

“The Federal Judiciary”



Equal Justice for All

- ▶ Our court systems were established to help settle civil disputes or decide the guilt or innocence of a person.



Equal Justice for All

- ▶ A “civil dispute” is between:
 - ▶ two private parties (people, companies, or organizations)
 - ▶ between private parties and the government
 - ▶ or the federal government and state / local governments.
- ▶ To speed up the civil process, a summary judgment may be issued. This is a decision made on the basis of statements and evidence presented for the record without a trial.
- ▶ Whereas in a “criminal” trial, witnesses present evidence and a jury or judge delivers a verdict.



“Equal Justice Under the Law”

- ▶ America is founded on the philosophy of “***Equal Justice Under the Law***”
- ▶ This comes from the principle of **rule of law** which prevents an abuse of government power and provides for **accountability to the law**. (No one is above the law)
- ▶ This is the basis for our legal system.



“Equal Justice Under the Law”

- ▶ All people are guaranteed:
 - ▶ a public trial in a Trial Court
 - ▶ A lawyer even if they cannot afford one
 - ▶ “Innocent until proven guilty”
 - ▶ Right of appeal of their case if the courts have made a mistake.



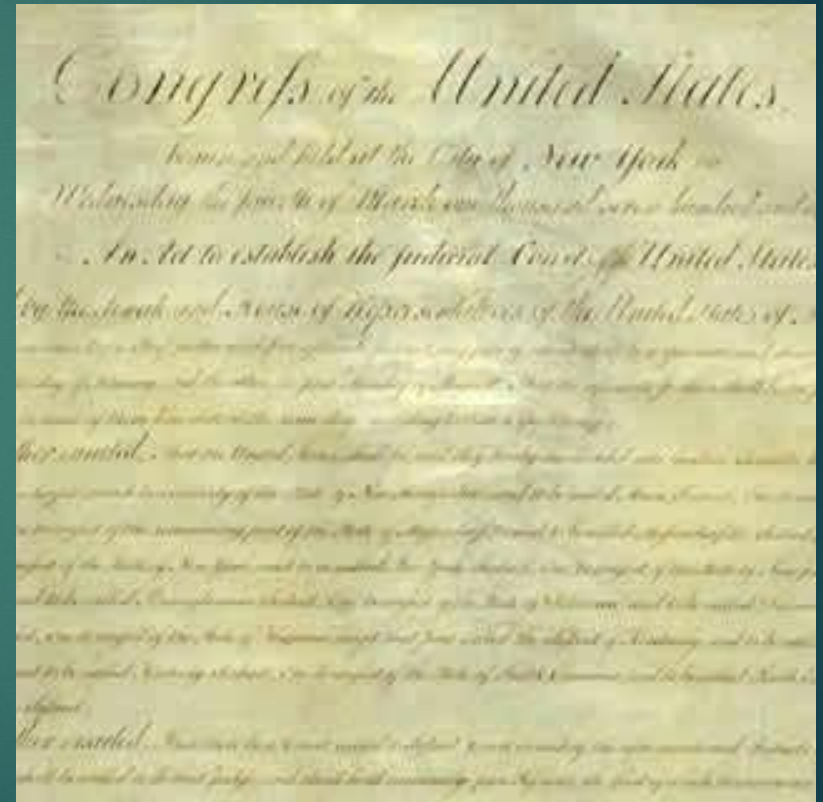
“The Federal Court System”

- ▶ The role and powers of our **federal court** system are discussed in Article III of the **U.S. Constitution**.
- ▶ This Article also gives Congress the power to establish lower courts



