

# The Court System

Street Law, Chapter 5

# Chapter 5: The Court System

- The United States has a federal court system as well as state court systems.
- Tribal court systems exist to settle disputes on Native American reservations, while international courts deal with issues relating to international law and justice.

# **Trial Courts**

- **Trial courts listen to testimony from witnesses, consider evidence, and decide the facts in a dispute.**
- **In a trial, there are two parties, or sides.**
- **In a civil case, the party bringing the legal action is called the plaintiff.**
- **In a criminal trial, the government brings the case and is called the prosecutor.**

# **Trial Courts (Cont.)**

- **In both civil and criminal trials, the person who must respond to the complaint or charges is called the defendant.**
- **Defendants in both criminal and civil cases are guaranteed the right to have a jury hear and decide their case.**
- **Once the trial court has made a decision, the losing party may be able to appeal the decision to an appellate court.**

# Appeals Courts

- The losing party may ask an appeals court to review the decision made by the trial court.
- There are no witnesses or juries in appeals courts—the lawyers for each side appear before a group of judges to present the legal arguments.

# Appeals Courts (Cont.)

- When an appeals court decides a case, it generally issues a ruling with a written opinion.
- This opinion sets a precedent for future cases, which means lower courts will have to follow the appellate court's interpretation of the law.
- This is how courts make law.

# Appeals Courts (Cont.)

- However, a higher court, such as a state supreme court or the U.S. Supreme Court, has the power to reverse this precedent.

# Federal and State Court Systems

- Many state court systems have the same structure as the federal court system.
- If you lose your case in a state trial court, you may be able to appeal to an intermediate court of appeals and possibly to the state supreme court.
- State courts can handle cases that deal with state and federal law.



# Federal and State Court Systems

- In contrast, the federal courts may only hear cases involving federal law or certain cases that involve parties from different states. If you lose a case in a federal district court, you can appeal to a U.S. Circuit Court of Appeals in your region. The court of final appeal is the U.S. Supreme Court.

# Tribal Courts

- Native Americans have certain powers over their reservations, such as the power to regulate family relationships, tribal membership, and law and order on the reservation. Sometimes Congress allows, or delegates, additional authority to tribal courts.

# **The Supreme Court of the United States**

- **The U.S. Supreme Court establishes the most important legal precedents. All courts in the United States must follow U.S. Supreme Court decisions. There are nine Supreme Court justices. These justices are nominated by the president and confirmed with the advice and the consent of the Senate**

# **International Courts**

- **The United Nations established the International Court of Justice, the most important court that enforces international law. The International Criminal Court tries individuals for war crimes and other international crimes.**