

STRUCTURE > FEDERAL COURTS

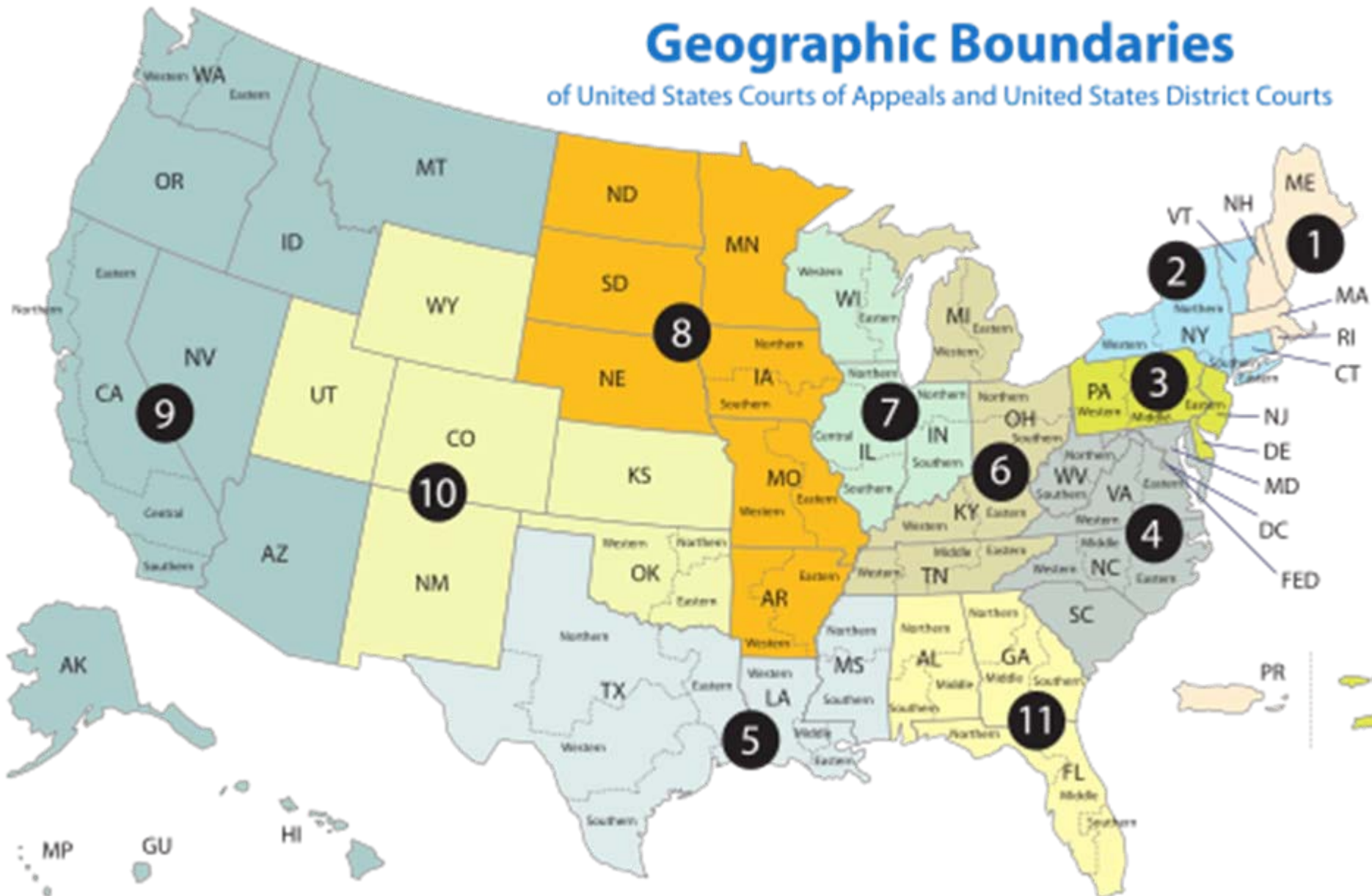
- Article III of the Constitution creates federal court system
 - Congress is given authority to create lower courts
- Article III, Section 1 specifically creates Supreme Court
 - Supreme Court has no defined role in the Constitution

STRUCTURE > FEDERAL COURTS

Congress has established:

- 13 U.S. Courts of Appeals
- 94 U.S. District Courts
- U.S. Court of Claims
- U.S. Bankruptcy Court
- U.S. Court of International Trade

