

## Federal and State Court Systems: Similarities and Differences

### General Note:

Many state bar associations, judiciaries, state attorneys general, and state secretaries of state have information, including guides, charts, or even lesson plans, related to the structure of state courts. When looking for information about particular state courts, it is recommended that these offices and organizations be consulted.

### Lesson Plans

#### C-Span Classroom

- Organization of the US Judicial System. Students test their prior knowledge on the U.S. judicial system, with particular emphasis on the Supreme Court and distinguish between the structure and role of state and federal courts.  
<http://www.cspanclassroom.org/Lesson/37/Lesson+Plan+Supreme+Court+Lesson+1+Organization+of+the+US+Judicial+System.aspx>

Length: 1 lesson

Grades: 9-12

Assessment: Class discussion

Common Core: [CCSS.ELA-LITERACY.RI.9-10.1](#), [CCSS.ELA-LITERACY.RI.9-10.2](#), [CCSS.ELA-LITERACY.RI.9-10.4](#), [CCSS.ELA-LITERACY.RI.11-12.1](#), [CCSS.ELA-LITERACY.RI.11-12.4](#), [CCSS.ELA-LITERACY.RI.11-12.9](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.7](#)

#### Class Brain

- Mini Simulation of Supreme Court Oral Argument. In this lesson, students learn about important concepts in Fourth Amendment law and stage a mock Supreme Court oral argument in small groups using Illinois v. Wardlow which was decided in the 1999-2000 term.  
<http://www.classbrain.com/artteensm/uploads/minimoot.pdf>

Length: 3 lessons

Grades: 9-12

Assessment: Class discussion and short written response

Common Core: [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.RH.9-10.1](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.1](#), [CCSS.ELA-LITERACY.RH.11-12.4](#), [CCSS.ELA-LITERACY.W.9-10.10](#), [CCSS.ELA-LITERACY.W.11-12.10](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#)

## Federal Judicial Center

- Teaching Judicial History. This section of the FJC's website features extensive curriculum materials for over ten teaching units on historic federal court cases with new cases added each summer. There are three major components to each of the case materials: historical backgrounds and readings, at least 3 lesson activities, and resources for judges and educational outreach. Sample lesson activities for Bush v. Orleans Parish are shown below. <http://www.fjc.gov/history/home.nsf/page/teaching.html>
  
- Bush v. Orleans Parish School Board and the Desegregation of New Orleans Schools: The federal courts' enforcement of the landmark Brown decision provokes a prolonged struggle over state and federal authority.
  - o Activity 1. Documenting a Segregation Case. Through close analysis of primary source documents relating to the effort to desegregate schools in Orleans Parish, Louisiana, students will learn of the difficulties faced by the federal judiciary in trying to implement the Supreme Court's decision in *Brown v. Board of Education*. Students will also learn the different arguments made for and against desegregation and the role of various government officials, interest groups, and citizens in promoting or resisting desegregation  
Length: 3 lessons  
Grades: 9-12  
Assessment: Primary document analysis worksheet, oral and written presentations  
Common Core: [CCSS.ELA-LITERACY.RI.9-10.1](#), [CCSS.ELA-LITERACY.RI.9-10.2](#), [CCSS.ELA-LITERACY.RI.9-10.3](#), [CCSS.ELA-LITERACY.RI.9-10.4](#), [CCSS.ELA-LITERACY.RI.9-10.6](#), [CCSS.ELA-LITERACY.RI.9-10.7](#), [CCSS.ELA-LITERACY.RI.9-10.8](#), [CCSS.ELA-LITERACY.RI.9-10.9](#),  
[CCSS.ELA-LITERACY.RI.11-12.1](#), [CCSS.ELA-LITERACY.RI.11-12.2](#), [CCSS.ELA-LITERACY.RI.11-12.3](#), [CCSS.ELA-LITERACY.RI.11-12.4](#), [CCSS.ELA-LITERACY.RI.11-12.5](#), [CCSS.ELA-LITERACY.RI.11-12.6](#), [CCSS.ELA-LITERACY.RI.11-12.7](#), [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.W.9-10.2](#), [CCSS.ELA-LITERACY.W.11-12.2](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#), [CCSS.ELA-LITERACY.RH.9-10.1](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.3](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.9-10.5](#), [CCSS.ELA-LITERACY.RH.9-10.6](#), [CCSS.ELA-LITERACY.RH.9-10.8](#), [CCSS.ELA-LITERACY.RH.9-10.9](#), [CCSS.ELA-LITERACY.RH.11-12.1](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.3](#), [CCSS.ELA-LITERACY.RH.11-12.4](#), [CCSS.ELA-LITERACY.RH.11-12.6](#), [CCSS.ELA-LITERACY.RH.11-12.7](#), [CCSS.ELA-LITERACY.RH.11-12.8](#), [CCSS.ELA-LITERACY.RH.11-12.9](#)

- o Activity 3. The Legal Foundations of School Segregation—A Comparative Activity. The *Bush v. Orleans Parish School Board* case involved the struggle to end legally mandated segregation in the New Orleans public schools. Long after schools in New Orleans and other Southern school districts were desegregated, many communities throughout the United States continued to face persistent racial segregation in public schools. By comparing the *Bush* case with later cases involving the public schools of Denver, Colorado, and Detroit, Michigan, students will understand continuing debates on the courts' authority to impose legal remedies to reduce or eliminate persistent patterns of public school segregation.

