***PRACTICE POINTER:*** An appellate court may hear facts and evidence if it is the court of original jurisdiction.

Presentation by Jasiyah Gilbert

**BACKGROUND INFO**:

Appellate Court vs. Trial Court

-Appellate Court is basically considered any court that is above a trial court, therefore they have the legal authority to reverse or affirm the ruling of a lower court.

-Trial Court is basically the court that hears the matter first and is presented both evidence and testimony. (US District Courts)

**Key Term**:

Original Jurisdiction: This is the right of a court to hear a case for the first time instead of reviewing it.

**Application**:

-Normally the United States Supreme Court is strictly the final court of appeal as it known as the highest court in the land.

***In what cases can the Supreme Court have original jurisdiction?***



\*New Jersey v. New York, 523 U.S. 767, was a US Supreme Court case that determined that roughly 83% of Ellis Island was part of New Jersey, rather than New York State.

\*According to the FJC or Federal Judicial Center says that Article III, section 2, of the Constitution distributes the federal judicial power between the Supreme Court's appellate and original jurisdiction, providing that the Supreme Court shall have original jurisdiction in "all cases affecting ambassadors, other public ministers and consuls," and in cases to which a state is a party. In the Judiciary Act of 1789, Congress made the Supreme Court's original jurisdiction exclusive in suits between two or more states, between a state and a foreign government, and in suits against ambassadors and other public ministers.

**Summary**:

As future paralegals or attorneys it is important to understand that there are special instances where the U.S. Supreme Court can have original jurisdiction if it fits a specific criteria.