

## THE US JUDICIAL SYSTEM

In the United States, there are two independent levels of courts at the Federal and the State level. Both the federal and State court systems include trial courts, intermediate appellate courts and an appeals court of final review. Both the federal and state courts also have courts of special jurisdiction for specific subject matters or controversies. The Federal courts do not function as appellate or superior courts for the state courts.

### The Federal Courts

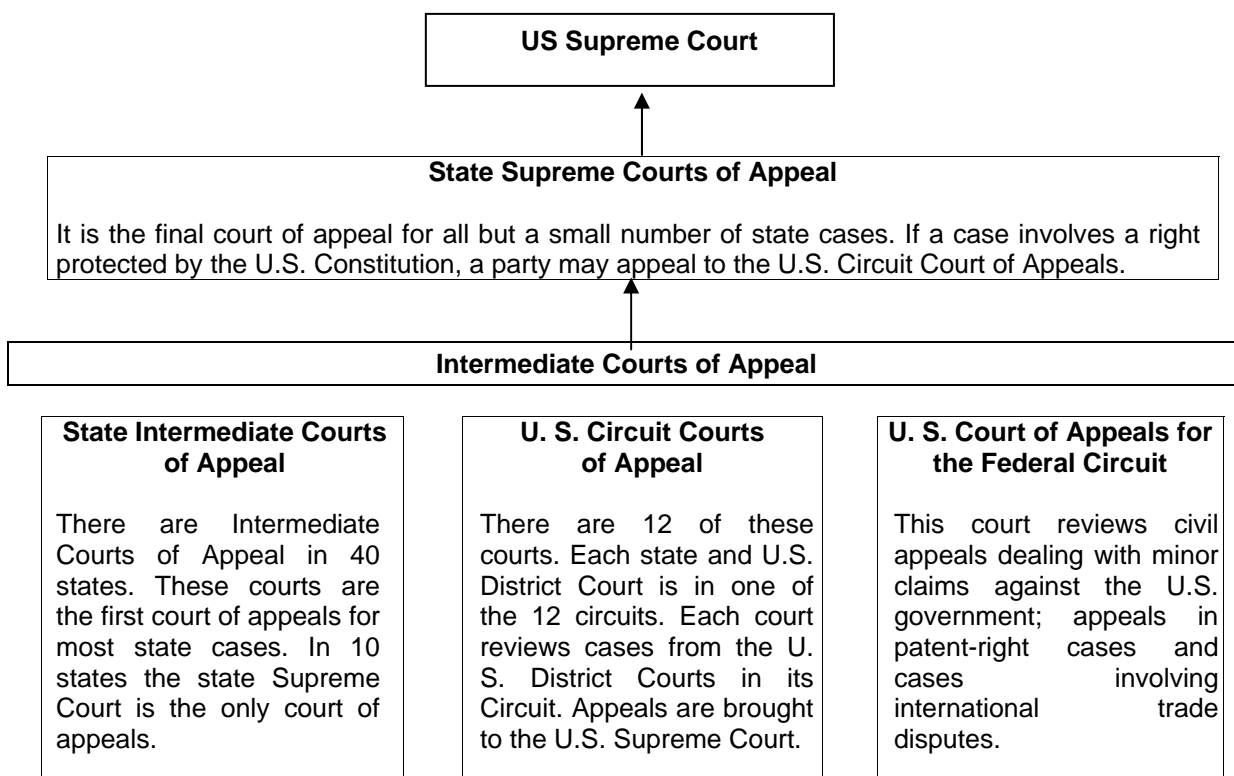
There are 94 territorially-based District Courts in the United States that operate as courts of first instance within the 50 states, the district of Columbia and Puerto Rico. Larger states are subdivided into regions, each with its own federal District Court. District courts have jurisdiction over disputes that arise under the US Constitution or federal statutes, as well as disputes under State laws when the case involves parties of diverse citizenship and where the amount in controversy exceeds \$75,000. Claims below that amount may only be pursued in state court. Moreover, any diversity jurisdiction case regardless of the amount of money involved may be brought in a state court rather than a federal court. District courts also have jurisdiction over all bankruptcy matters, which is constitutionally mandated as a federal matter.

The district courts are organised into twelve judicial circuits, and each of those circuits has a court of appeals that reviews decisions of the district courts in its circuit. In addition, the United States Court of Appeals for the Federal Circuit has jurisdiction over appeals from decisions of the United States Court of International Trade and district court decisions relating to specific subjects, such as patents and copyrights.

The United States Supreme Court is the highest court in the federal judicial system. It consists of eight associate judges and a chief justice that may review only questions of law. The Supreme Court may review decisions of the Federal circuit courts of appeals by either (1) writ of certiorari upon the petition of a party, or (2) by certification of a court of appeals of a question of law. It may also review final judgments rendered by the highest court of a state if the constitutional validity of any US legislation is called into question by a writ of certiorari or the petition of a party.

### State Courts

Most legal disputes in American courts are addressed in the separate state court systems. State courts have jurisdiction over virtually all divorce and child custody matters, probate and inheritance issues, real estate questions, and juvenile matters, and they handle most criminal cases, contract disputes, traffic violations, and personal injury cases. In addition, certain categories of legal disputes may be resolved in special courts or entities that are part of the federal executive or legislative branches, and by state and federal administrative agencies.





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**Trial Courts**

**State Trial Courts**

Almost all cases involving state civil and criminal laws are initially filed in state courts.

Appeals from the state trial court usually go to the state intermediate court of appeals.

About 95% of all court cases in the U.S. come through the state trial courts.

**Federal District Courts**

These courts handle criminal and civil cases involving Federal statutes, the U.S. constitution and civil cases between citizens from different states for amounts higher than \$75,000

Appeals are brought to the US Circuit Court of Appeals or the US Court of Appeals for the Federal Circuit.

**Special Jurisdiction Courts**

These courts include the U. S. Court of International Trade, Court of Federal Claims and Veterans Appeals Courts. Appeals can be made to the US Court of Appeals for the Federal Circuit.

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The Law Library of Congress has links to decisions of the federal courts online at <http://www.loc.gov/law/guide/usjudic.html#sct>