Florida State and Local Government: SS.7.CG.3.9
Judicial Branch
READING #2

Name: _____

Date: _____

SS.7.CG.3.9 Benchmark Clarification 2*:* Students will distinguish between the structure, functions and powers of courts at the state and federal levels.

There are multiple levels, functions, and powers of the courts at the state and federal levels of the government. **Jurisdiction** (the authority to hear a case) in state and federal courts is described in the U.S. and Florida constitutions. The U.S. Constitution decides jurisdiction for federal courts, and the Florida Constitution decides jurisdiction for state courts.

The State Court System

Most legal issues in a state are dealt with in the state court system. Most states have a three-level court system similar to the federal court system, but in Florida, there is a four-level court system.

The lowest courts in Florida are the **county courts**. The next highest level is the **circuit courts**. Even higher is the **Florida District Court of Appeals**. The highest court in the state is the **Florida Supreme Court**. Below is a brief description of each level of the Florida courts.

County Courts

County courts handle misdemeanors (less serious crimes or minor cases). There is a county court for each of Florida's counties. These may include traffic violations, disturbing the peace, or civil cases involving no more than $50,000.00.

Municipal (city) courts are found in large cities and are divided into traffic, juvenile, and small claims courts. Small claims courts decide civil cases involving minor amounts of money. In small claims court, there are two sides: (1) Plaintiffs (people filing lawsuits) and (2) Defendants (people being sued) who speak for themselves with no lawyers present.

Circuit Courts

More serious crimes (felonies) and civil cases involving large amounts of money (more than $50,000.00) are heard at the next level of the court system. Circuit courts hear, for example, murder, armed robbery, and drug cases. Trials in these courts may be held before a **jury**. It is the **judge's** responsibility to make sure that the trial is handled fairly and lawfully.

District Court of Appeals

The third highest court in Florida is the District Court of Appeals. This is an **appellate court** that reviews decisions made by the lower trial courts. No trials are held in appellate courts, and there are no juries. Instead, a panel of judges decides cases by a majority vote.

Florida Supreme Court

The Florida Supreme Court is the highest court in the state. It can review the decisions of appellate courts and must supervise all Florida courts. It also interprets the Florida Constitution. The Florida Supreme Court has seven justices who review cases and make final decisions for the entire state. They do not deal with federal law or the U.S. Constitution. The U.S. Constitution has supremacy over all state laws.

The Federal Court System

The federal court system is outlined in Article III of the U.S. Constitution. Article III gives **Congress** the power to establish courts below the U.S. Supreme Court. Federal courts hear cases involving the federal government or the U.S. Constitution. There are three levels of federal courts. The lowest federal courts are the federal District Courts, followed by the federal Appeals Courts, and the highest court in the U.S. is the **United States Supreme Court.**

Only certain cases are heard in federal courts. This is based on jurisdiction. Article III gives the federal courts jurisdiction to hear eight different kinds of cases, including:

- Cases involving the U.S. Constitution (any case where a person believes that a constitutional right has been violated)
- Violations of federal law (any case where the government accuses a person of a federal crime)
- Conflicts between states (cases where state governments have disagreements)
- Disputes between people in different states (cases where citizens of different states have disagreements)
- Lawsuits involving the federal government (any case where the federal government sues an individual or company or is sued by an individual or company)
- Cases involving foreign governments and treaties (any case where there is a dispute between the federal government or private citizens and a foreign government)
- Cases based on admiralty and maritime laws (any case that concerns accidents or crimes on the oceans or seas)
- Cases involving U.S. diplomats (any case that concerns a U.S. diplomat working in a U.S. embassy in another country)

Federal trials and lawsuits begin in **U.S. District Courts**. Each state has at least one U.S. District Court. District courts have **original jurisdiction**, meaning certain cases must begin there. U.S. District courts decide on the facts of a federal case. They are the trial courts for both criminal and civil cases at the federal level. U.S. District Courts are the only courts at the federal level where witnesses testify and juries make decisions about the case.

Many people who lose their case in a U.S. District Court **appeal** to the next highest court level, which is the **U.S. Court of Appeals**. The responsibility of the appeals court is to review the decisions made in a lower district court. Appeals courts have **appellate jurisdiction**, which means they can review the decisions from lower courts if the people or groups involved believe the lower court made an unfair decision. Appeals can occur if (1) the lower court judge applied the law incorrectly, (2) the lower court judge used the wrong procedures, (3) new evidence turns up, or (4) someone's rights were violated.

appeal - a request, made after a trial, asking a higher court to decide whether that trial was conducted properly

appellate court - any court that has the power to hear appeals from lower courts

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 $15,000)

Congress - the national legislative body of the U.S., consisting of the Senate, or upper house, and the House of Representatives, or lower house

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

judge - a public official who decides questions brought before a court

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

jury - a group of citizens sworn to give a true verdict according to the evidence presented in a court of 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:
Adapted from: "Florida State's Court System." *FloridaSupremeCourt.org.* Florida Supreme Court, n.d. Web. 11 March 2014. <http://www.floridasupremecourt.org/pub_info/system2.shtml>

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