Article III: The Federal Court System

I. The Federal Court System

 A. Articles of Confederation from 1781 to 1789

1. Major weakness – NO COURTS

2. Each state had own courts and own laws

B. Article III of the US Constitution

1. created a Supreme Court

2. Congress can create inferior courts (courts of lower authority).

3. Judiciary Act of 1789 – created federal district courts

4. later in 1791 appeals courts were created.

 C. Criminal and Civil Cases

 1. there are 2 court systems in the US – federal and state courts

 2. state courts hear most legal disputes

 3. criminal cases - cases in which juries decide whether people have

committed crimes are heard in state courts

 4. civil cases – cases in which two sides disagree over some issue

D. Federal Court Jurisdiction

 1. Jurisdiction – the authority to hear and decide a case

 2. federal courts have jurisdiction in the following areas

 a. The Constitution: i.e. a constitutional right has been violated

 b. Federal laws: federal crimes – kidnapping, bank robbery

 c. Admiralty and maritime laws: crimes & accidents on the high

seas or related to the seas

 d. disputes in which the US government is involved: the

government can sue if someone doesn’t live up to their part of a contract or a person/company can take to government to court if they don’t live up to their part of a contract

 e. controversies between states: any disagreement between states

 f. controversies between citizens of different states: if a person in

Maine is cheated by a person from California and it is worth more than $50,000, then the federal courts can intervene

 g. disputes involving foreign governments: any dispute between

an American (US Gov, American company) and a foreign country

 h. US ambassadors, ministers, and consuls serving in foreign

countries: if an ambassador breaks an American law in the embassy, the federal courts will hear the case.

 E. exclusive jurisdiction: only federal courts may hear the case

 F. concurrent jurisdiction: state and federal courts share jurisdiction