

DUAL COURT SYSTEM

2.3- Analyze the principle of federalism as it applies to the dual court system.

KICKOFF:

❖ **KO QUESTION:**

- Why is it important that due process is upheld in all trials? Is it still important that due process was upheld even if the accused is guilty? Why or why not?

- ## ❖ **Roll Call:** Read the book or watch the movie?



ANNOUNCEMENTS:

- ❖ 2/15- Quiz- 2.3
 - Pick 3 and Scav. Hunt due
- ❖ 12/16- Heels play Wake
- ❖ 2/20- ACT
 - DBQs
- ❖ 2/22- Unit 2 Test
- ❖ Don't mess with me today, didn't have any coffee
- ❖ Mrs. Bobango



SUPREME COURT PROCEDURES- READING

Go to Google Classroom and complete the “Supreme Court Procedures Reading” assignment. Information from readings is eligible for quizzes.

DUAL COURT SYSTEM

2.3a- Analyze the principle of federalism as it applies to the dual court system.

MORE FEDERALISM

- ❖ Our founding fathers established the FEDERAL courts in Article III of the Constitution, but 13 STATES already had their own court.

- ❖ Dual Court System- allows for these courts to work independently as well as overlap in order to provide justice

The Federal Courts

The U.S. Supreme Court

- Reviews the decisions of the federal and state trial and appellate courts

U.S. Courts of Appeals

- 13 Appellate Circuits
- Review the decisions of the federal district courts

U.S. District Courts

- 94 Judicial Districts
- Trial courts that hear civil and criminal cases
- Specialized courts include bankruptcy, international trade, and federal claims

The State Courts

The Missouri Supreme Court

- Reviews the decisions of the state trial and appellate courts

Missouri Courts of Appeals

- 3 Appellate Districts
- Review the decisions of the state trial courts

Missouri Circuit Courts

- 45 Judicial Circuits
- Trial courts that hear civil and criminal cases
- Specialized courts include family and juvenile

TYPES OF JURISDICTION

-Authority to hear and decide on a case

- ❖ Original- first court to hear a case
- ❖ Appellate- when a case is appealed from lower court
- ❖ Exclusive- only federal courts can hear and decide these cases
- ❖ Concurrent- both federal and state courts have jurisdiction

FEDERAL COURT
SYSTEM

OTHER FEDERAL COURTS:



SUPREME COURT	UNITED STATES SUPREME COURT
APPELLATE COURTS	U.S. Courts of Appeals 12 Regional Circuit Courts of Appeals 1 U.S. Court of Appeals for the Federal Circuit
TRIAL COURTS	U.S. District Courts 94 Judicial Districts U.S. Bankruptcy Courts U.S. Court of International Trade U.S. Court of Federal Claims
FEDERAL COURTS AND OTHER ENTITIES OUTSIDE THE JUDICIAL BRANCH	Military Courts (Trial and Appellate) Court of Veteran's Appeals U.S. Tax Court Federal administrative agencies and boards

TAKE IT FROM THE TOP: US SUPREME COURT

- ❖ Jurisdiction:
 - Original- conflict between states
 - Appellate- chooses which cases it hears
- ❖ Judicial Review:
 - Power to review any local, state, or federal issue to check for constitutionality
 - May overturn the law/action if not



US SUPREME COURT:

- ❖ Typically select cases that involve major constitutional or legal questions
- ❖ Writ of certiorari-
 - asks a lower court to send the case to the Supreme Court
 - If accepted, placed on the docket-
 - court schedule

Date: 06/12/2018 2:39PM	Cumberland Co General Sessions Court - Criminal Court Docket	Page 1 of 32
06/14/2018 09:00AM	Judge LARRY M WARNER	
18GS1-2018-CR-1595	ST. of TN vs WILLIAM RODRIGUEZ AGUILAR	
325673G	William Rodriguez Aguilár Atty: Public Defender	
Off: Alfred Seitner	55-10-401	DEI: SECOND OFFENSE
	Filing: 04/12/2018	
18GS1-2018-CR-1596	ST. of TN vs WILLIAM RODRIGUEZ AGUILAR	
325673G	William Rodriguez Aguilár Atty: Public Defender	
Off: Alfred Seitner	55-49-504	DRIVING WHILE LICENSE REVOKED
	Filing: 04/12/2018	
18GS1-2018-TR-1376	ST. of TN vs WILLIAM RODRIGUEZ AGUILAR	
Off: Alfred Seitner	William Rodriguez Aguilár Atty: Public Defender	
	55-8-152	SPEEDING
	Filing: 04/12/2018	
18GS1-2017-CR-4094	ST. of TN vs AARON ARTHUR ANTES	
Off: Joel Stevens	Aaron Arthur Antes Atty: Pat Officer	
	39-17-417 (I)	DRUGS: MFG, DEL, SELL, POSS - CONSP
	Filing: 10/25/2017	
18GS1-2017-CR-4095	ST. of TN vs AARON ARTHUR ANTES	
Off: Joel Stevens	Aaron Arthur Antes Atty: Pat Officer	
	39-17-418	SIMPLE POSS-CASUAL EXCHANGE
	Filing: 10/25/2017	
18GS1-2017-CR-4096	ST. of TN vs AARON ARTHUR ANTES	
Off: Joel Stevens	Aaron Arthur Antes Atty: Pat Officer	
	39-17-418	SIMPLE POSS-CASUAL EXCHANGE
	Filing: 10/25/2017	
18GS1-2017-CR-4098	ST. of TN vs AARON ARTHUR ANTES	
Off: Joel Stevens	Aaron Arthur Antes Atty: Pat Officer	
	53-10-105	POSSESSION WITHOUT PRESCRIPTION UNLAWFUL
	Filing: 10/25/2017	
18GS1-2017-CR-4099	ST. of TN vs AARON ARTHUR ANTES	
Off: Joel Stevens	Aaron Arthur Antes Atty: Pat Officer	
	39-17-425	POSS UNLAW DRUG PARAPHERNALIA - ATTEMPT
	Filing: 10/25/2017	
18GS1-2018-CR-1902	ST. of TN vs KENNETH J ARTT	
Off: Scott Vanmulden	Kenneth J Artt Atty: Public Defender	
	39-13-102	AGGRAVATED ASSAULT
	Filing: 05/04/2018	