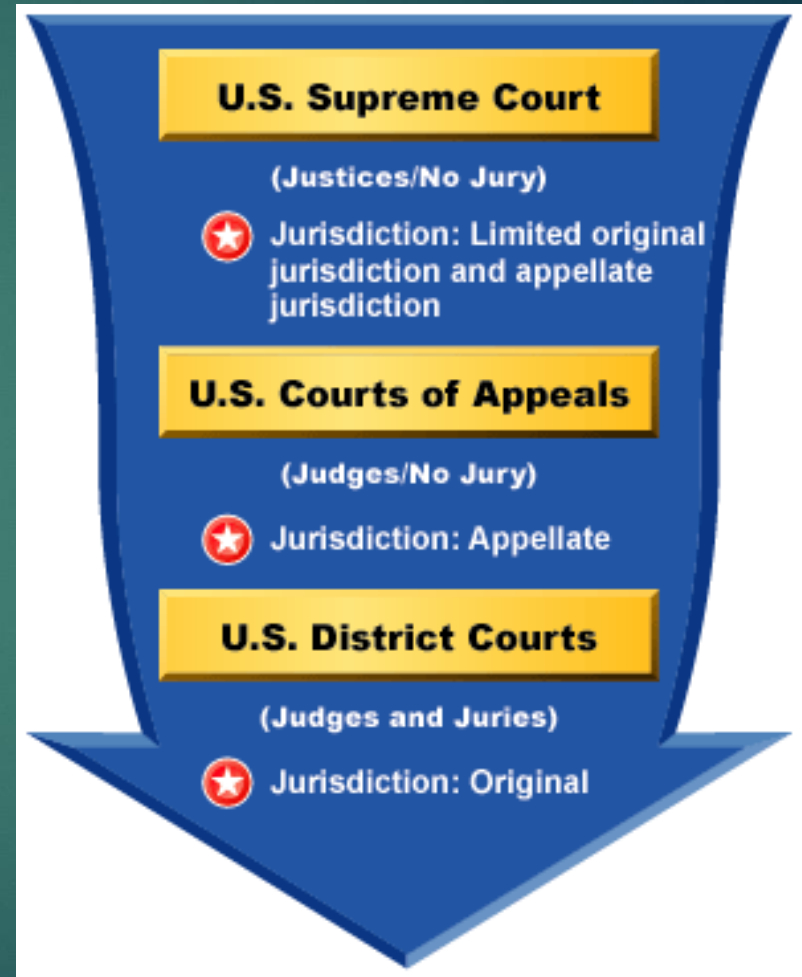
“The Federal Court System”

- ▶ In 1789, Congress passed the “Judiciary Act” which created “district” and “circuit” courts of appeals.



“The Federal Court System”

- ▶ In 1891, the Congress created the federal system of appeals courts.
- ▶ It has three (3) levels:
 - ▶ U.S. Supreme Court
 - ▶ Appeals Courts
 - ▶ District Court



“The State Court System”

- ▶ There are 50 separate state court systems at the state level.
- ▶ State courts get their powers from state constitutions and laws. (Each state has their own court system)



“Federal Court Cases”

- ▶ “**Jurisdiction**” is the court’s authority to hear a case.
- ▶ **Article III** of the **U.S. Constitution** gives the federal courts “jurisdiction” over eight (8) kinds of cases.



“Federal Court Cases”

- ▶ Cases involving the U.S. Constitution
- ▶ Any case where a person believes that a constitutional right has been violated



“Federal Court Cases”

- ▶ Violations of Federal Laws
 - ▶ Any case where the government accuses a person of a **federal crime** (ie. kidnapping, tax evasion, counterfeiting, etc.)



“Federal Court Cases”

- ▶ Controversies Between States
- ▶ Any case where state governments have disagreements are settled in federal court



“Federal Court Cases”

- ▶ Disputes between Parties of Different States
 - ▶ Any case where citizens of different states have disagreements are settled in federal court



“Federal Court Cases”

- ▶ Suits Involving the Federal Government
 - ▶ Any case where the Federal Government sues any party (individuals or companies) or is sued by any party



“Federal Court Cases”

- ▶ Cases involving Foreign Governments and Treaties
- ▶ Any case where there is a dispute between the Federal Government (or American private party) and a foreign government.



“Federal Court Cases”

- ▶ Cases Based on Admiralty and Maritime Laws
 - ▶ Any case that concerns accidents or crimes on the high seas (“exclusive jurisdiction”)



“Federal Court Cases”

- ▶ Cases Involving U.S. Diplomats
 - ▶ Any case that concerns an American diplomat working in a U.S. Embassy overseas is heard in Federal court.



Relation to State Courts

- ▶ “Exclusive Jurisdiction”
means **only the federal courts** may hear such cases.
- ▶ Most U.S. court cases involve state law and are tried in state courts.



Relation to State Courts

- ▶ “Concurrent Jurisdiction” means that they share authority between state and federal courts.
- ▶ Cases where citizens of different states are involved in a dispute over \$50,000 may be tried in either court.



