

**Thursday, October 6, 2022** (class 10 of 30!!)

**Today:** Court systems!

**Now:** Pick up court charts & map! *Find us on the map!*

**Mon. Oct. 10:** **College is closed**—happy Indigenous People's Day! ☺

**Next class** (Tu. Oct. 11): Quiz 2 on court systems—*on Blackboard!!*  
We will not meet! ☹

**Th. Oct. 13:** **Walking tour of courts!** Meet at 300 Jay St. entrance! *Wear comfortable shoes!*

**Tu. Oct. 18:** Review for midterm exam!

**Th. Oct. 20:** **MIDTERM EXAM!**

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**In the US, every individual is subject to two court systems:**

- (1) US (federal)
- (2) state (*each state has its own*).

This is because of *federalism!!*

**Jurisdiction** = court's authority (or power, or right) to decide a particular type of case.

➤ Depends on various factors, including geography, subject of the case, identities of the parties, etc.

**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 (witnesses, testimony, etc.)

**Intermediate appellate courts** (middle)

- where parties appeal\* decisions
- have appellate jurisdiction
- no trials → just legal argument (just lawyers! *Ugh.*)

**Highest appellate courts** (top)

- "courts of last resort"
- have appellate jurisdiction
- no trials → just legal argument by lawyers (*ugh*)

\***appeal** = request a higher court to review a lower court's decision, to determine if the decision was correct under the law.

## U.S. (Federal) COURT SYSTEM!!

### 2 main types of federal court jurisdiction:

#### (1) federal question jurisdiction

- Case must involve federal law (law enacted by U.S. government)
  - *such as* violation of federal Civil Rights Act **OR**
  - U.S. Constitutional rights (speech, religion, etc.)

#### (2) diversity jurisdiction – two requirements:

- Dispute must be between citizens of different states
  - *such as* Coughlin (NY) v. Trump (FL) **AND**
- Amount in controversy must be at least \$75,000!

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### Federal (U.S.) trial courts (divided into 94 judicial districts)

- main trial courts = "**U.S. District Courts**" (94)
- *plus* specialized courts: Bankruptcy (1 per district), Tax, Federal Claims (in DC), Int'l Trade (in NYC)
- NY has 4 districts: Northern, Southern, Eastern, Western
  - *a/k/a* "Northern District of NY" *etc.*
  - Brooklyn, Queens & SI are in the Eastern District (EDNY)
  - Manhattan and Bronx are in the Southern District (SDNY)

### Intermediate appellate courts (divided into 13 circuits)

- known as "**U.S. Circuit Courts of Appeals**" or "U.S. Court of Appeals for the \_\_ Circuit"
- NY is in the Second Circuit
  - *a/k/a* "Second Circuit Court of Appeals"

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

- only one – in Washington DC!
- 9 justices; Chief Justice = John Roberts

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### ?? How does a case get to the U.S. Supreme Court?!

*Most cases reach the US Supreme Court through a request for a . . .*

**Writ of certiorari** = a party requests US Supreme Court to consider its appeal of a Circuit Court's decision.

- If Supreme Court **grants** the writ, that means it **will consider** the appeal.
  - That is, it **will decide** whether the Circuit Court's decision was correct.
  - The Supreme Court still needs to decide the case. *So the requesting party still could lose.*
- If Supreme Court **denies** the writ, that means it **will not consider** the appeal.
  - That is, it **will NOT decide** whether the Circuit Court's decision was correct.
  - The Circuit Court's decision stands, as is. *It remains the law!*