STEP 1:

❖ Briefs

- Written Arguments
- 50 pages or less

STEP 2:

❖ Verbal Arguments

- 30 minutes or less
 - Petitioner goes first
- Must respond to questions from justices

STEP 3:

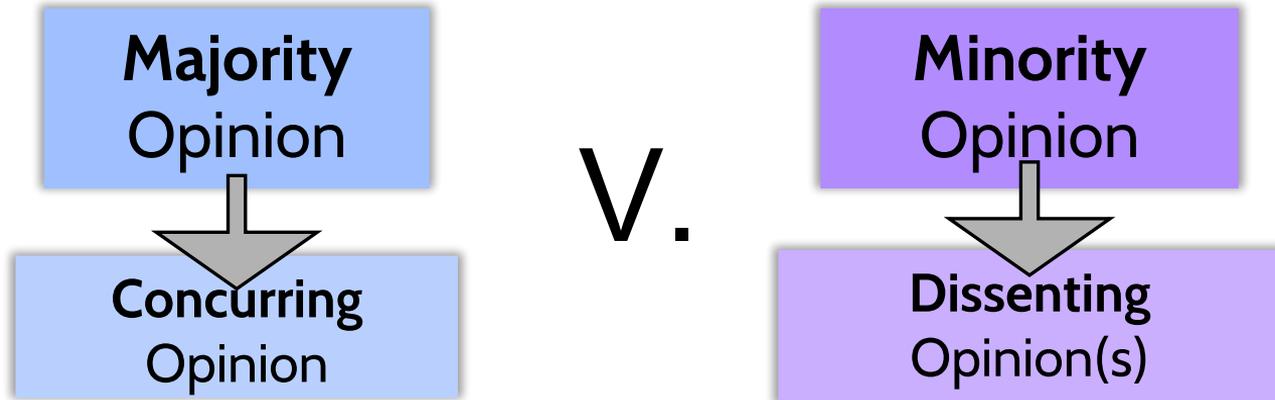
❖ Justices Conference

- Justices discuss the case
and VOTE

STEP 4:

❖ Opinion

- The decision
- Majority rules
- Justices write or “sign on” with one of the following



QUICK CHECK: WHAT ARE THE FOUR STEPS OF A SUPREME COURT CASE?

1. Briefs
 - a. Written arguments, < 50 pages
2. Verbal Arguments
 - a. 30 minutes or less, petitioner goes first
 - b. Respond to questions from judge
3. Justices conference
 - a. Discuss case and vote
4. Opinions
 - a. decision

OTHER FEDERAL COURTS:



