

CHAPTER 5

FEDERAL AND STATE COURT STRUCTURE

Chapter Outline

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- § 5.1 Structure of the Courts
- § 5.2 Court Titles
- § 5.3 Court Flow Chart
- § 5.4 Remote Working

CHAPTER 5 ASSIGNMENTS

- Assignment § 5.3**
Determine the titles of courts in your jurisdiction and complete the flow chart

Chapter 5 Introduction

FOUNDATIONAL SKILL

To begin to understand the court system in the United States it is necessary to get a foundational grasp on the structure of both federal and state court systems, and to do that it will be helpful for you to memorize this basic adage:

TRIAL COURT to
COURT OF APPEALS to
SUPREME COURT

A legal matter starts in the TRIAL COURT, may then progress to the COURT OF APPEALS, and then may progress to the SUPREME COURT.

This structure applies to both state and federal courts.

The specific court titles may change from jurisdiction to jurisdiction. There may be a few states that tweak the system. But this basic structure is where everything starts, and where the judicial system's foundation is found.

Yes, there are other courts. For example, the Bankruptcy Court in the U.S. federal system. But that is a trial court. So even though courts may have other titles, they still fit into this basic structure.

As you progress in this course, you will learn about some of those apparent exceptions to the structure, but understanding this basic precept will make it much easier to figure out where any court fits into the judicial system.

IN THIS CHAPTER . . .

**FEDERAL COURT
STRUCTURE**

**STATE COURT
STRUCTURE**

**RELATED
TERMS & PHRASES**

§ 5.1

Structure of the Courts*United States Judicial System***FEDERAL AND STATE COURTS**

We begin with some basic review of how our government works and, within that government, how the court system is set-up.

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

This branch 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.

**TRIAL OR APPELLATE?****Court Levels**

There are two levels of courts: Trial Level and Appellate Level.

Trial Courts

Trial level 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. Or the judge may decide the case without a jury.

As we will see, state trial courts may have different titles. The trial court in Hawaii is called the Circuit Court. In Colorado it is the District Court. In California, the title is the Superior Court. And in New York, believe it or not, the trial court is referred to as the N.Y. Supreme Court. However, all these courts are the primary trial courts in their jurisdictions. The names may change, but their function remains the same. Don't fight it. Just go with the flow.

Appellate Courts

Appellate level 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.* (This concept will be covered in more detail later.)

A state or federal Court of Appeals is an appellate level court. A state or federal Supreme Court is an appellate level court.

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.

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*)

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

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.

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).

administrative hearings

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