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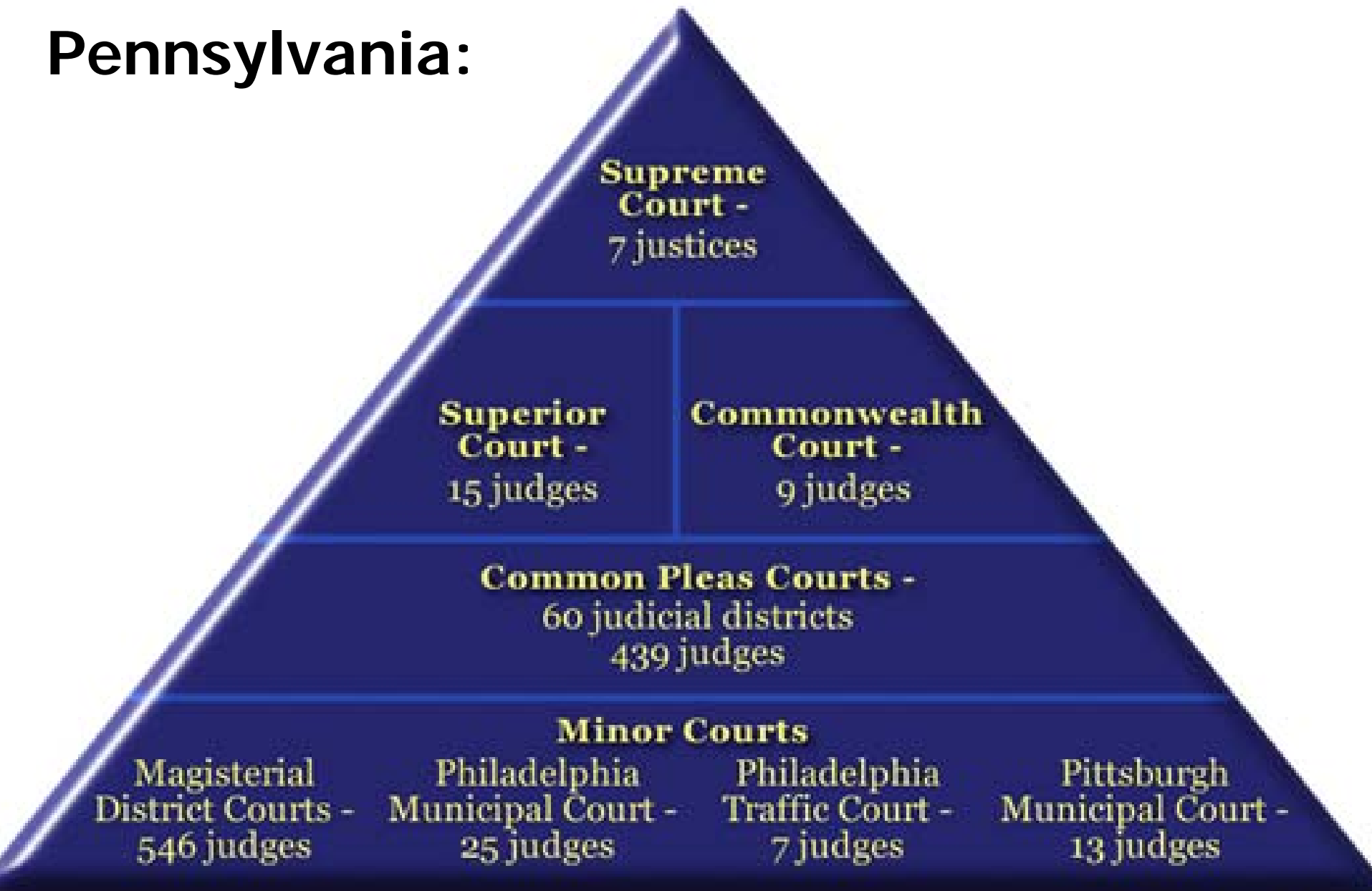
STRUCTURE > STATE COURTS

U.S. Constitution and **state laws** establish state courts.

- Highest court in each state: “Court of last resort” (usually state Supreme Court)
- Some states have intermediate Court of Appeals
- Next: Trial courts (Circuit or District)

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Pennsylvania:



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Pennsylvania:

The Court of Common Pleas is the primary trial court in Pennsylvania.

Superior Court hears appeals for the majority of criminal and civil cases

Commonwealth Court hears appeals, and sometimes is the trial court for cases in which a state or local government agency is a party.

PA Supreme Court is the final court of appeal in Pennsylvania. Hears cases primarily appealed from the Superior and Commonwealth Courts.

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States frequently have courts to handle specific legal matters:

- Probate court (wills/estates)
- Juvenile court
- Family court

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APPEAL PROCESS

Parties dissatisfied with a decision by...

- U.S. District Court
- U.S. Court of Claims, and/or the
- U.S. Court of International Trade...

may appeal to a **U.S. Court of Appeals**

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APPEAL PROCESS (continued)

Appealing to the Supreme Court:

A party may ask the U.S. Supreme Court to review a decision of the U.S. Court of Appeals.

The Supreme Court usually is under no obligation to do so.

The U.S. Supreme Court is the final arbiter of federal constitutional questions.