Length: 3 lessons

Grades: 9-12

Assessment: Class discussion

Common Core: [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.RH.9-10.1](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.3](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.1](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.4](#), [CCSS.ELA-LITERACY.W.9-10.2](#), [CCSS.ELA-LITERACY.W.11-12.2](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#)

- o Activity 4. The Federal Government's Challenge to Segregation—A Document-Based Question. Students are asked to assess the relative significance that each branch of government played in ending legal segregation in America using a set of provided documents, their knowledge of the time period from 1950- 1962, and their knowledge of *Bush v. Orleans Parish School Board*.

Length: 1 Lesson or can be done as out of class assessment

Grades: 9-12

Assessment: Written Paper to answer DBQ.

Common Core: [CCSS.ELA-LITERACY.RI.9-10.9](#), [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.W.9-10.1](#), [CCSS.ELA-LITERACY.W.9-10.4](#), [CCSS.ELA-LITERACY.W.11-12.1](#), [CCSS.ELA-LITERACY.W.11-12.4](#),

Other Units Include: The Sedition Act Trials, Amistad: The Federal Courts and the Challenge to Slavery, Ex parte Merryman and Debates on Civil Liberties During the Civil War, The Trial of Susan B. Anthony, Chew Heong v. United States: Chinese Exclusion and the Federal Courts, The Debs Case: Labor, Capital, and the Federal Courts of the 1890s, Olmstead v. United States: The Constitutional Challenges of Prohibition Enforcement, The Rosenberg Trial, and The Chicago Seven Conspiracy Trial.

<http://www.fjc.gov/history/home.nsf/page/teaching.html>

### Judicial Learning Center

- Understanding the Types of Cases. In part 1, students are asked to read and compare current news stories and summarize the main differences between civil and criminal law suits. This should be completed **before** any detailed instruction on the differences between civil and criminal cases is given. In part 2, students will use the Student Center webpages and/or a fact sheet to differentiate between federal and state court cases. <http://judiciallearningcenter.org/wp-content/uploads/2012/11/Lesson-Plan-Types-of-Cases.pdf>

Length: 2 lessons

Grades: 9-12

Assessment: Class discussion, criminal versus civil lawsuit worksheet, short research assignment.

Common Core: [CCSS.ELA-LITERACY.RI.9-10.1](#), [CCSS.ELA-LITERACY.RI.9-10.2](#), [CCSS.ELA-LITERACY.RI.9-10.4](#), [CCSS.ELA-LITERACY.RI.11-12.1](#), [CCSS.ELA-LITERACY.RI.11-12.4](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.7](#)

### Pennsylvania Bar Association

- The Role of Courts in Balancing Liberties and Safety. This lesson can be found on pages 23-32 of the Pennsylvania Bar Associations *Law Day 2005 K-12 Lesson Plan Guide*. Students participate in a moot court simulation that demonstrates the courts' role in balancing liberties and safety. It also serves as a basis for noting the types of cases that state and federal courts handle as well as the similarities and differences between the two systems. All materials for a mock appellate argument are provided. <http://www.pabar.org/pdf/LDLessonPlan05.pdf>.

Length: 1 lesson

Grades: 9-12

Assessment: Class discussion and mock appellate argument

Common Core: [CCSS.ELA-LITERACY.RI.9-10.1](#), [CCSS.ELA-LITERACY.RI.9-10.2](#), [CCSS.ELA-LITERACY.RI.9-10.4](#), [CCSS.ELA-LITERACY.RI.9-10.8](#), [CCSS.ELA-LITERACY.RI.11-12.1](#), [CCSS.ELA-LITERACY.RI.11-12.4](#), [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#), [CCSS.ELA-LITERACY.RH.9-10.1](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.1](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.4](#)

- Understanding the Federal and State Courts. Through a series of readings and case scenarios students will about the structure and discuss the similarities and difference of the federal and state court systems. Students will also learn about different types of cases that are heard in federal and state courts and how the 14<sup>th</sup> Amendment allows for interaction between the two court systems.

