

# 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**, deal with a **federal issue**, or 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 by 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.