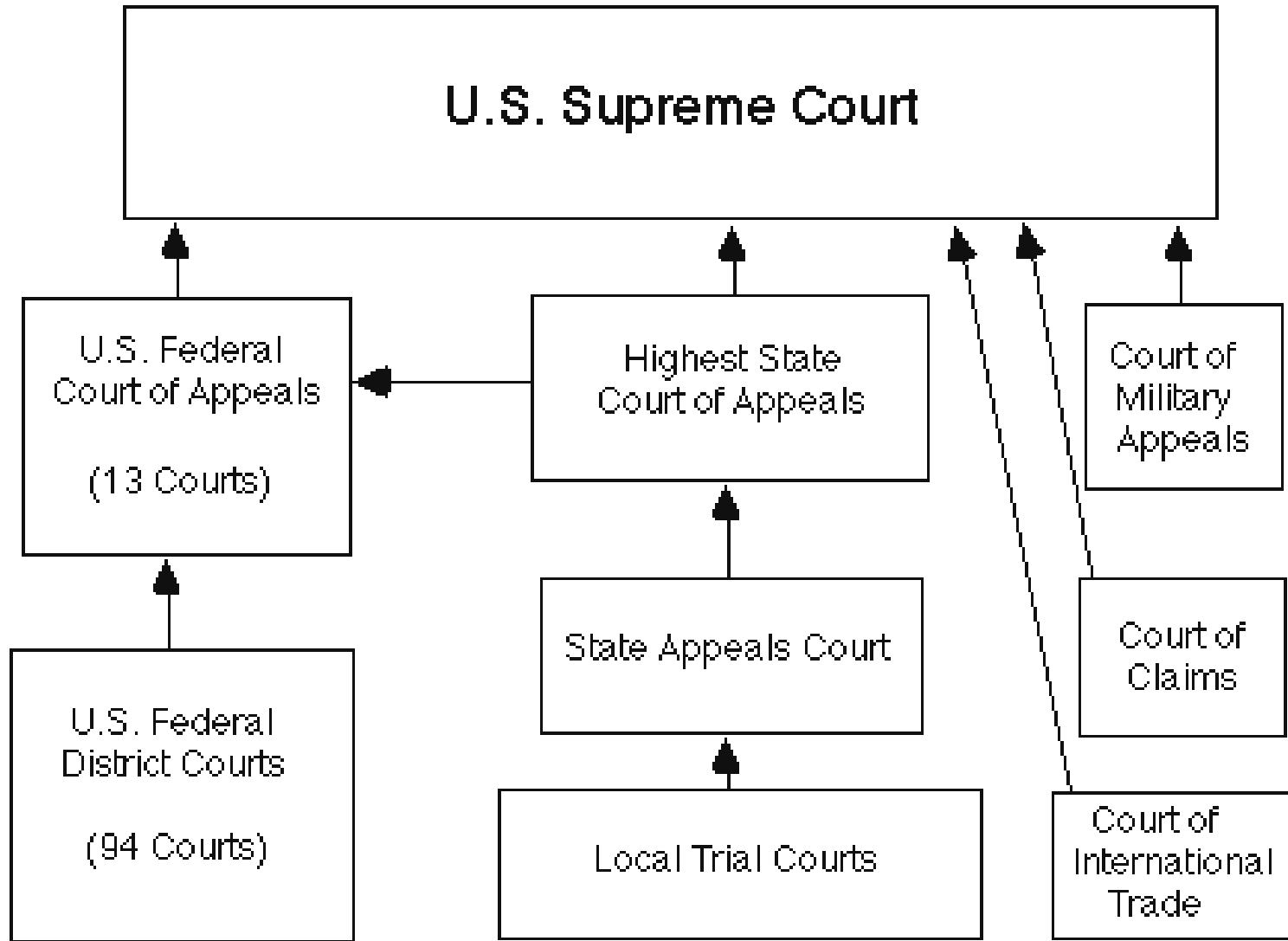
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APPEAL PROCESS

Parties dissatisfied with the decision of the **trial court** may take their case to the intermediate **Courts of Appeals**.

Parties have the option to ask the highest state court (State Supreme Court) to hear the case.

Only certain cases are eligible for review by the U.S. Supreme Court.



SELECTING JUDGES > FEDERAL COURT

Article III, Section 1:

Federal judges are to be **nominated by the President and confirmed by the Senate.**

Term of office: "during good behavior"
(typically life)

Can be removed through
Congressional impeachment

SELECTING JUDGES > STATE COURTS

State judges are selected by...

- election
- appointment to a term
- appointment for life
- (combination of these methods)

TYPES OF CASES > FEDERAL COURT

- Issues of Constitutionality
- Cases involving **federal laws** or treaties of the U.S.

Copyrights and patents

Transportation

Mail

Military issues

Counterfeiting

International treaties

- Disputes between states
- Admiralty law
- Bankruptcy

TYPES OF CASES > STATE COURTS

- Nearly all criminal cases
- Nearly all contract cases
- Family law cases
- Probate cases

State courts are the final arbiters of state laws and constitutions.

ARTICLE I COURTS > FEDERAL COURTS

- Created by Congress for a specific purpose
- Do not have full judicial power
- Examples:
 - U.S. Court of Veterans' Appeals
 - U.S. Court of Military Appeals
 - U.S. Tax Court