

Wednesday, September 9, 2020 (Intro class 4 of 30!!)

Today: Court systems & structure continued!

For Fri. Sept. 11 (no class meeting—optional tour of courts!!):

- Post "Law in Culture" selection on OL by end of day.

For Mon. Sept. 14 (Intro):

- Review Peer Mentor's postings on OL, bring Qs!
- Read M&M ch. 2 pp. 20-30. *No email needed.*
- Review Amy Tan's "Mother Tongue" from English class, to discuss for collaborative assignment.
- *For credit in 1103 Civ Pro* but due before Monday's Intro class: Answer C&W p. 21 "Did You Get It?" questions #1-7. *Details on OL.*

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Basic American court structure (fed & states) = 3 tiers:

Trial courts (lowest)

- where cases begin
- have original jurisdiction (courts of "original instance," courts of "first instance")
- hold trials of fact (with witnesses, testimony, etc.)

Intermediate appellate courts (middle)

- where parties appeal* decisions
- have appellate jurisdiction
- no trials → just legal argument

Highest appellate courts (top)

- "courts of last resort"
- also have appellate jurisdiction
- no trials → just legal argument

***Appeal** = request made by a party (P or D) to a higher court, asking that higher court to review a lower court's decision (decide if it was correct). Authority to consider appeals is called appellate jurisdiction.

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U.S. (Federal) COURT SYSTEM!!

Trial courts (divided into 94 judicial districts)

- main trial courts = "U.S. District Courts" (94)
 - *plus* specialized courts (Bankruptcy, Tax, etc.—1 per Dist.)
- NY includes four judicial districts:
 - Eastern District of NY (EDNY) = Bklyn, Qns, SI, Long Isl.
 - Southern District of NY (SDNY) = Manh, Bx, Westchester
 - Northern District of NY (NDNY) = Albany, *etc.*
 - Western District of NY (WDNY) = Buffalo, *etc.*
- original jurx over civil & criminal cases, 1 judge

Intermediate appellate courts (divided into 13 circuits)

- "U.S. Circuit Courts of Appeals"
- NY is in the Second Circuit.
- appellate jurx over fed trial courts (District, Bankruptcy, etc.)
- 3-judge panels

Highest appellate court = U.S. Supreme Court!!

- appellate jurx over:
 - all Circuit Courts of Appeals
 - highest state courts on federal questions
- original jurx over cases between 2+ states *and certain others*
- 9 justices; Chief Justice = John Roberts

Writ of certiorari = request to US Supreme Court to consider an appeal