

Wednesday, February 20, 2019 (class 7 of 30!)

Today: Court Structure *cont'd*

- Review NYS Court System!
- Cover US (Federal) Court System!

Now: 2 *handouts:*

- Review exercise! NYS Court System
- Article! "Why El Chapo Ended Up in A Brooklyn Court"

For next class (Mon. Feb. 25):

- QUIZ! Start of class; everything so far. STUDY! Bring charts, maps, writing instrument.
- Bring CPLR! *Always, from now on.*

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NYS Court System Review!!

1. A divorce case between a Manhattan couple would be decided by N.Y. Supreme Court, New York County.
2. A case in Staten Island involving \$10,000 damages would be decided by N.Y.C. Civil Court, Richmond County.
3. A case involving the estate of a deceased person from the Bronx would be heard by N.Y. Surrogate's Court, Bronx County.
4. An appeal of a decision by N.Y. Family Court, Kings County would be decided by Appellate Division, Second Department.
5. If you want to appeal a decision by N.Y.C. Civil Court, Bronx County, you should file it with Appellate Term, First Department.
6. An appeal of a decision by the Appellate Division, Third Department would be heard by N.Y. Court of Appeals.
7. Who is the current Chief Judge of the New York's highest appellate court? Janet DiFiore

BONUS!! A decision by the New York Court of Appeals that the death penalty violates the U.S. Constitution is final. It may not be appealed to any court. **FALSE!!** The U.S. Supreme Court has jurisdiction to decide appeals of decisions by a state's highest court that involve the U.S. Constitution.

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U.S. (Federal) COURT SYSTEM!!

Federal courts' jurisdiction → 2 main types of cases:

(a) federal question jurisdiction

- involve federal laws
- e.g., whether an individual committed a federal crime, or whether the U.S. Constitution was violated

(b) diversity jurisdiction – must satisfy two criteria:

- (1) dispute between citizens of different states (e.g., LeBron James v. Carmelo Anthony) **AND**
- (2) amount in controversy = at least \$75,000

U.S. (Federal) COURT SYSTEM!!

Trial courts (divided into 94 Districts)

- main trial courts = U.S. District Courts (94 → 1 per District)
 - *plus* specialized courts (Bankruptcy, Tax, etc.)
- NY includes:
 - 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.*
- civil & criminal cases; 1 judge decides each case

Intermediate appellate courts (13 Circuits)

- U.S. Circuit Courts of Appeals
- NY is in the Second Circuit.
- appellate jurx over fed trial courts within that circuit
- 3-judge panels decide each appeal

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

- appellate jurx over:
 - all Circuit Courts of Appeals
 - highest state courts on questions about U.S. Constitution
- 9 justices; Chief Justice John G. Roberts

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