



Structure of Federal and State Court Systems: Background

In the United States, there are not one, but two distinct court systems: federal courts and state courts. The vast majority of cases across the country—over 98%—are handled by state courts. The bulk of legal business—traffic offenses, divorces, wills and estates, buying and selling property—is handled by the state courts, because all of these areas are governed primarily by state laws. At the same time, federal courts manage a variety of cases, including bankruptcies and lawsuits involving the United States government. How are these court systems connected? How are they similar or different?

Establishing the Federal Courts

Article III of the Constitution vested the judicial power of the United States in a Supreme Court and whatever inferior courts the Congress decided to establish. The range of federal jurisdiction outlined by the Constitution extended to all cases arising under the Constitution, federal statutes, and treaties. Federal courts also have jurisdiction over admiralty cases, bankruptcy cases, and certain matters of international trade, along with suits involving the U.S. government, or citizens from different states. Judges on federal courts would enjoy tenure during “good behavior” and protection from any reduction in their salaries. The Constitution never defined “good behavior,” but restricted judicial impeachment to cases involving treason, bribery, or “high crimes and misdemeanors.”

In the Judiciary Act of 1789, Congress established a federal court system, which organized the country into judicial districts. Each state was a judicial district in which a district court with a single judge would have jurisdiction over admiralty cases and minor federal crimes. In each judicial district, a U.S. circuit court would have exclusive jurisdiction over more serious federal crimes and would share with the state courts jurisdiction over most suits involving the U.S. government and suits between citizens of different states (what is known as diversity jurisdiction.) The circuit courts would also hear appeals from the district courts, but generally acted as trial courts. The circuit courts had no judges of their own, but were presided over by the local district judge and a Supreme Court justice who “rode circuit” through the judicial districts grouped within geographical circuits. The requirements for circuit riding ensured that Supreme Court justices would learn about the diversity of state law and procedures, and that the justices would be available and visible to citizens throughout the country.

As the nation’s population spread and new states entered the Union, Congress extended the judicial system of 1789. In 1807, 1837, and 1863, Congress increased the number of justices on the Supreme Court and established an equal number of judicial circuits so that new states would have their own U.S. circuit court. Eventually, there were nine justices and nine circuits. In 1891, in the most sweeping change in the judiciary since 1789, Congress established courts of appeals for each of the nine regional circuits in the United States. The act of 1891 gave the Supreme Court some control over the cases that it would hear, and made the new courts of appeals the final word on appeals in whole categories of cases. Supreme Court justices were still assigned to

circuit court duties, and they could sit with circuit judges and district court judges on the three-judge panels that heard arguments in the new courts of appeals. The initial result of the 1891 act was a reduction in the number of cases appealed to the Supreme Court each year, but a continuing increase in federal caseload, which soon outpaced the ability of the justices to keep up with the workload.

In 1911, Congress abolished the circuit trial courts, consolidating all trial jurisdiction in the district courts and eliminating the requirement for Supreme Court justices to tend to circuit benches. In 1925, Congress restricted the right of automatic appeal to the Supreme Court so that the justices, through the grant of certiorari, would be able to determine the great majority of cases that would come before the Court. The circuit courts of appeals grew in proportional importance as more and more of their decisions became the final authority in the federal courts, and the Supreme Court became the court we know today, focused largely on constitutional questions and the resolution of conflicting findings in the courts of appeals.

