

The US Court System

The courts are the overseers of the law. They administer it, they resolve disputes under it, and they ensure that it is and remains equal to and impartial for everyone. In the United States each state is served by the separate court systems, state and federal. Both systems are organized into three basic levels of courts - trial courts, intermediate courts are concerned essentially with cases arising under state law, and the federal courts with cases arising under federal law. Trial courts bear the main burden in the administration of justice. Cases begin there and in most instances are finally resolved there. The trial courts in each state include: common pleas courts, which have general civil and criminal jurisdiction and smaller in importance municipal courts, county courts and mayors' courts. The common pleas court is the most important of the trial courts. It is the court of general jurisdiction - almost any civil or criminal case, serious or minor, may first be brought there. In criminal matters, the common pleas courts have exclusive jurisdiction over felonies (a felony is a serious crime for which the penalty is a penitentiary term or death). In civil matters it has exclusive jurisdiction in probate, domestic relations and juvenile matters. The probate division deals with wills and the administration of estates, adoptions, guardianships. It grants marriage licenses to perform marriages. The domestic division deals with divorce, alimony, child custody. The juvenile division has jurisdiction over delinquent, unruly or neglected children and over adults, who neglect, abuse or contribute to the delinquency of children. When a juvenile (any person under 18) is accused of an offence, whether serious, or minor, the juvenile division has exclusive jurisdiction over the case. The main job of courts of appeal is to review cases appealed from trial courts to determine if the law was correctly interpreted and applied. The supreme court of each state is primarily a court of appeal and the court of last resort. The federal court structure is similar to the structure of the state court system. The trial courts in the federal system are the United States district courts. The United States courts of appeal are intermediate courts of appeal between the district courts and the United States Supreme Court. The US Supreme Court is the highest court in the nation and the court of last resort. It consists of a chief justice and eight associate justices, all of whom are appointed for life by the President with the Advice and Consent of the Senate. The duty of the Supreme Court is to decide whether laws passed by Congress- agree with the Constitution. The great -legal issues facing the Supreme Court at present are Government involvement with religion, abortion and privacy rights, race and sex discrimination.

1. As you read the text al look for the answers to these questions:

1. What is the dual court system existing in the USA? What three levels of courts does it consist of?
2. What is the jurisdiction of the trial court? Define the jurisdiction of the common pleas court.
3. What kind of civil matters are brought to common pleas courts? Elaborate on probate, domestic relation and juvenile matters.
4. Speak about the jurisdiction of state and federal courts of appeals and state supreme courts.
5. What is the duty of the US Supreme Court?