

## CHAPTER

## 5

## A Dual Court System

## Legal Terms

In the Answer column, write the word or phrase that best completes each of the following statements.

- |   | Answer    |
|---|-----------|
| 1. Intermediate courts are also called _____.   | 1. _____  |
| 2. Actions involving more than \$50,000 between citizens of different states are known as _____ cases.          | 2. _____  |
| 3. Courts that hear cases concerning young people are _____ courts.   | 3. _____  |
| 4. Because the U.S. courts of appeals have authority to hear appeals from lower courts, we say they have _____. | 4. _____  |
| 5. Because their authority extends only to minor matters, local courts are called courts of _____.              | 5. _____  |
| 6. The power and authority given to a court to hear a case and to make a judgment is called _____.              | 6. _____  |
| 7. Trial courts that handle cases involving major crimes and large amounts of money are called courts of _____. | 7. _____  |
| 8. _____ courts hear civil cases involving a limited amount of money.   | 8. _____  |
| 9. Courts that are between the lower courts and the highest court are called _____.                             | 9. _____  |
| 10. A court that has authority to try a case the first time it is heard is known as a court of _____.           | 10. _____ |

## Key Points in Your Reading

Mark the true statements True. If a statement is false, change the underlined word or phrase to make it true.

- |  | Answer    |
|--|-----------|
| 1. The federal court system derives its power from the <u>Congress</u> .                         | 1. _____  |
| 2. Local courts are courts of <u>limited jurisdiction</u> .                                      | 2. _____  |
| 3. Intermediate courts hear appeals on <u>both the facts and the law</u> .                       | 3. _____  |
| 4. The function of the highest courts is to make final determination <u>on matters of law</u> .  | 4. _____  |
| 5. The U.S. Supreme Court has <u>both original and appellate jurisdiction</u> .                  | 5. _____  |
| 6. The <u>state</u> courts have jurisdiction over admiralty and bankruptcy cases.                | 6. _____  |
| 7. Most U.S. Court of Appeal cases are decided by a panel of <u>three</u> judges.                | 7. _____  |
| 8. The U.S. Supreme Court <u>does not</u> decide which cases it will hear from the lower courts. | 8. _____  |
| 9. The <u>courts of general jurisdiction</u> are the major trial courts in each state.           | 9. _____  |
| 10. Jurisdiction of <u>juvenile courts</u> is set by state statute.                              | 10. _____ |

# You're the Judge

For each of the following cases, circle Yes or No to indicate your decision. Then, in your own words, state the legal principle or legal reason that applies to the facts in the case.

Answer

1. Carter Newton, a resident of Indiana, was arrested for speeding while driving in Kentucky. When brought before the local traffic court, he claimed that the court had no jurisdiction over him since he was an out-of-state resident. Is his contention correct?

1. Yes No

Legal principle: \_\_\_\_\_

\_\_\_\_\_

2. Susan Bond and Bob Cox were residents of the same large city. Bond contended that she could sue Cox in appellate court to collect \$75 owed to her by Cox. Is Bond correct?

2. Yes No

Legal principle \_\_\_\_\_

\_\_\_\_\_

3. Anita Lawson has a civil case coming up at the local justice of the peace court. Bonnie Knox told Anita that she would see her in court because her criminal case was being tried in the same court on the same day. Lawson did not believe Knox because she thinks that justice of the peace courts do not hear both criminal and civil cases. Is Lawson correct?

3. Yes No

Legal principle \_\_\_\_\_

\_\_\_\_\_

4. Carmella Martinez, who owns a dress shop, is about to go into bankruptcy. She had heard that she could do this by filing some papers in court. She took her books, showing how much she is in debt, to the municipal court. Will that court accept her bankruptcy claim?

4. Yes No

Legal principle \_\_\_\_\_

\_\_\_\_\_

5. Paul Blackmore was 16 years and 10 months old when he and some older friends broke into a supermarket at night and stole an automatic teller machine. He was arrested for the crime when he was 18 years old. Will his case be heard in juvenile court?

5. Yes No

Legal principle \_\_\_\_\_

\_\_\_\_\_

## Legal Application

When Diedre Kowalski, a citizen of Kansas, applied for admission to Liberty Military Academy in Pennsylvania, the admissions counselor informed her that she could not enroll because the academy limited enrollment to male candidates only. Feeling that her constitutional rights to equal protection under the law had been violated, Diedre decided to bring a suit against the board of trustees and the president of Liberty. She consulted an attorney, Vitus John Selkirk. As a legal assistant in Selkirk's office, draft a letter to Diedre in which you explain (1) the legal grounds for federal jurisdiction over her claims and (2) the three levels of the federal court system through which her case could be heard.