewide trial courts, and federal trial courts. All serve the same purpose: to hear evidence, apply the law, and reach a verdict. Local courts (such as county courts) usually hear matters involving smaller amounts of money or minor criminal infractions. Statewide trial courts consider more substantial suits with claims above a minimum set by state statute, as well as more serious criminal offenses.

Federal Court Titles

A federal trial court is always called a *United States District Court*. Every state has at least one district, and many states have multiple federal districts. For example, because of its relatively low population, Colorado has only one federal district, the District of Colorado (abbreviated D. Colo.).

North Carolina, however, has three federal districts: the Eastern District of North Carolina (E.D.N.C.), the Middle District of North Carolina (M.D.N.C.), and the Western District of North Carolina (W.D.N.C.).

There is one intermediate federal appellate court, the United States Courts of Appeal, organized into 13 circuits (11 geographical circuits, the D.C. Circuit, and the Federal Circuit).

Federal Circuits are collections of federal Districts. For instance, the Districts of Colorado, New Mexico, Oklahoma, Utah, Kansas, and Wyoming collectively form the U.S. Court of Appeals for the Tenth Circuit. Any appeal from those federal trial courts must be brought to the Tenth Circuit Court of Appeals.

(See foldout in the back of this volume for a map of Federal Courts)

State Court Titles

Most states have two courts at the appellate-level. The first (sometimes referred to as an intermediate appellate level court) is usually titled a court of appeals, such as the Colorado Court of Appeals. The upper level appellate court is usually called a supreme court, such as the New Mexico Supreme Court. A few states refer to the highest court by other titles, such as the New York Court of Appeals.

A few states, such as South Dakota and Nevada, have only one appellate level court, the state supreme court. In those states, any appeal from the trial level must proceed directly to the state supreme court. Since every case has an automatic right to at least one appeal, a very heavy burden is borne by those tribunals.

To locate the titles and structure of courts in your state, simply login to the Internet and Google the following: *state court system in (your state)*

Diagram § 5.2 | Federal and State Court Structure

YOUR STATE JURISDICTION

Highest State Court

State Court of Appeals

State Trial Court

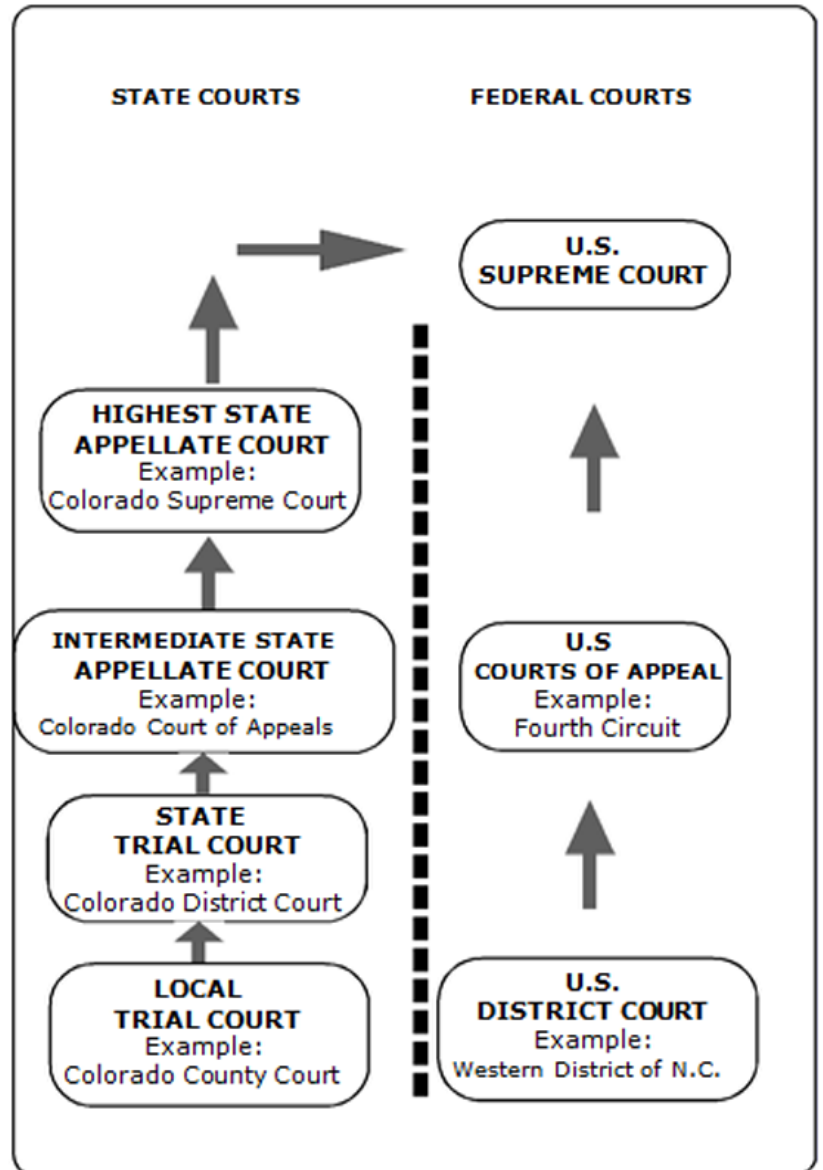
Local Trial Court

YOUR FEDERAL JURISDICTION

Highest Federal Court

Federal Court of Appeals

Federal Trial Court



CHAPTER 5 WRAP-UP

WHAT YOU SHOULD KNOW...

After reading this chapter you should know the following:

- The general differences between federal and state courts
- The titles of all three basic federal courts
- The titles of the federal trial and appellate courts in your jurisdiction
- The titles of all the basic courts in your jurisdiction
(*trial, intermediate appellate, and highest court*)

ASSIGNMENTS

Ask your instructor, or research the Internet, to determine the titles of courts in your jurisdiction. (*Federal and State*)