

# The United States Courts

# Separation of Powers

*Congress*

*President*

*Judiciary*

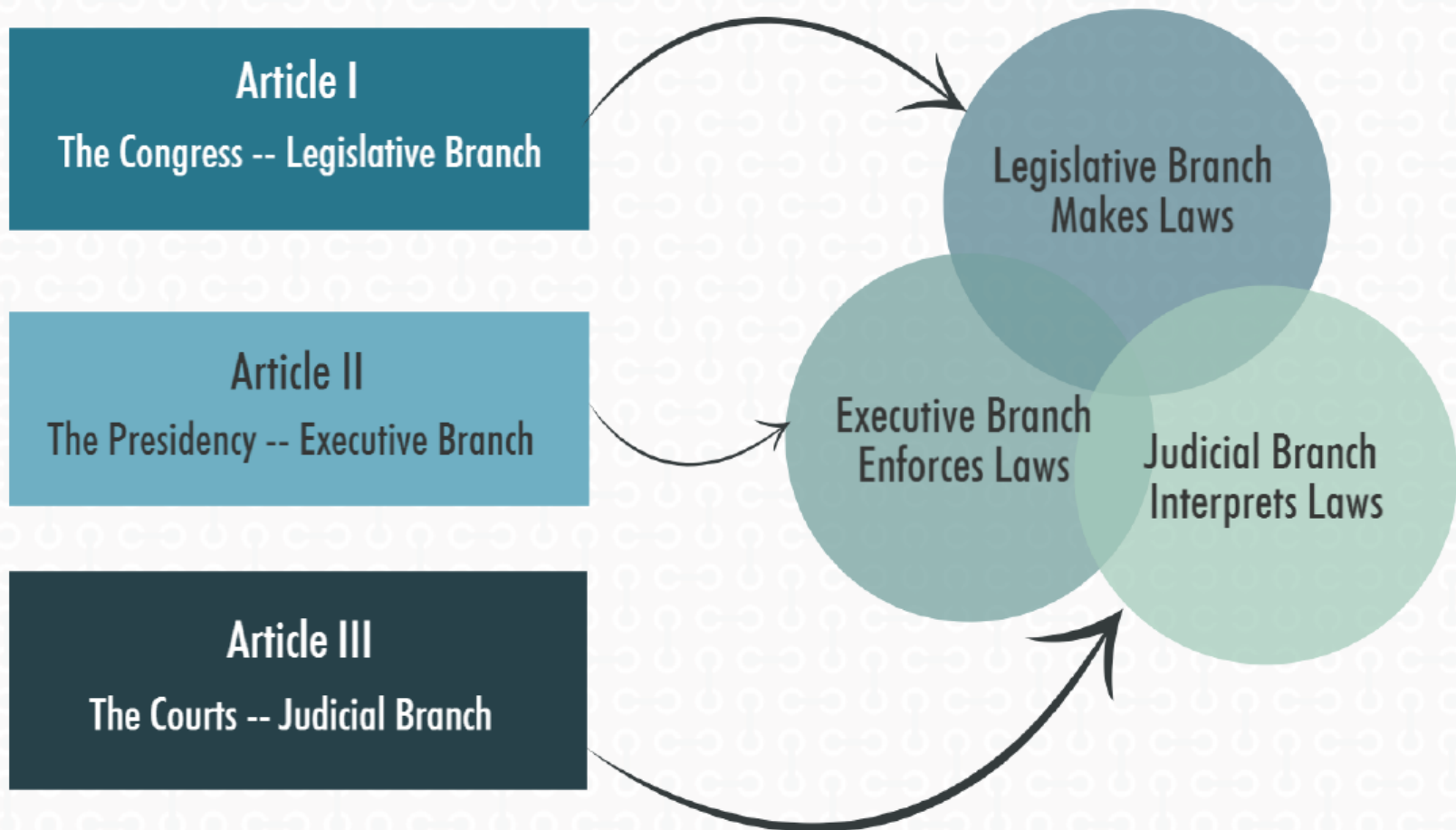
The ideal of Separation of Powers means ...

Each branch of government functions within its Constitutional job description.

Each branch exercises its power with restraint and respect for the role and responsibilities of the other branches.

