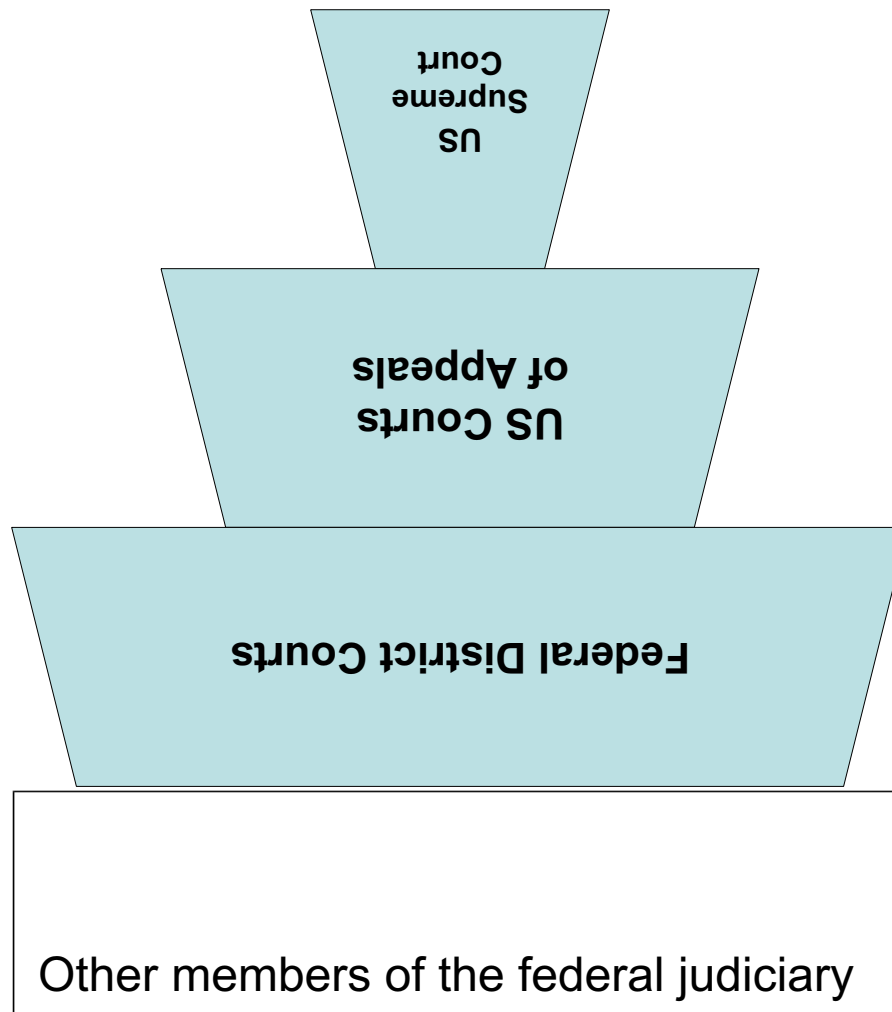


The background of the slide is a solid blue color. In the center, there is a stack of several books. The books are of various colors, including white, yellow, and brown. The top book is white with a yellow cover. The books are stacked in a slightly irregular manner, with some books partially visible behind others. The text is overlaid on the books.

The Federal and State Courts

Notes for Chapter 8.2-8.3

Court's Basic Structure. P. 76



The Federal Courts

- **Federal District Courts:**
 - 94 districts, at least one per state.
 - Nearest courthouse is Elizabeth City.
 - Are “work horses of the federal system.” Have original jurisdiction over most criminal & civil matters.
 - Only federal court where a petit jury trial is held. All others have bench trials.

