

# America's Court Systems

Many people are surprised to learn that there isn't a single "court system" in the United States. Every state has its own court system to handle cases that involve disputes or crimes that arise within the state. The federal government also has a court system to handle cases that involve disputes or issues governed by federal laws or the U.S. Constitution.

## State Courts

Every state has its own judicial branch, so there are 50 state court systems (plus the District of Columbia and Puerto Rico).

- Handle 95% of court cases in the United States.
- Handle cases involving disputes that arise under state laws.
- Every state court system is unique in some way. States differ widely in how they organize their courts.
- Some states have as many as 50 different types of courts.

## Federal Courts

There is a federal court system that handles claim under federal jurisdiction.

- Handle about 5% of court cases in the United States.
- Handle cases involving a violation of the U.S. Constitution, federal laws, or disputes over contracts or personal injuries involving citizens from different states and damages worth more than \$75,000.
- Includes U.S. district courts, Court of International Trade, Claims Court, Circuit Courts of Appeal, Court of Appeals for the Federal Circuit, and the U.S. Supreme Court.

## Types of Courts

Federal and state systems each have two different types of courts: trial courts and appellate courts. The general difference is this: trial courts hear original cases, while appellate courts hear only appeals.

### Trial Courts

- In Oregon trial court is called the Circuit Court. Judges and Magistrates on this level handle a wide variety of cases, from murder to traffic violations to civil cases.
- Almost all cases start in a trial court. This is where the case is filed and evidence is gathered.
- As the name suggests, trial courts are where the trial is held before a judge or jury.
- In trial courts, both sides offer witnesses and evidence to support their side and the judge or jury makes decisions based on that evidence.
- About 90 % of civil and criminal cases never go to a trial. The parties involved in a civil or domestic case usually settle the dispute before trial, and many criminal defendants enter a guilty plea to a lesser charge before trial.

### Appellate Courts

Most states (including Oregon) and the federal courts have two levels of appellate courts:

- An intermediate court of appeals, which handles all or most of the appeals coming from the trial courts in the state or federal court system.
- The Supreme Court is the final court of appeal.

Appellate courts are where a party involved in a civil case (or a defendant in a criminal case) goes if they do not agree with the decision of the judge or jury in the trial court.

- An appellate court (or court of appeals) usually includes a panel of 3 or 5 judges - or more. (The U.S. Supreme Court and a few state Supreme Courts have 9 justices.)
- In a court of appeals, there is no presentation of witnesses or physical evidence, which is done only in the trial court. The final judgment on an appeal is determined by a majority of the panel of appellate judges.