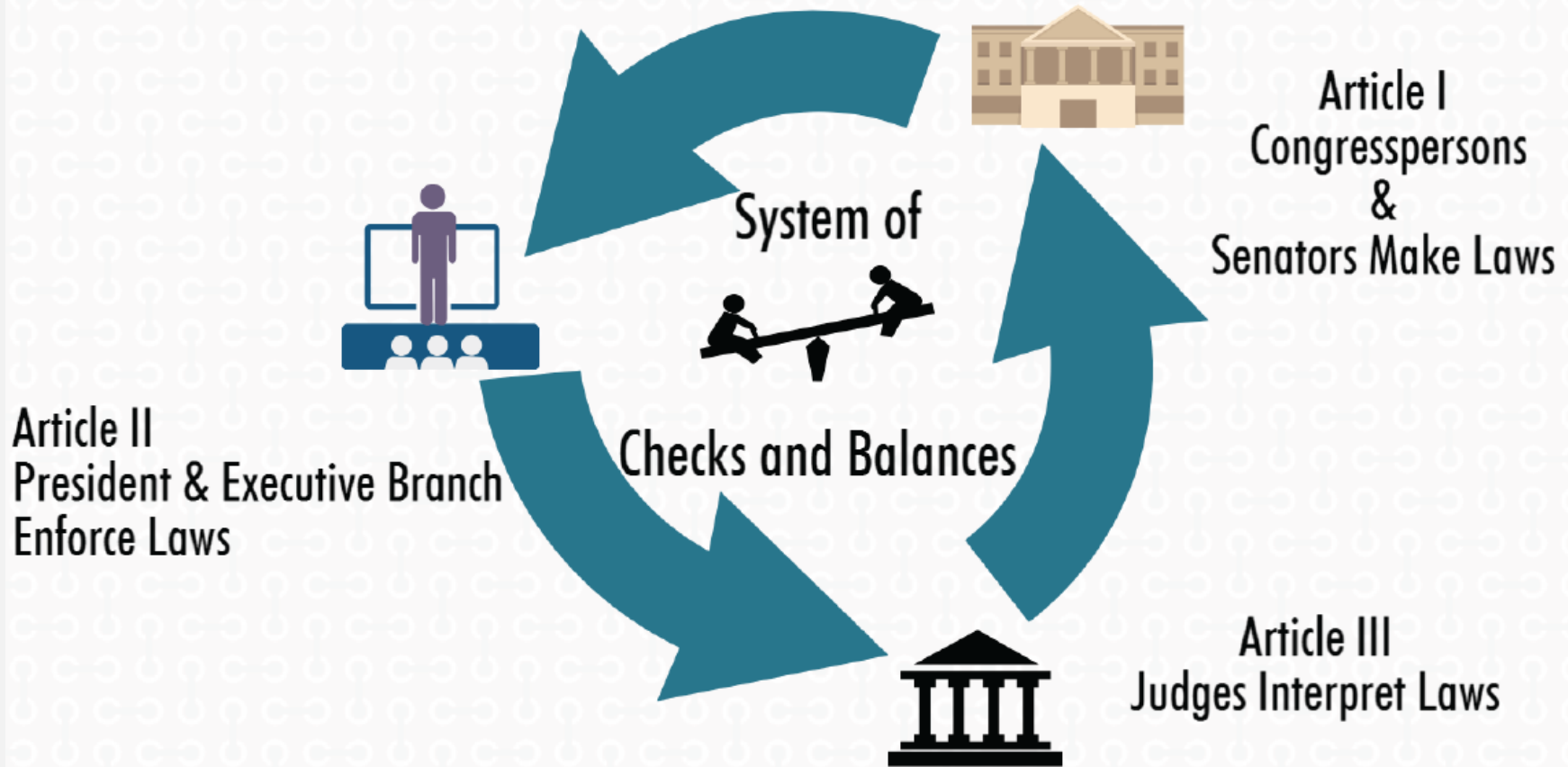
# Three Branches of Government

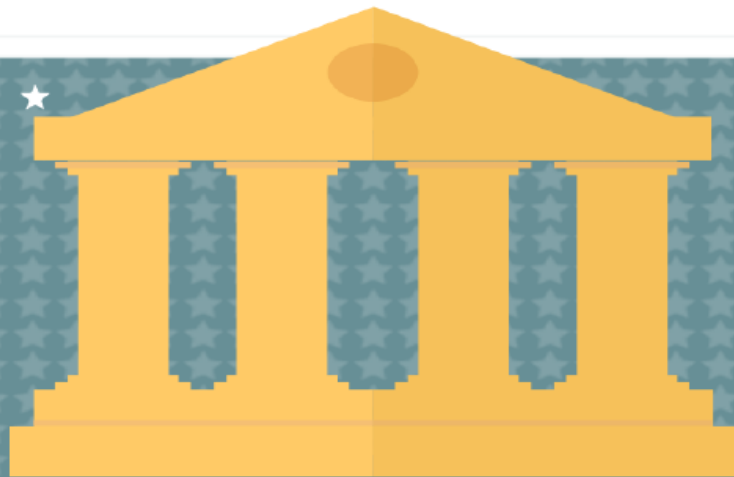
The role and responsibilities of each branch are set out in Article I, II, and III of the Constitution. Over time, the Supreme Court has interpreted the Constitution to further define the powers and limitations of each branch.