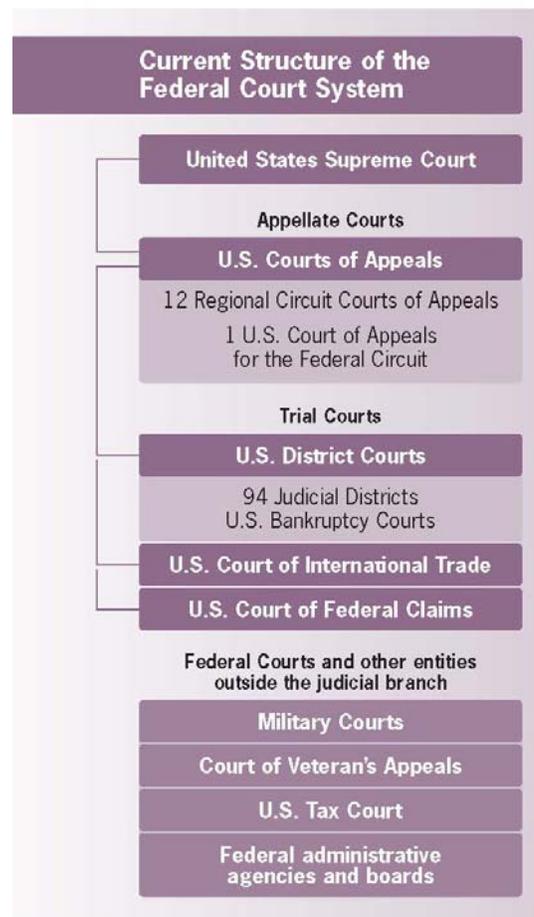
Federal Courts Structure

The Supreme Court of the United States

The Supreme Court is the highest court in the federal judiciary. Congress has established two levels of federal courts under the Supreme Court: the trial courts and the appellate courts. The United States Supreme Court consists of the Chief Justice of the United States and eight associate justices. At its discretion, and within certain guidelines established by Congress, the Supreme Court each year hears a limited number of the cases it is asked to decide. Those cases may begin in the federal or state courts, and they usually involve important questions about the Constitution or federal law.

District (Trial) Courts

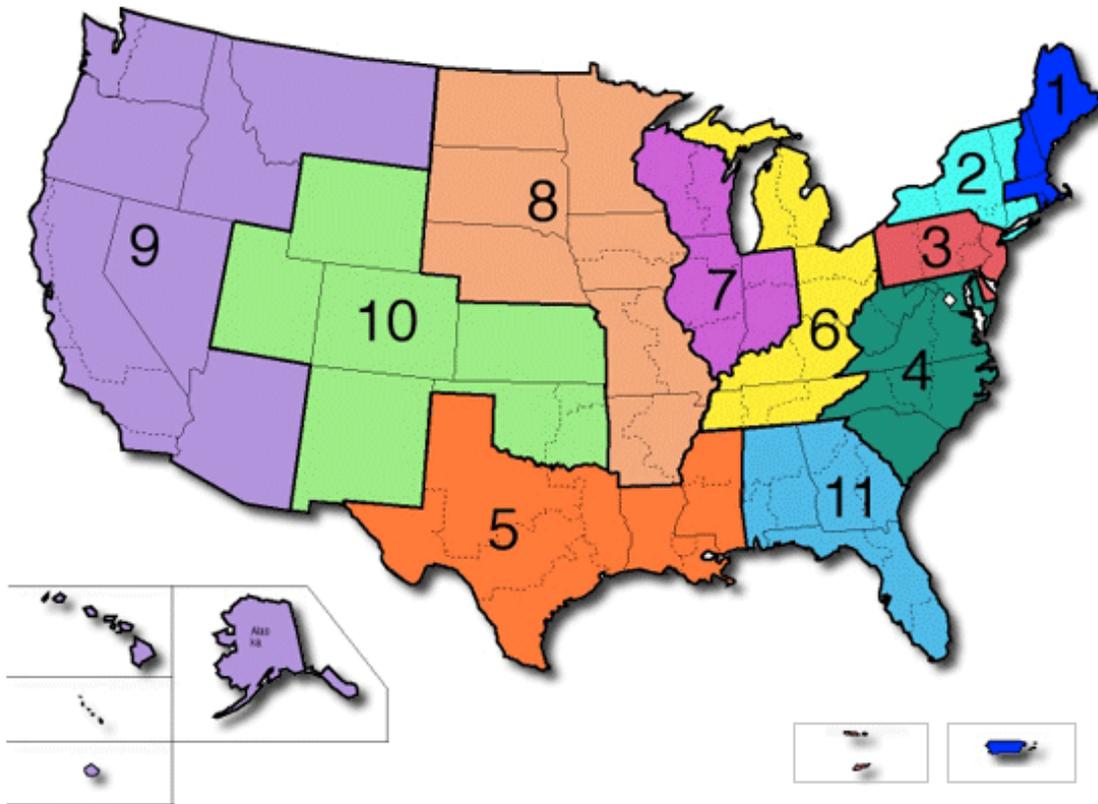
The United States district courts are the trial courts of the federal court system. Within limits set by Congress and the Constitution, the district courts have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. There are 94 federal judicial districts, including at least one district in each state, the District of Columbia and Puerto Rico. Each district includes a United States bankruptcy court as a unit of the district court. Three territories of the United States — the Virgin Islands, Guam, and the Northern Mariana Islands — have district courts that hear federal cases, including bankruptcy cases.



