

State Courts in the U.S.

by Sophia



WHAT'S COVERED

In this lesson, you will learn about the role of state courts in the U.S. legal system. Specifically, this lesson will cover:

1. The State Court Systems

The vast majority of civil lawsuits in the United States are filed in state courts. Two aspects of civil lawsuits are common to all state courts:

- Trials
- Appeals

A court exercising a trial function has original jurisdiction— that is, jurisdiction to determine the facts of the case and apply the law to them.

A court that hears appeals from the trial court is said to have appellate jurisdiction, meaning it must accept the facts as determined by the trial court and limit its review to the lower court's theory of the applicable law. Jury trials only occur in trial courts.

In most large urban states and many smaller states, there are four or five levels of courts.

1a. Limited Jurisdiction Courts

The lowest level is that of the **limited jurisdiction courts**. These are usually county or municipal courts with original jurisdiction to hear minor criminal cases (petty assaults, traffic offenses, and breach of peace, among others) and civil cases involving monetary amounts up to a fixed ceiling (typically \$3,000-\$12,000, varying by state).

Most disputes that wind up in court are handled in the 18,000-plus limited jurisdiction courts, which are estimated to hear more than 80 percent of all cases.



TERM TO KNOW

Limited Jurisdiction Courts

Courts with limited subject matter jurisdiction such as bankruptcy, family, small claims courts, traffic court, probate courts, etc. Unlike general jurisdiction courts, these courts derive their limited authority from a specific provision in a statute or constitution.

1b. General Jurisdiction Courts

All other civil and criminal cases are heard in the general trial courts, or courts of general jurisdiction. These go by a variety of names:

- Superior Court
- Circuit Court
- District Court
- Common Pleas Court



DID YOU KNOW

New York calls its general trial court the Supreme Court.

These are the courts in which people seek redress for incidents such as automobile accidents and injuries or breach of contract. These state courts also prosecute those accused of murder, rape, robbery, and other serious crimes.

The fact-finder in these **general jurisdiction courts** can be a judge or jury unless a jury trial is not available, as is most often the case in family law matters. Even where a jury trial is allowed, parties may waive their right to a jury trial and have a judge decide their case if they elect to do so.

Although courts of general jurisdiction can hear all types of cases, in most states more than half involve family matters (divorce, child custody disputes, and the like). A third are commercial cases, and slightly over 10 percent are devoted to car accident cases and other torts.)

Most states have specialized courts that hear only a certain type of case, such as landlord-tenant disputes or probate of wills.



TERM TO KNOW

General Jurisdiction Courts

Courts that can hear cases about any dispute or controversy unless such disputes can only be heard in a court of special jurisdiction, such as a bankruptcy or case.

1c. Appellate Courts

The losing party in a general jurisdiction court can almost always appeal to either one or two higher courts. These **intermediate appellate courts** - usually called courts of appeal - have been established in forty-one states.

They do not retry the evidence, but rather determine whether the trial was conducted in a procedurally correct manner and whether the appropriate law was applied.

IN CONTEXT

The **appellant** (the losing party who appeals) might complain that the judge wrongly instructed the jury on the meaning of the law, or improperly allowed testimony of a particular witness, or misconstrued the law in question. The **appellee** (who won in the lower court) will ask that the appellant be denied. Usually, this means that the appellee wants the lower-court judgment affirmed. The appellate court has quite a few choices: it can **affirm**, **modify**, **reverse**, or **reverse and remand** (return the case to the lower court for retrial).

The last type of appeal within the state courts system is to the highest court - the State Supreme Court - which is composed of a single panel of between five and nine judges and is usually located in the state capital. The intermediate appellate courts are usually composed of panels of three judges and are situated in various locations around the state.

In a few states, the highest court goes by a different name.

➔ **EXAMPLE** In New York, it is known as the Court of Appeals.

In certain cases, appellants to the highest court in a state have the right to have their appeals heard, but more often the Supreme Court selects the cases it wishes to hear. For most litigants, the ruling of the State Supreme Court is final.

In a relatively small class of cases - those in which federal constitutional claims are made - appeal to the U.S. Supreme Court to issue a **writ of certiorari** remains a possibility. The Supreme Court does not accept all cases by writ of certiorari, but does accept selected cases.



TERMS TO KNOW

Intermediate Appellate Courts

Courts of appeal that are not the final appeals court in a particular jurisdiction. In the federal system, these are called circuit courts of appeal (the Supreme Court being the final appeal).

Appellant

The party who appeals a court's decision.

Appellee

The party who has not appealed a court's decision but must respond to the appellant's appeal. Also referred to as a respondent.

Affirm

One of several potential outcomes of an appeal of a court decision to a higher court. When the appeals court affirms the lower court's decision, the appellant has lost the appeal.

Modify

One of several potential outcomes of an appeal of a court decision to a higher court. The appeals court has the ability to modify, or change, the decision of the lower court, while keeping parts of the decision.

Reverse

One of several potential outcomes of an appeal of a court decision to a higher court. When the appeals court disagrees with the lower court's decision, it will reverse it, or will reverse it in part, making void the part of the decision the appeals court found to be incorrect.

Reverse and Remand

One of several potential outcomes of an appeal of a court decision to a higher court. When the appeals court reverses the lower court decision, it will often remand the case to the lower court, with instructions on how to decide the case. Remand may also require the trial court to take in more evidence.

Writ of Certiorari

An order by an appellate court (typically a Supreme Court) used when the court has discretion

whether or not to take an appeal. If the writ is denied, the judgment below stands. If the writ is granted, the appeal will go forward.



SUMMARY

In this lesson, you learned that **the state court systems** handle trials and appeals for civil lawsuits. The lowest level of state courts are **limited jurisdiction courts**, which handle minor criminal cases and civil cases involving lower monetary amounts. Next are **general jurisdiction courts**, which typically handle family, commercial, or accident cases. Finally, **appellate courts** are the highest level. These courts determine whether the initial trial was fair in terms of how it was conducted and if the relevant law was applied.

Best of luck in your learning!

Source: THIS TUTORIAL HAS BEEN ADAPTED FROM (1) "BUSINESS LAW AND THE LEGAL ENVIRONMENT" VERSION 1.0 BY DON MAYER, DANIEL WARNER, GEORGE SIEDEL, AND JETHRO K. LIEBERMAN. COPYRIGHT 2011. ISBN 978-1-4533-3050-0. (2) "THE LEGAL AND ETHICAL ENVIRONMENT OF BUSINESS" VERSION 1.0 BY TERENCE LAU AND LISA JOHNSON. COPYRIGHT 2012. ISBN 978-1-4533-2750-0 (LICENSEE PRODUCT: BUSINESS LAW), BOTH SOURCES REPRINTED WITH PERMISSION FROM FLATWORLD.



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