# Checks and Balances

The actions of each branch can have an impact on other branches. The three branches are in a natural state of tension as they balance and re-balance their shared and separate powers.





## STRUCTURE OF THE FEDERAL COURTS

★ *What is a District Court?*      *What is a Circuit Court?* ★

★ It is a trial court where cases start.  
Facts are established and law is applied.

★ It is an appellate court where decisions of  
trial courts are reviewed.

### DISTRICT COURTS

*What You'll See in the Courtroom*

1 judge on the bench.  
A witness stand. A jury box.

**1  
JUDGE**

**YES  
WITNESSES**

**6-12  
JURORS**

### CIRCUIT COURTS OF APPEALS

*What You'll See in the Courtroom*

3 or more judges on the bench.  
No witness stand. No jury box.

**3  
OR MORE  
JUDGES**

**NO  
WITNESSES**

**NO  
JURORS**

TRIAL COURTS ★ 94 DISTRICTS

1-4 DISTRICTS PER STATE



4  
DISTRICTS



3  
DISTRICTS



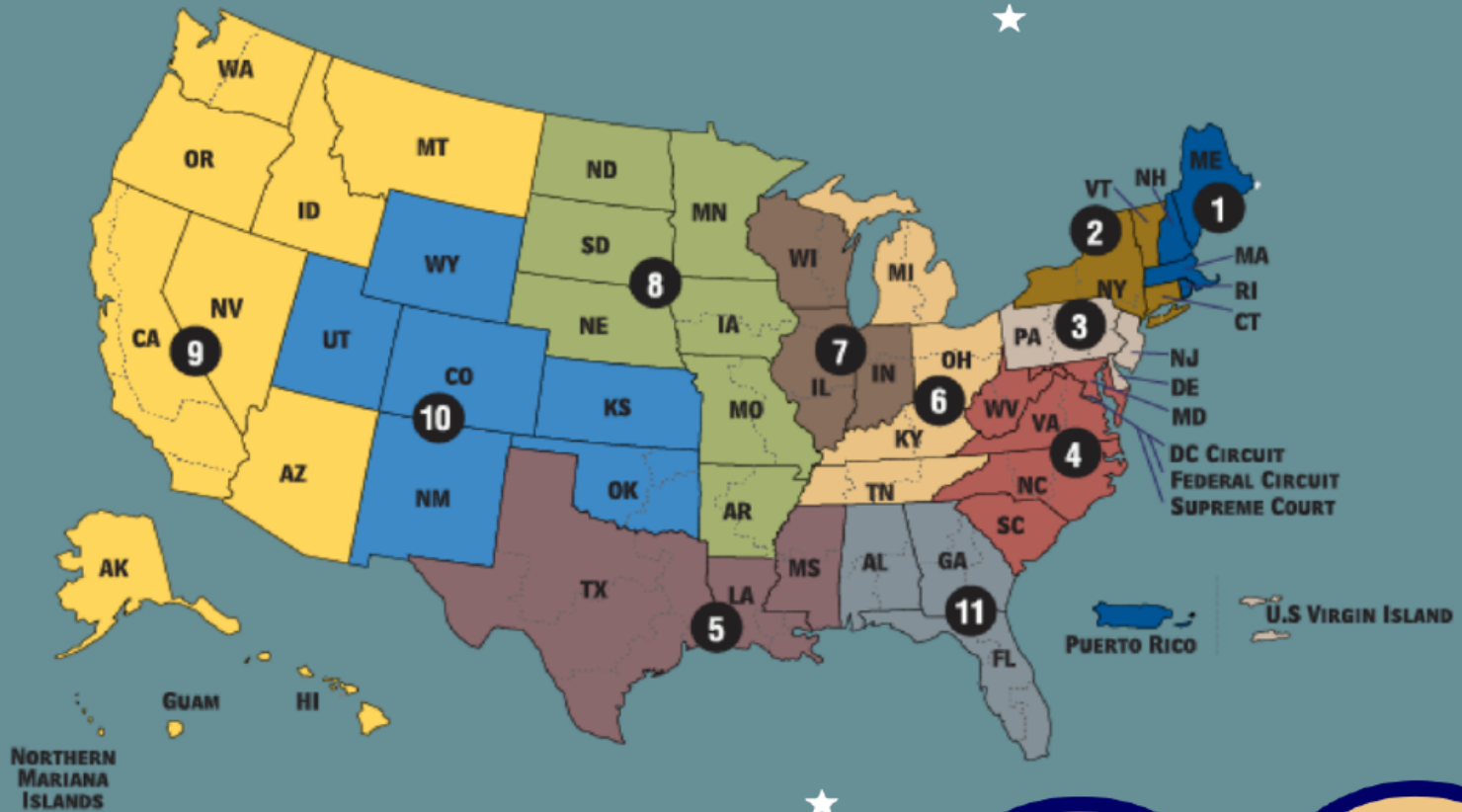
1  
DISTRICT

DISTRICT  
JUDGES

BANKRUPTCY  
JUDGES

MAGISTRATE  
JUDGES

# APPELLATE COURTS ★ 13 CIRCUITS



TYPICALLY,  
THREE-JUDGE  
PANELS

SOMETIMES,  
EN BANC:  
ALL JUDGES

This is a teaching tool that simplifies key points for students. Find detailed information at [uscourts.gov](https://uscourts.gov) Educational Resources.

# What Kinds of Legal Issues Come to Federal Courts?

**Constitutional Questions**



**Individual Rights**



**Federal Issues**

U.S. Constitution

Criminal Laws Made by Congress

Federal Laws and Regulations

Crimes on Federal Land

Habeas Corpus Petitions





## **Cases That Cross State Lines**



State v. State

Individuals and Businesses in Different States

Transportation and Business Transactions Across State Lines



## **Cases That Cross International Lines**



International Commerce Regulations

International Trade Laws

Foreign States and Foreign Nationals

Admiralty Laws

# Comparing

## Federal and State Courts

*Simplified*



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### Federal Courts

The structure of the federal court system is relatively the same across the nation.



### State Courts

The structure of state court systems varies from state to state.



**Created by**



**U.S. Constitution**



**State Constitution**

## Federal Courts



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## Structure



