II. The Lower Federal Courts

A. District Courts

1. lowest level of the federal court system

2. are where trials are held and lawsuits begun

3. original jurisdiction: authority to hear cases for the first time

4. only federal courts where jury trials are held

5. each district is a geographic area – each state has at least one

6. 90% of all ‘work’ takes place here

a. criminal cases – mail fraud, income tax evasion, bank

robbery, & treason

7. civil cases – disputes involving labor relations, public lands,

copyright & patent laws, & civil rights

8. Constitution states “ such Trial shall be held in the State

where the said Crimes shall have been committed”

B. District Court Judges

1. each district has at least 2

2. each district court judge

a. decides procedures to be followed

b. explain the law involved in a case to the jury

c. decide on punishment/fine when the jury finds a

defendant guilty

d. the President appoints with Senate approval

e. are paid $

f. are appointed during ‘good behavior’

g. cannot have pay reduced during term in office

C. Other District Court Officials

1. magistrate :

a. issues court orders

b. hears preliminary evidence to determine whether the

case should be brought to trial

c. hear minor cases

2. US attorney

a. government’s lawyer

b. his/her job to prove that a suspect has committed a

crime

c. do most of the trial work

D. Serving Subpoenas

1. marshal –

a. arrests suspects

b. delivers defendants to court

c. serves subpoenas – court order requiring someone to

appear in court

2. clerks & secretaries and other individuals who paper push to

make judicial branch work as swiftly as possible

E. US Courts of Appeals

1. also called federal appeals courts (are above dist. courts)

2. Jurisdiction – appellate jurisdiction

a. hear only cases which have gone through district

courts or through federal regulatory agencies

b. can only be used if the law wasn’t followed properly

or if procedures weren’t followed properly

c. created to ease the work of the Supreme Court in 1891

d. there are 12 circuits or geographic areas

F. Appeals Court Judges

1. there are 6 to 27 per court

2. they make $

3. THEY DO NOT PRESIDE OVER TRIALS

4. no jury – only a panel of 3 judges hear arguments and

review cases

5. they only rule if rights are protected and a fair trial was

received

6. 3 types of rulings

a. uphold the lower courts verdict

b. remand (return) the case for a new trial

c. overturn the decision

7. appeals court decision is usually final

8. very few cases reach the Supreme Court

G. Special Federal Courts

1. US Tax Court – hears appeals dealing with federal tax laws

2. US Court of Federal Claims – citizens who sue the

government for money claims

3. US Court of Military Appeals – appeals court for armed

forces (after an individual has been court-martialed)

4. US Court of International Trade – disputes arising from

tariff and trade laws