The U.S. Judicial Branch
U.S. Constitution only creates the Supreme Court

Supreme Court = highest court in the country

Constitution also allows Congress to create other courts

When Congress created those courts, the federal court system was born.
### Two court systems in the United States:

<table>
<thead>
<tr>
<th>FEDERAL</th>
<th>STATE</th>
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</thead>
<tbody>
<tr>
<td>Deals with disputes about federal laws - laws that apply to the entire United States.</td>
<td>Deals with disputes about state laws.</td>
</tr>
<tr>
<td>Involve federal laws, the U.S. Constitution or disputes between citizens of different states.</td>
<td>Each state has its own court system created by its own state constitution.</td>
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<td></td>
<td>Usually work just like federal court system.</td>
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<td>Normally resolve the kinds of issues you hear about in everyday life, such as family matters, accidents, crimes, and traffic violations.</td>
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</table>
Criminal vs. Civil Cases

**CRIMINAL CASES:**
Person has been accused of committing a crime.
Deals with guilt/innocence

**CIVIL CASES:**
Relate to the rights of citizens - one person believes their rights have been violated in some way.
Goal is not to determine guilt/innocence, but to decide which person’s version of the story is more correct.

Civil: relating to the rights of citizens
Criminal: relating to crime
TRIAL COURTS

First court to hear a cases - cases **originate** here

Called a “**district court**” in the Federal System.

Lawyers use **evidence** to prove that their client’s side of the story is what happened.

Evidence = witnesses, videos, photos, DNA, objects, etc.

**Jury trial** = group of 12 people listen to both sides & give the verdict

**Bench trial** = no jury, so the judge gives the verdict

**Verdict** = the decision in a case
Losing the trial doesn’t mean it’s over

Can ask a higher court to review the verdict if they believe there has been a mistake

**Appellate courts** = courts above trial courts

State & Federal each have: Court of Appeals & Supreme Court

“Appeal” = asking appellate court to review a case
Setting a Precedent:
When an appellate court makes a decision, all lower courts must follow that decision in the future when the same issue comes up again.

**Supreme Court**
- Reviews the appeals court decision for error
- Decisions must be followed by all lower courts

**Court of Appeals**
- Reviews the trial court decision for error
- Decisions must be followed by all trial courts

**Trial Court**
- Hears cases for the first time
- Reviews evidence to decide who is right
APPELLEATE COURTS

Most court of appeals cases are heard by a panel of three judges.

Panel = when more than one judge hears a case

Decided by majority vote

Never a jury at appellate level (Jury’s job is to examine evidence and reach verdict)

At appellate level, judges look at case and decide if errors were made.
U.S. Supreme Court

Panel of nine justices hears the cases (State supreme courts have fewer)

Gets to choose which cases it takes

Cases that make it to the Supreme Court are often disputes about whether a law is **unconstitutional**

Once the Supreme Court decides something is unconstitutional, it’s final

Judicial review: Power to decide whether something is constitutional