## U.S Supreme Court

13 Circuit Courts of Appeals

94 District Trial Courts



52 Courts of Last Resort

~46 Intermediate Courts of Appeals

~16,000 Trial Courts

## Federal Courts



The structure of the federal court system is relatively the same across the nation.

## State Courts

The structure of state court systems varies from state to state.



### Judge Selection



President Nominates

Senate Confirms



*Combinations of:*

Governor Appoints

Legislature Confirms

Voters Elect



### Term of Service



Typically  
Lifetime Appointment



Different Tenure Lengths

## Federal Courts



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## Types of Cases



### U.S. Constitution

- Cross State/Country Lines

- Federal Crimes

- Bankruptcy



### State Constitution

- In the Same State

- State Crimes

- Family Law

# What is the Job of Federal Judges?

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Settle Cases



Try Cases



Ensure the Process is Fair



Make and Write Decisions





# Judges on U.S. District Courts

## **U.S. District Court Judges**

Settle or try criminal & civil cases from 1st appearance through sentencing

## **U.S. Magistrate Judges**

Hear cases authorized by law and/or assigned by District Court Judges

## **U.S. Bankruptcy Court Judges**

Handle matters related to individual and corporate debtors and creditors

## **ROLE**

The court where cases start -- either settled or tried

Witnesses testify -- Evidence is presented

The Judge decides the law

If there is a jury, jurors determine the facts





## Judges on U.S. Courts of Appeals



Hear appeals in panels of 3 or more appellate judges in each Circuit

Review the record of the trial court below for errors in procedures and/or application of laws

Examine the trial transcripts

No witness testimony; no new evidence

### **ROLE**

The error-correcting court for the trial courts. Last stop for all but ~ 100 cases taken by the Supreme Court.





# Justices on the U.S. Supreme Court

Consider ~7,000 appeals per year and select ~100 cases for oral arguments

Hear ~100 oral arguments every year

Write opinions

## **ROLE**

The ultimate interpreter of the Constitution



Questions?