

**Tuesday, March 7, 2023** (class 11 of 30!!)

**Today:** Court systems continued!

**For next class** (Th March 9): Walking tour of local courts!

- Meet inside college entrance (300 Jay Street) 10am **sharp!**
- Wear comfortable shoes and sunglasses!
- Bring signed consent form if under 18!

**Tu March 14:** Quiz #2 on Blackboard! *We will not meet!* ☹

**By Wed March 15:** Post a question for employment recruiter Kate Dove!

**For Th March 16:** Read textbook ch. 3, pp. 55-59, 65-75! (Workings of a Law Office!)

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**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.
- *identified in* a statute or constitution!

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

**Trial courts** (lowest)

- where cases begin
- have original jurisdiction (courts of "original instance," "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 by lawyers (*Boring.*)

**Highest appellate courts** (top)

- "courts of last resort"
- also have appellate jurisdiction
- no trials → more legal argument by lawyers (*Boring!!*)

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

\*\***appellate jurisdiction** = authority to decide whether a lower court's decision was correct under the law.

\* \* \*

**2 main types of federal court jurisdiction!!**

**(1) federal question jurisdiction**

- Case must involve federal law (a 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!

\* \* \*

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

**Trial courts** (divided into 94 federal judicial districts)

- main trial courts = "**U.S. District Courts**" (94)
- *plus* specialized courts: Bankruptcy (1 per district), Tax, Int'l Trade, Federal Claims
- NY includes 4 federal judicial districts: "**U.S. District Court for the...**"
  - **Eastern District of NY** (Brooklyn, Queens, LI, SI)
  - **Southern District of NY** (Manhattan, Bronx, etc.)
  - **Northern District of NY** (Albany, etc.)
  - **Western District of NY** (Buffalo, etc.)

**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!!**

- 9 justices; Chief Justice = John Roberts

\* \* \*

***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, the Supreme Court ***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 Supreme Court is **NOT** saying the decision was wrong! *It is just saying nothing at all!!*
  - The Circuit Court's decision stands, as is. *It remains the law in that jurisdiction!*