

The Structure of U.S. Courts



David A. Hughes, Ph.D.

Associate Professor
University of Louisiana at Lafayette
Department of Political Science

Introduction

By the time students complete this section, they should be able to:

- Explain the difference between trial and appellate courts,
- Identify and explain the purposes of various state and federal judicial institutions, and
- Explain some of the limitations courts face due to issues of jurisdiction.

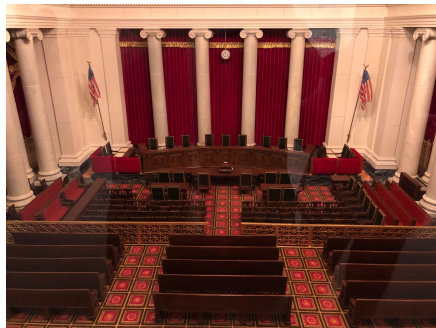
Trial courts

- Trial courts are largely fact-finders, though their process is largely guided by rules and precedents
- Evidence is submitted/elicited and evaluated by juries or a single judge in civil and criminal cases
- Some trial courts have limited jurisdiction, some general



Appellate courts

- Appellate courts (collegial bodies) largely settle legal questions, not factual ones, by voting
- Legal questions are answered in holdings, rationalized in opinions, some having precedential value, some not (majority, concurring, dissenting)
- Some appellate courts have more limited jurisdiction than others



Federalism and American courts

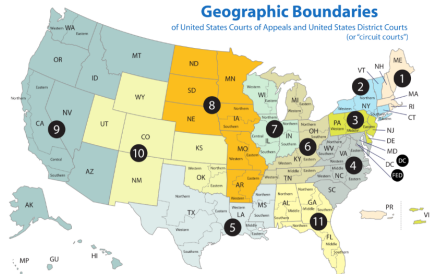
- State and federal courts operate concurrently in the American system of federalism
- Due to the supremacy clause, state courts, where federal law is concerned, are subordinate to federal ones
- The reservation clause gives states important powers, but these have also been curtailed due to the 14th Amendment and the incorporation doctrine

14th Amendment

...nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The federal court system

- Three-tiered system created by constitutional and statutory with evolving makeup and jurisdiction. Currently:
 - Districts: 94 with 677 judgeships
 - Circuits: 13 with 179 judgeships
 - Supreme: 1 with 9 justiceships
- Qualifications, selection/removal methods, and appeals process
- Specialized courts and judicial agencies



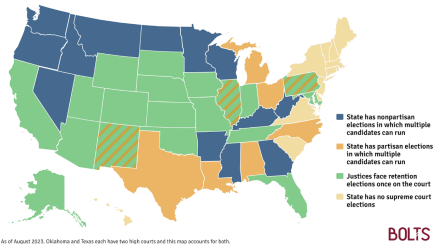
Circuit population

Circuit	Authorized Judges	Population	Percentage of U.S. Pop.	Pop. per Authorized Judge
D.C. Circuit	11	601,723	0.19	54,702
1st Circuit	6	13,970,816	4.47	2,328,469
2nd Circuit	13	23,577,940	7.54	1,813,688
3rd Circuit	14	22,498,612	7.19	1,607,044
4th Circuit	15	29,788,417	9.52	1,985,894
5th Circuit	17	32,646,230	10.44	1,920,366
6th Circuit	16	32,105,616	10.26	2,006,601
7th Circuit	11	25,001,420	7.99	2,272,856
8th Circuit	11	20,568,237	6.58	1,869,840
9th Circuit	29	61,742,908	19.74	2,129,066
10th Circuit	12	17,020,355	5.44	1,418,363
11th Circuit	12	33,268,699	10.64	2,772,392
Federal Circuit	12	318,952,000	100.00	26,579,333

State courts

- Also hierarchical, 42 three-tiered, 2 with multiple supreme courts
- More limited jurisdiction courts than feds have (family, drugs, small-claims, traffic, probate, juvenile, etc.)
- Wide variety of selection and accountability methods, court sizes, districts, term lengths, age limits, retirement benefits, etc.
- States also regulate the practice of law, judicial ethics, and electioneering

Supreme court elections in states



BOLTS

Issues related to jurisdiction

- Generally speaking, American courts hear cases and controversies (more stringent at federal level)
- Many courts will not decide/issue:
 - Political questions
 - Advisory opinions
 - Collusive cases
 - Cases without standing
 - Moot cases
- Federal jurisdiction could also turn on federal parties, diversity, bankruptcy, or class-actions



Conclusion

- This unit of the course has touched on the most basic and fundamental structures and functions of American courts.
- Due to the American system of federalism, these courts are many-splendored with jurisdictional issues in abundance.
- Furthermore, due to the stark institutional differences between state and federal courts, their operations and outputs also differ in critical ways as well.