Federal Courthouse in Elizabeth City, NC

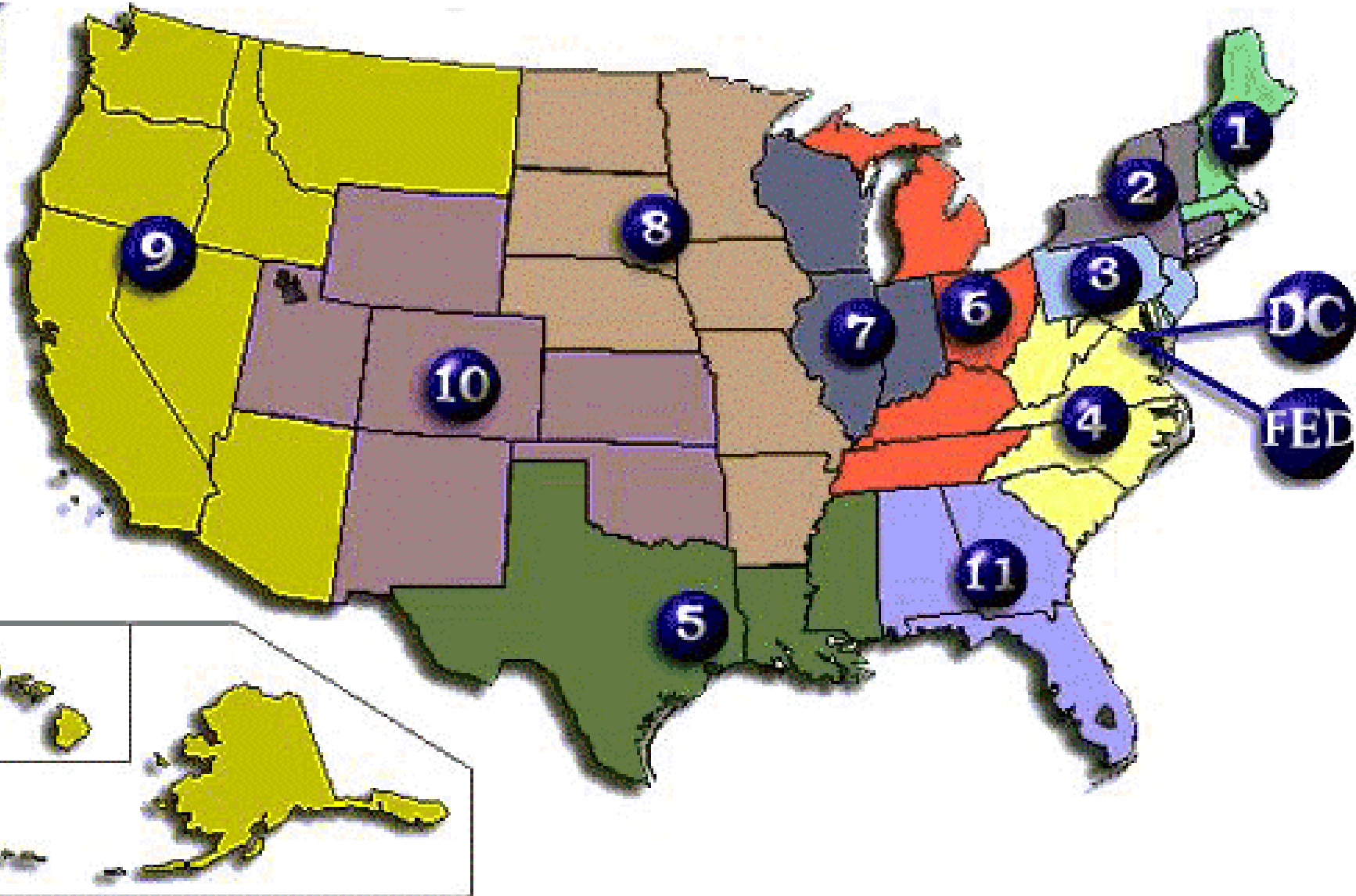


The Federal Courts

- **US Court of Appeals:**
 - 12 regular circuits.
 - Judges sit in panels of 3.
 - Have only appellate jurisdiction.
 - NC in Circuit 4, centered in Richmond, VA.
 - The 13th circuit or “Federal Circuit” was created in 1982 in Washington, DC to hear civil appeals from several courts & the Patent Office.

US Judicial Circuits

VIEW
ALL



US Court of Appeals Circuit 4 Courthouse in Richmond, VA



When is an appeal granted?

- If District Court followed wrong procedures.
- If District court applied the law unfairly or incorrectly.
- If 2 districts decided similar cases differently.
- When an appeal is heard the US Courts of Appeals can do 3 things:
 - Uphold the lower court's decision
 - Overturn the lower court's decision
 - Remand the case back to the court for new trial

U.S. Supreme Court

(Justices/No Jury)



Jurisdiction: Limited original jurisdiction and appellate jurisdiction

U.S. Courts of Appeals

(Judges/No Jury)



Jurisdiction: Appellate

U.S. District Courts

(Judges and Juries)



Jurisdiction: Original

Jurisdiction Road, p. 77

- For each scenario, answer each of the following questions:
 - a. Criminal, civil or constitutional case?
 - b. What type of jurisdiction is involved: federal, state or concurrent?
 - c. Discuss each.
 - d. Complete part II of sheet using website.

How to Become a Federal Judge or Justice

- President make a selection (Art. 2, sec. 2)
 - Gets in put from administration (Advisors, DOJ, FBI, etc.) and from special interest groups (ABA, women's & labor groups, etc.)
 - Looks at judicial record
- The Senate must approve (Art. 2, sec. 2)
 - What does “advice & consent” mean?
 - A filibuster can effectively stop a person's appointment from ever being voted upon

Other Members of the Judiciary

- US District Attorneys
 - 1 per district
 - Prosecute crimes & argue cases for the US
- US Marshals
 - Law enforcement for the Federal court system
 - Serve warrants, transport inmates, serve in courtrooms
- Magistrates
 - Judicial officials that can issue warrants, hear guilty pleas, and other minor matters

Powers & Limits of the SCOTUS

- Powers only listed as jurisdiction in Constitution (original & appellate)
 - [Marbury v. Madison](#) clarified and created the precedent for Judicial Review:
 - The power of the federal courts to declare laws and actions unconstitutional
 - Can strike down any law or action at ANY level of government if it conflicts with the Constitution!
- Limits:
 - No way to enforce decisions (Explain quote!)
 - Congress can change the law or propose a Constitutional amendment
 - Must be actual legal dispute-can't just rule

Exit Ticket 8



- Jed Jones punches a Park Ranger at Yellowstone National Park.
 - What kind of case is this: Criminal, civil or constitutional?
 - What level of court has original jurisdiction?
 - What level of court would have appellate jurisdiction?
 - Why would the SCOTUS probably not hear this case?
 - What is the role of the judicial branch?

Read 8.4. Take notes for p. 78:

1. Explain the ways cases reach the SCOTUS:
 - **original jurisdiction** (What kinds of cases start at SCOTUS?)
 - **appellate jurisdiction** (How can a case reach SCOTUS on appeal?)
 - **The rule of 4** requires 4 justices to want to hear a case before it is accepted. What kinds of cases do they choose?
2. Explain the steps in hearing a case: (Study **all** of the **Green** headings on p. 256!)
3. Explain the reasons why the decisions of the Supreme Court are so important.