<http://www.pabar.org/pdf/UnderstandingCourts.pdf>

Length: 1 lesson

Grades: 9-12

Assessment: Class discussion

Common Core: [CCSS.ELA-LITERACY.RI.9-10.1](#), [CCSS.ELA-LITERACY.RI.9-10.2](#), [CCSS.ELA-LITERACY.RI.9-10.4](#), [CCSS.ELA-LITERACY.RI.9-10.8](#), [CCSS.ELA-LITERACY.RI.11-12.1](#), [CCSS.ELA-LITERACY.RI.11-12.4](#), [CCSS.ELA-LITERACY.RI.11-12.8](#), [CCSS.ELA-LITERACY.SL.9-10.1](#), [CCSS.ELA-LITERACY.SL.9-10.4](#), [CCSS.ELA-LITERACY.SL.11-12.1](#), [CCSS.ELA-LITERACY.SL.11-12.4](#), [CCSS.ELA-LITERACY.RH.9-10.1](#), [CCSS.ELA-LITERACY.RH.9-10.2](#), [CCSS.ELA-LITERACY.RH.9-10.4](#), [CCSS.ELA-LITERACY.RH.11-12.1](#), [CCSS.ELA-LITERACY.RH.11-12.2](#), [CCSS.ELA-LITERACY.RH.11-12.4](#)

## Resources

### ABA Division for Public Education

- Dialogue on the Courts. This publication is designed to help guide a classroom discussion. Students will have the opportunity to think about the role that the courts have in our constitutional democracy. Part I of the Dialogue is an introduction to the judicial branch and examines how it relies on, as well as supports, the other two branches of government. It also explores challenges facing the judicial branch, and implications for law within a government in which the judiciary cannot function. Part II continues the discussion with a focus on access to justice issues. There are also ready-to-use Power Point® guides available for Parts I and II
- [http://www.americanbar.org/content/dam/aba/images/public\\_education/dialogue\\_2012.pdf](http://www.americanbar.org/content/dam/aba/images/public_education/dialogue_2012.pdf)  
An accompanying Power Point is also available:  
[http://www.americanbar.org/content/dam/aba/images/public\\_education/the\\_role\\_of\\_courts\\_2012.ppt](http://www.americanbar.org/content/dam/aba/images/public_education/the_role_of_courts_2012.ppt)
- How Courts Work. This is reference website that describes the basic structure and function of federal vs state courts, including the role of judges, juries, grand juries, and mediation. There is also an explanation of the need for an independent judiciary.  
[http://www.americanbar.org/groups/public\\_education/resources/law\\_related\\_education\\_network/how\\_courts\\_work/court\\_role.html](http://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/court_role.html)

- Role of Courts in a Constitutional Democracy. This is a website for an issue of *Insights on Law & Society*, which was published in November 2011. There are links to articles, as well as curated resources about courts, including federal courts, problem-solving courts, and the portrayal of courts on television.  
[http://www.americanbar.org/publications/insights\\_on\\_law\\_and\\_society/12/fall.html](http://www.americanbar.org/publications/insights_on_law_and_society/12/fall.html)

#### ABOTA's Justice by the People

- *Make Your Case* is a courtroom trial simulation in which students control the action as they experience a real courtroom setting. A teaching guide helps teachers incorporate the game into their classroom.  
<http://www.scholastic.com/browse/article.jsp?id=3750001>

#### Federal Court Concepts

- Provides information on the structure and jurisdiction of the federal courts  
<http://www.catea.gatech.edu/grade/legal/>

#### Federal Judicial Center

- Provides information, vocabulary definitions, and quizzes on how the federal courts are organized, their role, and how cases move through the federal courts.  
<http://www.fjc.gov/federal/courts.nsf>

#### FindLaw.com

- FindLaw has a searchable database of Supreme Court decisions since 1893. The site is browsable by year and U.S. Reports volume number, and searchable by citation, case title and full text.  
<http://www.findlaw.com/casecode/supreme.html>

#### The Judicial Learning Center

- The State Courts vs. Federal Courts web page has information comparing the federal and state court systems. It also features a Student Challenge activity where students read a case and decide whether it would be heard in the state or federal courts.  
<http://judiciallearningcenter.org/state-courts-vs-federal-courts/>

#### National Center for State Courts

- The National Center for State Courts is an independent, nonprofit court improvement organization founded at the urging of Chief Justice of the Supreme Court Warren E. Burger. He envisioned NCSC as a clearinghouse for research information and comparative data to support improvement in judicial administration in state courts.  
<http://www.ncsc.org/>

Street Law, Inc.

- Landmarkcases.org from Street Law, Inc. provides teachers with a full range of resources and activities to support the teaching of landmark Supreme Court cases.

<http://www.streetlaw.org/en/landmark/home>

USCourts.gov

- The United States Courts website features educational resources and information on the federal courts.

[www.uscourts.gov/educational-resources.aspx](http://www.uscourts.gov/educational-resources.aspx)