Course Learning Outcomes for Unit III

Upon completion of this unit, students should be able to:

3. Compare the sentencing and court structures of the American court system.
   3.1 Explain the dual court system and why it is utilized in the American court system.
   3.2 Indicate the three tiers of the federal court system.
   3.3 Compare the state and federal court structures.

Reading Assignment

Chapter 7: The Courts

Click here to access the chapter presentation.
Click here to access a PDF file of the presentation.

Unit Lesson

On a daily basis, you are faced with stories of heinous crimes and tragic endings. From the front page of the newspaper, to television news highlights, to trending stories on our favorite homepage, such crimes are evidence of the importance and the crucial role of our American criminal justice system in such turbulent times. Moreover, such incidents as mass shootings, murders, sexual assaults, and domestic terrorism attacks, to name a few, speak to the critical need for our court system to carry out a fair and just criminal process while ensuring the decision of guilt or innocence. Without an efficient and effective court system, the hard and thankless work of our law enforcement officers would be done in vain and, ultimately, could be pointless. For this reason, it is important to understand the history and structure of the American court system. This lesson will examine a brief background and history of the American court system as well as the structures of the federal and state court systems.

Our court system dates back over 200 years to Article III of the United States Constitution and the Judiciary Act of 1789 (Schmalleger, 2016). These steps were essential in the creation of the United States Supreme Court, appellate courts, and the United States federal circuit courts. The Judiciary Act allowed for Congress to establish other lower courts as it saw fit to maintain continuity and remain current with the ever-changing needs and challenges of the American criminal justice system.

Over the past two centuries, our court system has evolved into what we know as a dual court system comprised of a federal and state court system. This dual court system is a result of the vision our founding fathers had that would give the power to the states. This relinquishing of some authority and power was done to serve the need for individual states to retain some legislative authority and autonomy from the federal government and courts, thus limiting federal intervention into local matters.

The development of state courts dates back to 1629 with the formation of the Massachusetts Bay Colony General Court. By the end of the Revolutionary War, the American colonies had established a court system. Schmalleger (2016) states that these state court systems lacked one critical element essential to an effective court system, the distinction between original and appellate jurisdiction. When courts have the authority to hear cases with certain types of law violations or that are within certain geographical locations, it is known as original jurisdiction (Schmalleger, 2016). When courts review decisions from a lower court, it is known at appellate jurisdiction (Schmalleger, 2016). In the earliest period of the American court system, many states did not offer an appeals process, and those that did simply used the same court system that decided the case to review the decision. This lack of uniformity would prove to be a major setback by the 1800s when our
nation’s growing population, economic and urban development, and settlement efforts in the West led to a growing number of civil and criminal cases.

Schmalleger (2016) states that by 1789, the Judiciary Act provided a three-tiered federal structure that states follow today. Schmalleger (2016) describes a typical state court system as follows:

- State Supreme Court
  - Court of last resort
- Appellate court
  - Court of appeals
- Trial court
  - State superior court, circuit courts, court of common pleas
- Trial courts of limited jurisdiction
  - Traffic, family, drug, municipal, and county courts

As an illustration, you may have experienced a court of limited jurisdiction, or lower court, if you appeared in court to dispute a traffic violation or a summons for a local ordinance. Courts of limited jurisdiction are also used for less serious crimes such as misdemeanor crimes or felony crimes punishable by up to one year sentences.

The next level in the state court system is the trial court. Here, an adversarial process is employed. This is where criminal cases originate, and here we see cases heard for felony crimes ranging from assault, rape, and murder to robbery or burglary. Arraignments, bail hearings, pleas, and criminal trials take place here. A defendant may plead guilty and a sentence may be imposed upon him or her. If a defendant pleads not guilty, a trial takes place to determine guilt or innocence.

The appellate court level is where criminal cases are appealed and reviewed. The court decisions are disputed by a defendant for a number of reasons, and the actions of the lower court are reviewed here.

The federal court system was originally created by the United States Constitution under Article III and currently represents an evolution from that original structure in response to the trends and challenges our country has faced. It was such developments and adaptations that have resulted in the current three-tiered system:

- Supreme Court of the United States comprised of nine justices and one chief justice;
- United States courts of appeal comprised of 12 U.S. court of appeals circuits, U.S. court of appeals for federal circuit, and United States courts of military appeals; and
- United States district courts, tax court, international trade court, claims court, court of veterans appeals, and courts of military review.

The U.S. district courts are federal trial courts divided into 12 regions. Each has jurisdiction to hear virtually any civil and criminal case throughout the current 94 judicial districts. Each state has at least one district, and some have more than one. These districts have original jurisdiction over any federal statute, and such cases are heard by any of the 640 district court judges currently presiding. District court judges are presidential appointees who are required to be confirmed by the United States Senate and serve for life. There are also magistrate judges who exercise the power to hold arraignments, set bail, issue warrants and orders, and hear minor offenses. District court is similar to trial court on the state level.

The United States courts of appeal is divided into 12 circuits, and each has the authority to hear cases within its circuit. These circuit courts are comprised of six judges who are presidential appointees and serve for life.

The U.S. Supreme Court is the highest court in the land and consists of nine justices led by one chief justice. Here, we find a court with the most power and authority through what is referred to as judicial review. The Supreme Court has decided high profile landmark cases and is charged with deciding what laws or court decisions are in accordance with the United States Constitution. This is where a great deal of controversy arises, and much debate comes out of such decisions. Schmalleger (2016) cites the words of Alexander Hamilton, who once wrote that through this judicial review, the Supreme Court would ensure the will of the people according to the Constitution and would reign over the will of the legislature. This seems to some to not be the case in recent times as critics claim many of the cases decided in the past decade or so have been
in the interest of political agendas where the Court tended to reinterpret the Constitution and law in favor of those who appoint its justices.

As you can see, the dynamic of our dual court system is one with many variables. By simply discussing the nature of its authority, jurisdiction, and responsibility, you see its critical role in ensuring a fair and balanced avenue for justice. The American criminal justice system is one that must exercise a just process, and at the heart of it is our courts that must decide one integral element, guilt or innocence. Moving forward in this course, you will find that without an effective court structure, the system will lack the solid foundation on which law enforcement, corrections, and other components of the criminal justice system can operate.

Reference


**Learning Activities (Non-Graded)**

Complete the “Questions for Review” at the end of chapter 7.

Click [here](#) to access a presentation containing review questions and answers for this unit.
Click [here](#) to access a PDF file of the presentation.

Non-graded Learning Activities are provided to aid students in their course of study. You do not have to submit them. If you have questions, contact your instructor for further guidance and information.