Federal Court “Pyramid”



Supreme Court

- Highest court in the federal system
- Nine Justices, meeting in Washington, D.C.
- Appeals jurisdiction through *certiorari* process
- Limited original jurisdiction over some cases



Courts of Appeal

- Intermediate level in the federal system
- 12 regional “circuit” courts, including D.C. Circuit
- No original jurisdiction; strictly appellate



District Courts

- Lowest level in the federal system
- 94 judicial districts in 50 states & territories
 - No appellate jurisdiction
- Original jurisdiction over most cases

U.S. District Courts

- ▶ “**District Courts**” are where trials are held and lawsuits begin.
- ▶ Each state has at least **one** district court and sometimes more.
- ▶ District courts have “**original jurisdiction**” (means cases must begin here)



U.S. District Courts

- ▶ “District Courts” are responsible for determining the facts of a case.
- ▶ They are trial courts for both criminal and civil federal cases.
- ▶ District courts are the only courts where witnesses testify, juries hear cases, and verdicts are reached.



U.S. Courts of Appeals

- ▶ Also known as “appeals court, circuit courts of appeals, appellate courts”
- ▶ A large percentage of people who lose their cases in a district court appeal to the next highest level.



U.S. Courts of Appeals

- ▶ The job of the **appeals** court is to review the decisions made in a lower district court.
- ▶ Appeals court have **“appellate jurisdiction”** (authority to hear a case appealed from a lower court)
- ▶ Appeals courts can also review **the rulings and decisions from lower courts** if the people or groups involved believe the agency acted unfairly



U.S. Courts of Appeals

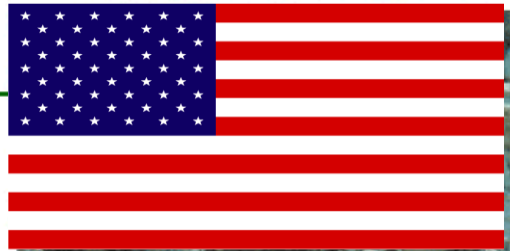
- ▶ In order to appeal a case:
 - ▶ The judge applied the law incorrectly
 - ▶ The judge used the wrong procedure.
 - ▶ New evidence turns up
 - ▶ Rights were violated



U.S. Courts of Appeals

- ▶ There are **twelve (12)** U.S. Courts of Appeals
- ▶ Florida is in the **11th Appeals Circuit**
- ▶ A **“circuit”** is a geographic region.
- ▶ The 13th Appeals Court has nationwide jurisdiction.





How Appeals Courts Make Decisions

- ▶ Appeals courts do NOT hold **trials**.
- ▶ Appeals courts may:
 - ▶ **Uphold** original decisions
 - ▶ **Reverse** that decision
 - ▶ **“Remand”** or return the case to the lower court.



How Appeals Courts Make Decisions

- ▶ A panel of **three (3) judges** review the record of the case.
- ▶ Ruling is based on *majority* vote (final unless appealed to the **U.S. Supreme Court**)
- ▶ Innocence or guilt is not decided, but only if the **defendant's rights** have been protected and if they received a **fair** trial.



Announcing the Decision

- ▶ When a decision is made, one judge writes an “opinion”, which is a detailed, legal explanation.
- ▶ The decision in this appeal sets “precedent”, which gives guidance for future cases.



Federal Judges

- ▶ There are over 550 federal judges
- ▶ Each district court has at least **two (2)** judges.
- ▶ Appeals courts have from 6 to 27 judges.
- ▶ The **U.S. Supreme Court** has **nine (9)** “justices”.



Federal Judges

- ▶ Federal judges are appointed by the President and confirmed by the Senate.
- ▶ “Senatorial Courtesy” is when the President submits the name to the senators from the candidate’s state before making it official.



Federal Judges

- ▶ Federal judges serve for life.
- ▶ However, judges can be "impeached" and removed from their position.



Federal Judges

- ▶ Some federal judges have **“magistrate judges”** to help by taking care of routine work like court orders, small cases, warrants, and hold preliminary hearings.



Federal Judges

- ▶ Each district also has a **U.S. Attorney** to represent the government and prosecute people.
- ▶ They serve under the Attorney General, who heads the **Justice** Department.



Federal Judges

- ▶ **“U.S. Marshals”** (appointed by the **President**) also assist by making arrests, collecting fines, taking convicted people to prison, serving **“subpoenas”** (which is a **court order** requiring witnesses to appear in court)



CC: structure of the court system

- ▶ Crash Course – Structure of the Court System