

# FC

*by* Fc Fc

---

**Submission date:** 17-Apr-2018 11:42AM (UTC-0400)

**Submission ID:** 948470564

**File name:** Federal\_Courts.docx (27.24K)

**Word count:** 2217

**Character count:** 11514

Name

Institution

Date

Federal Courts

## **Introduction**

In the U.S, there are two different judicial systems including the federal courts that enforce the laws, regulations, and rules and it also interprets and applies the United States Constitution. On the other hand, there are the state courts part of the judicial system that enforces the regulations, laws, and rules of a particular state while at the same time interprets and applies the constitution of the state. "The two types of judicial systems work with each other." (Low, Jeffries, Bradley, 2014) The literature below delves in detail into the Federal Courts in the U.S, its various roles and structures, and the particular relation it has towards the public

The Federal Court comprises of Supreme Court composed of Chief Justice, as well as eight other justices. Their task entails hearing and deciding on cases that involve essential questions concerning the fair application of the federal and constitutional law. In exercising the appellate jurisdiction, the court often hears cases that have been appealed from both the state supreme and other lower federal courts if the case involves the federal law. "In light of the cases that are originating from the state court, the individual parties have to exhaust all their possibilities within the court system before the Supreme Court decides to hear that case." (Low, Jeffries, Bradley, 2014)

## **Structure and Roles of the Courts**

Judiciary is typically run differently from the legislative as well as executive branches though may work with them as the constitution requires. The laws get passed out by Congress then President signs them. Judiciary branch, on the other hand, decides the federal law constitutionality and also resolves another kind of disputes regarding the federal laws. The

judges often, however, depend on the executive government branch for them to enforce the various court decisions. Courts usually decide what happened really and whatever needs to be done about the matter. They can determine whether the individual carried out the crime and the kind of punishment should be enforced on them. Also, they offer peaceful means in which private disputes get decided which the people themselves may not have the capacity to resolve. “Considering the dispute, there are various cases which end in the courts, and there are those that could end up within the state courts.” (Scalia, In Gutmann, 2018).

Supreme Court: It is the highest form of court within the U.S. The United States Constitution created what is today known as the Supreme Court, and it authorized the Congress to carry out the passing of laws that would establish the lower courts’ system. Within the order of the federal court, it presents 94 different district level courts of trial and 13 various courts of appeal that operate below the Supreme Court (Low, Jeffries, Bradley, 2014).

The Supreme Court has the government’s authority to decide on appeals regarding every case that gets presented in the federal court or even those that have been brought into the state court, but they deal with the federal law. For instance, in case the first right to speech amendment hearing has been ruled by the state’s highest court, the matter may have an appeal to the Supreme Court. “However, if it is ruled <sup>3</sup> entirely on a law similar to the First Amendment, the Supreme Court wouldn’t have authority to consider the hearing.” (Scalia, In Gutmann, 2018)

After a ruling by the circuit court on any case, any of the parties could choose appealed towards the Supreme Court. Supreme Court doesn’t require conduct hearing on the appeal, unlike the circuit court. Court members are appointed and confirmed by the President and Senate respectively. The Supreme Court members are called “justices” and similarly to other federal

judges, they also get nominated and approved by the President and Congress. The court has nine different judges, a single chief justice and eight others known as associate judges. The constitution has not set any requirement for the judges in the Supreme Court although all the current court members are often lawyers and most of them have at one serve as judges in the circuit courts. The justices are as well former law teachers and professors. Chief justice can act as the primary administrator of the court and President chooses them while Congress approves whenever there is a vacant position. "The Supreme Court regularly does an annual term from the very first Monday of October and until the summers that usually end in late June." (Low, Jeffries, Bradley, 2014).

### **Court of Appeal**

There are several appellate courts which operate under the Supreme Court, and all are referred to the Appeals Courts. Districts of the Judicial (94 in number) are broken down to 12 regional circuits and they all have an appeals court. The appellate court responsibilities involve determining whether the law has been correctly applied within the trial court. The Appeals court does not have a jury and comprises of three different judges (Scalia, In Gutmann, 2018). Court of Appeals' purpose is to hear the various challenges to the decisions of the district courts from the other courts which are located in its own circuit and appeals from the federal administrative organizations' / agencies' decisions. Additionally, the Court of Appeal of the federal circuit has a nationwide jurisdiction, and it appeals in different specialized cases like those which involve the patent laws as well as claims that are decided by the United States Federal Claims Court and the U.S International Trade Court (Scalia, In Gutmann, 2018).

### **Bankruptcy and Appellate Panels**

Bankruptcy and Appellate Panels or BAPs comprises of 3 different judge panels that are authorized to hear the appeals concerning the court decisions on bankruptcy. The panels are federal appeals courts unit, and they have to be established by the circuit. Five different circuits have developed the panels including the First, Eighth, Sixth, Tenth and Ninth Circuit (Manz, 2011).

### **District Courts**

They are considered to be the general trial of the system of courts. Each district court comprises of at least a single District Judge in the United States who the President has appointed and also the Senate has confirmed for life. The district courts often handle different trials in the system of federal courts both criminal and civil. The district is similar to the ones of the United States Attorney who is the chief federal government prosecutor within their respective regions. "In the U.S, there are more than 670 different district courts." (Manz, 2011) The judges of the district court manage and supervise the court as well as its workers. They can keep on serving provided they uphold "acceptable behavior" and they can be eliminated or impeached following the instructions offered by the Congress. The number of judges in the district courts is estimated to be 670 in number. The judges in the district court are entitled to the responsibility of supervising and managing the employees of the court. Some of the operations of district court are designated by the magistrates. The latter are often appointed by the district court through the judges' votes (Manz, 2011).

