



The Judicial Branch and Legal System: SS.7.CG.3.9
Judicial Branch
READING #3

Name: _____

Date: _____



SS.7.CG.3.9 Benchmark Clarification 3: Students will recognize that the powers and jurisdiction of the state and federal courts are derived from their respective constitutions.

The powers and **jurisdiction** of the Florida court system are described in the Florida Constitution. The powers and the jurisdiction of the federal court system are described in the U.S. Constitution.

The Florida Constitution gives its courts the jurisdiction to hear certain kinds of cases at the different levels of the state court system. **County and circuit courts** have **original jurisdiction** for certain cases. The **Florida District Court of Appeals** has **appellate jurisdiction** because it can review cases that lower courts have already heard.

The **Florida Supreme Court** is the highest court in Florida. It has appellate jurisdiction and the power to decide on the constitutionality of Florida laws. The decisions of the Florida Supreme Court are final, but they cannot go against the U.S. Constitution. This means that decisions can be appealed on 14th Amendment equal protection grounds.

The U. S. Constitution gives the federal courts jurisdiction to hear certain kinds of federal cases. **U.S District Courts** have original jurisdiction, cases involving the federal government or the U.S. Constitution must begin there. The **U.S. Court of Appeals** has appellate jurisdiction, meaning they have the power to review cases that the district courts have already heard. The **U.S. Supreme Court** is the highest court in the nation. It has appellate jurisdiction and the power to determine the constitutionality of federal and state laws. The decisions of the U.S. Supreme Court are final and may not be appealed.

appellate jurisdiction - the power to hear appeals of cases that have been tried in lower courts

circuit courts - a court for a defined region of a state (usually including several counties) that has specific divisions and hears cases involving more serious crimes (felonies) and civil cases involving large amounts of money (more than \$1000)

county courts - a court that hears both civil and criminal cases involving less serious crimes or minor issues for one specific county

Florida District Court of Appeals - an appellate court in the state court system that reviews decisions made by the lower trial courts

Florida Supreme Court - the highest court in Florida

jurisdiction - the right and power for courts to hear a case, interpret and apply the law

original jurisdiction - the power of a court to be the first to hear a case on a specific topic

U.S. Circuit Court of Appeals - the courts where parties who are dissatisfied with the judgment of a U.S. District court may take their case

U.S. District Courts - the courts where most federal cases begin, the U.S. District Courts are courts of original jurisdiction and hear civil and criminal cases

U.S. Supreme Court - the highest court of the United States; it sits at the top of the federal court system

Source:

“Florida State’s Court System.” *FloridaSupremeCourt.org*. Florida Supreme Court, n.d. Web. 11 March 2014.

<http://www.floridasupremecourt.org/pub_info/system2.shtml>