In most cases, bankruptcy cases are heard in federal bankruptcy court within each judicial district. U.S. Bankruptcy court is just one of the specialized courts within the federal system, which have jurisdiction over certain types of cases. Other special courts include the Court of International Trade, which addresses cases involving international trade and customs issues; the U.S. Court of Federal Claims, which has jurisdiction over most claims for monetary damages against the United States; and the Foreign Intelligence Surveillance Court, which handles matters of national security. The federal court system also includes the military courts, U.S. Tax Court, immigration court, Alien Terrorist Removal Court, and various federal administrative agencies and boards.

Appellate Courts

The 94 judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies. In addition, the Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear appeals in specialized cases, such as those involving patent laws and cases decided by the Court of International Trade and the Court of Federal Claims. There are also specialized courts of appeals within the federal system, including the U.S. Court of Appeals for Veterans Claims and the U.S. Court of Appeals for the Armed Forces.



Map which shows the 12 judicial circuits in the United States. Dotted lines within each state delineate federal court districts. Each state has at least one federal trial court district, but several states may make up one circuit for appellate courts.

Source: Federal Judicial Center.

The Structure of State Courts

Generally, the courts in each state in the United States are organized into three levels: trial courts, where cases start; intermediate, or appellate, courts, where most appeals are first heard; and courts of last resort, usually called supreme courts, which hear further appeals and have final authority within a state court system. The levels are generally organized as hierarchies, with higher courts having the power to review the decisions of lower courts. However, this a power used in only a small number of cases. Most criminal cases don't even make it to trial. Neither do most civil cases. Of the cases that do, the vast majority are decided at the trial court level and are not appealed. As a result, appellate courts and courts of last resort deal with a very small percentage of the total number of cases filed.

Trial courts are the settings for almost all courtroom dramas, often depicted in literature, television, and movies. In trial courts, evidence is presented, witnesses are examined and cross-examined, and exhibits introduced. The facts are weighed, and judges and juries make their decisions. A defendant is found “guilty” or “not guilty” in criminal cases, or “liable” or “not liable” in civil cases. Every state has trial courts at one level or another—city or town, county, circuit, or regional. They are very important because they handle as much as 90% of the caseload in the states in which they exist. They process minor cases, including misdemeanors; conduct pretrial hearings in more serious criminal cases, including preliminary hearings in which bail may be set; and handle civil cases involving money claims up to a certain dollar amount, in some states as low as \$500 and some as much as \$10,000 or more. These courts are often called “district,” “superior,” “circuit,” or “courts of common pleas.”

Appeals courts review the procedures of lower courts, including trial courts, to ensure that the law was properly applied in the case. They usually do not retry cases. They do not reexamine evidence or hear witnesses, or even issue a “guilty” or “not guilty” verdict. Instead, the appeals court looks at whether a party was deprived of its legal rights because the trial court did not apply the law correctly or because another legal error took place, such as a criminal case in which a party was represented by an incompetent lawyer. About three quarters of the states in the United States have an intermediate court.

At the top of every state court system is the court of last resort, the state supreme court. (It is not called that in every state. In New York, for example, the highest court is called the Court of Appeals.) The highest court has the final authority in the state to interpret the law. Like intermediate courts, these courts do not conduct trials. They review the legal procedure and rulings of courts below them, deciding whether the law was applied correctly by these courts.

Note: Each state is different, and you are encouraged to provide a more detailed explanation of how the state court system in your state is organized. Many state court websites provide downloadable maps and organizational charts as references.

Specialized Courts

Most states have courts specifically created in order to handle particular areas of law or branches of regular trial courts that specialize in certain matters. Examples of these specialty courts include:

- Family courts—handle domestic relations, including divorce, child custody
- Juvenile courts—handle cases involving minors in most states
- Probate courts—handle administering estates, including interpreting wills, determining rights to an estate when a person dies without a will, and supervising distribution of an estate
- Claims courts—exist in a few states, and hear claims for money damages against government agencies
- Small claims courts—are simplified civil courts, with jurisdiction limited to amounts under a figure set by law