Magistrates get selected by a majority vote from the district court judges, and they are required to serve for an eight-year term in total as well as four-years part-time but may be nominated for a second time after a completed term. In terms of criminality, the judges can as

well oversee some primary cases, issue an individual's arrest or warrants for search, set bail, decide on some motions, and carry out initial hearing among other related actions. In the <sup>1</sup>civil cases, magistrates can handle different issues like the pre-trial discovery and motions. The federal trial courts have been established for few areas specified. Each district as well as its own bankruptcy court that is meant for proceedings. "Moreover, some of the national courts have jurisdiction over matters including claims that are against the government, International Trade and Taxations." (Fletcher, Pfander, 2014).

### **Bankruptcy Courts**

Federal courts have jurisdiction over the cases of bankruptcy that involve some farm or personal business bankruptcy. That reflects that the bankruptcy case may not be filled within the state court. Through the process of bankruptcy, people or businesses who may not be able to pay their creditors may either seek a liquidation of assets supervised by a court, or they can reorganize their affairs in finances and develop a plan to pay their various debts (Fletcher, Pfander, 2014).

### **Circuit Courts**

Once a decision regarding a case is carried out by the federal court, it could be appealed and the appeals court deal with such kind of issues. There are 12 different federal circuits which separate the entire country into several different areas. For example, Fifth circuit may include the

states such as Mississippi, Texas, as well as Louisiana. The cases that are from the district courts include the ones which are appealed towards the 5<sup>th</sup> Circuit Appeals Court headquartered in Louisiana. Moreover, Court of Appeals Circuit has a national jurisdiction over particular matters like patents. Each of the court circuits has numerous judges. The judges in the Circuit court are appointed and are often confirmed by their Senate as well as the President elect. Any hearing could be appealed towards the court for life having been approved by Senate and the President. Any case can get be appealed to the circuit once there has been the finalization of the decision. Appeals made to the circuit first get heard by a panel that comprises of three different judges of the circuit. The parties “briefs” file towards the court arguing the reasons why the decision of the trial court should be reversed or affirmed (Manz, 2011).

Though most times it is rare, the entire circuit officials of the court can have some of the appeals considered and that process is called “en banc”. Their opinions often carry much more meaning and they usually get decided after the case hearing by the panel. Once it has been ruled by the panel, and the opinion gets published, there aren’t any more overruling of the decisions previously made by the panel in the future. However, the panel can suggest that the circuit to take up the case and for the second time consider the choice made by the initial Panel. Beyond the circuit, there are several courts which have been created to deal with different appeals on particular areas (Fletcher, Pfander, 2014).

### **How Federal Court Relates to the Public**

Federal courts in the U.S often have a significant impact on the American public in numerous ways. One of them is providing Jury Service where the individuals who are above 18 years of age could be called into a jury service. They also hold different ceremonies throughout

every single year whereby the citizenship gets provided formally, as the new coming citizens are welcomed into the U.S officially. Most of them get held during 17th of September to celebrate citizenship and constitution day. The ceremonies are usually opened towards the public and they could be attended by thousands of individuals. The crucial civic events are conducted within courtrooms as well as sites within the community, and they present an opportunity to promote a public understanding of whatever federal courts entail. They also provide new stories in the news where there are different descriptions of how the various issues regarding the current society interests finally wind up within the federal courts. The stories could involve multiple issues like the cases of civil rights that involve national laws, state disputes, public corporation takeovers, etc. “Finally, the effect of the federal courts on American lives is known best by the Landmark Supreme Court cases as other cases of federal courts show that the judicial branch is more significant to the manner in which the citizens live as well as their various rights.” (Wright, Kane, 2017)

Federal Courts deal with crimes that violate the provisions of the federal law including drug cases, kidnapping or bank robbery. Also, cases which involve interstate criminal practices. However, they have limited jurisdiction as they only can hear some of the cases most of which are dealt with in the state courts (Scalia, In Gutmann, 2018)

In closing, Federal Courts are entitled to the task of enforcing the law as well as applying the constitution of the United States. Federal courts include the Supreme (Court) which includes eight different judges along one chief justice. The paper above has looked into Federal Courts, discussing its various structures and roles including those of the district, bankruptcy, supreme,

appeal and circuit courts. The various ways in which the Federal Court may relate to the public citizens have also been discussed (Scalia, In Gutmann, 2018)

#### References

Fletcher, W. A., & Pfander, J. E. (2014). *Federal courts*.

Jeffries, J. C., Thomson Corporation,, Gilbert Law Summaries (Firm),, & BAR/BRI (Firm),.  
(2005). *Federal courts*.

Low, P. W., Jeffries, J. C., & Bradley, C. A. (2014). *Federal courts and the law of federal-state relations*.

Manz, W. H. (2011). *Congress and the courts: A legislative history 2009-2010, the 111th Congress : documents and materials regarding the creation, structure, organization, decisions and jurisdiction of federal courts and the federal judiciary*. Buffalo, N.Y: William S. Hein.

Scalia, A., & In Gutmann, A. (2018). *A matter of interpretation: Federal courts and the law : an essay*.

Wright, C. A., & Kane, M. K. (2017). *Law of federal courts*.

ORIGINALITY REPORT

2%

SIMILARITY INDEX

1%

INTERNET SOURCES

0%

PUBLICATIONS

2%

STUDENT PAPERS

PRIMARY SOURCES

1

Submitted to Fort Worth Country Day School

Student Paper

1%

2

[www.volleyballnw.com](http://www.volleyballnw.com)

Internet Source

1%

3

Submitted to Southern New Hampshire  
University - Continuing Education

Student Paper

1%

Exclude quotes Off

Exclude bibliography On

Exclude matches Off