SUPREME COURT	UNITED STATES SUPREME COURT
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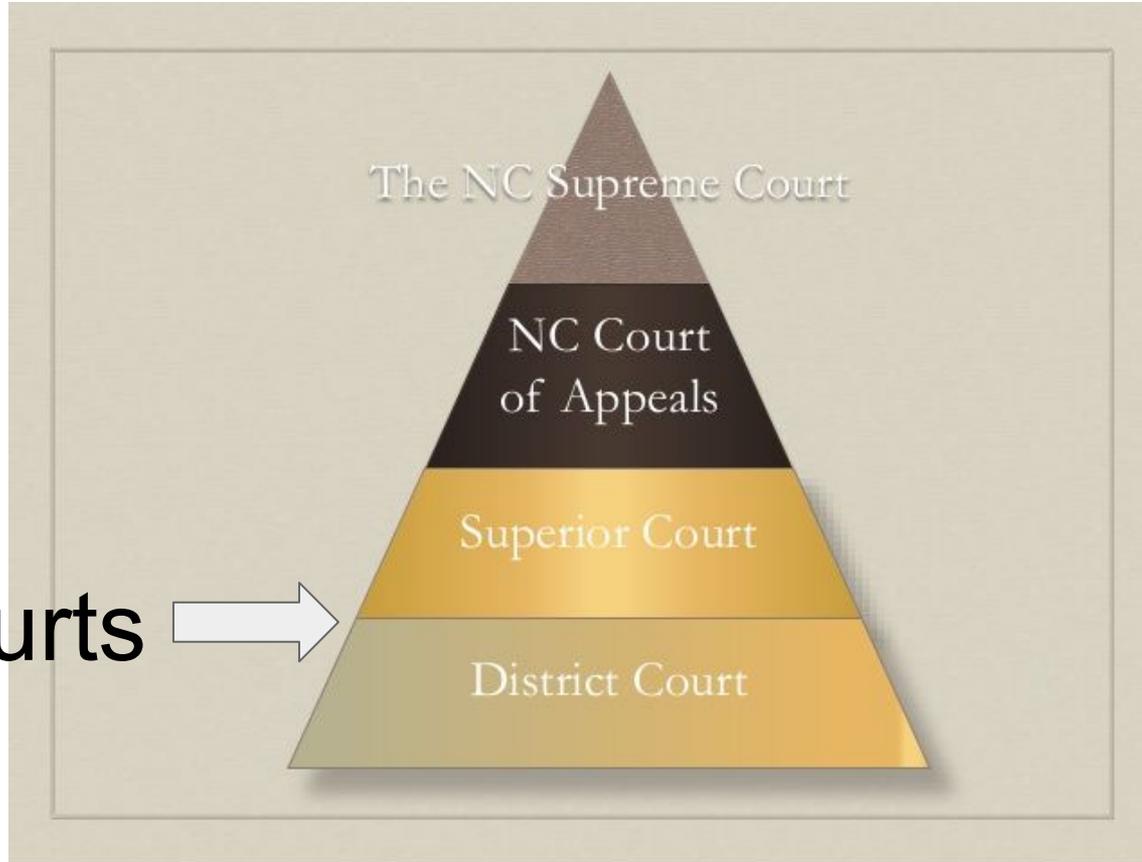
U.S. COURT OF APPEALS

- ❖ Appellate Jurisdiction
- ❖ Reviews lower courts decisions to see if proper due process was followed
- ❖ No trials, only 3 judges who review case and listen to arguments
- ❖ Options:
 - Uphold
 - Reverse
 - Issue a remand- send back to be tried again
- ❖ DECISION CAN STILL BE APPEALED TO SUPREME COURT

TRIAL COURTS/DISTRICT COURTS

- ❖ Trial courts where criminal and civil cases are held
- ❖ 94 district courts across the country
- ❖ District judge tries the case; jury delivers verdict
- ❖ TRY FEDERAL CRIMES

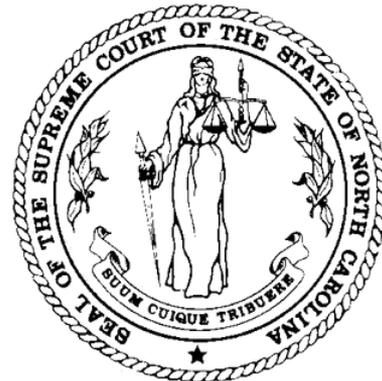
NORTH CAROLINA COURTS:



Trial Courts →

TAKE IT FROM THE TOP: NC SUPREME COURT

- ❖ Reviews cases of lower NC courts and interprets the NC Constitution
 - Appellate and Original Jurisdiction
- ❖ 1 Chief Justice & 6 Associate Judges
 - ELECTED BY THE PEOPLE



NC COURT OF APPEALS

- ❖ Hears cases appealed from state's trial courts
 - Appellate Jurisdiction
- ❖ Determine whether decision should be overturned or upheld
 - Not questions of fact



1967-2017



NC TRIAL COURTS

District Courts

- ❖ Handles:
 - Civil cases less than \$10,000
 - Misdemeanors
- ❖ Judge hears case & decides verdict
- ❖ No jury

Superior Courts

- ❖ Handles:
 - Civil cases more than \$10,000
 - Felonies
- ❖ May involve jury trials

3 BRANCHES DRILL

Find someone on the other side of the room to be partners with!

DUAL COURT SYSTEM - WHICH COURT?

Google Classroom

UNIT 2 BLUE PRINT

WARNING- I KNOW

THIS IS LONG

CLOSURE:

❖ Question:

- How does the dual court system utilized in the United States, exemplify the principle of Federalism?

JOB DONE

KICKOFF:

❖ **KO QUESTION:**

- Now that we have studied all three branches of government, which branch do you think is the strongest? Defend your answer by discussing their specific powers and checks they may have on other branches. Also- what makes these powers and checks more powerful than those of other branches?

❖ **Roll Call:** Irrational fear