

Main Idea

Congress has created a system of lower courts for the federal judicial system. Each court has a specific role to play in the judicial branch.

Reading Focus

1. What are the roles, jurisdiction, and officers of the federal district courts?
2. What are the roles, jurisdiction, and procedures of the federal courts of appeals?
3. What are the functions of some of the other federal courts?

Key Terms

grand juries
bankruptcy
magistrate judges
misdemeanor
public defenders
marshals
appellant
briefs
sovereign immunity
courts-martial

Federal District Courts (pp. 228–230)

District courts have original jurisdiction for most federal cases and handle more than 300,000 cases a year. There are 94 federal district courts. Each judicial district has at least two judges, though some have more.

The Jurisdiction of District Courts

The Constitution assigns specific types of cases to federal courts, such as those involving residents of different states. In addition, some offenses, such as civil rights violations or murder, break federal laws. In serious criminal cases, district courts bring together panels of citizens known as **grand juries** to hear evidence of a possible crime and to recommend whether the evidence is sufficient to file criminal charges.

Bankruptcy cases fall under federal jurisdiction as well. Bankruptcy is a legal process by which persons who cannot pay money they owe others can receive court protection and assistance in settling their

financial problems. A separate bankruptcy court within each district handles these cases.

Court Officials Judges preside, or hold authority, over trials, make sure all rules are followed, and explain points of law to the jury. In cases where the participants have decided not to have a jury, the judge decides the case.

District court judges are appointed by the president and approved by the Senate. They have no set term. Bankruptcy judges, however, are Article I judges. They are named by the court of appeals for the circuit in which the district court is located. These judges have 14-year terms.

District courts also have officials who are known as **magistrate judges**. These officials are responsible for overseeing some of the early hearings of a criminal trial when routine matters are carried out. They may also hear **misdemeanor**— or minor criminal—cases punishable by one year or

less of prison time—and certain civil cases. Magistrate judges are appointed by the district court judges to terms of eight years. Nonjudicial jobs in the district courts are handled by court clerks.

Other Courtroom Officials There are several officials who are not employed by a judicial district but are important to its operations. One is the U.S. attorney, who represents the U.S. government in federal court. Each U.S. attorney oversees an office with many assistant U.S. attorneys and staff. These people are employees of the Department of Justice. U.S. attorneys are appointed by the president, subject to Senate approval, and serve a four-year term.

In criminal cases, the federal courts provide lawyers to defendants who cannot afford to hire one. Such lawyers are known as **public defenders**.

Each judicial district also has an office of the United States Marshals Service. U.S. **marshals** provide security and police protection at federal courthouses. They transport prisoners and help arrest people accused of crimes. The head of each marshal office is appointed to a four-year term by the president, with approval by the Senate. Marshals are employees of the Department of Justice.

Reading Check Identifying Supporting Details Aside from district court judges, who are some of the other officials who make up a district court?

Federal Courts of Appeals (pp. 230–231)

There are 13 courts of appeals. Twelve of them are in the regional circuits. Washington, D.C., is both a judicial district and a circuit. It has a district court and a court of appeals. The Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear certain types of cases.

Purpose of the Courts of Appeals A court of appeals hears cases coming from its circuit’s district court as well as from federal government agencies. Most cases are criminal and civil cases. Criminal cases can only be appealed by the defendant who was found guilty. Civil cases can be appealed by either side of the case. A low percentage of appeals are actually successful.

Appeals Court Procedure A person who files an appeal—the **appellant**—usually has to show that the original ruling was based on a legal mistake, such as improper procedure. Courts of appeals do not retry cases. They rely on the factual record as established by the trial court. Most appeals are heard by a randomly chosen panel of three circuit judges. Usually the panel reviews the trial court record and reads written arguments, or **briefs**, from both sides in the case. Oral arguments are sometimes made. The panel will use precedents set by previous rulings to decide on an appeal.

After the Ruling The ruling of the appeals court is usually final. Sometimes, the court sends the case back to the district court for additional hearings. A prosecutor also may retry a case if the panel decides in favor of a criminal defendant, though this is rare. Occasionally, a larger panel of judges reviews the case, which is called an *en banc* review. A few cases may go on to review by the U.S. Supreme Court.

The Federal Circuit This court has nationwide appellate jurisdiction for cases involving certain areas of law, such as international trade and government contracts. Appeals come from district courts, government agencies, and other special federal courts.

Reading Check Sequencing At what point would an appealed case go to the Supreme Court?

Other Federal Courts (pp. 231–232)

In addition to the district and circuit courts, Congress has created other Article III and Article I courts. These courts have limited jurisdiction.

U.S. Court of International Trade This court hears cases involving disputes over international trade. It is an Article III court with judges that serve for life. Cases from this court can be appealed to the Court of Appeals for the Federal Circuit.

U.S. Tax Court This court hears disputes over federal taxes. Tax court decisions can be appealed in a federal court of appeals.

U.S. Court of Appeals for Veterans Claims Congress created the Department of Veterans Affairs to run programs for people who have served in the U.S. military. The U.S. Court of Appeals for Veterans Claims hears any disputes over matters regarding veterans.

U.S. Court of Federal Claims In general, a sovereign nation is immune from being sued unless it agrees to be sued. This general principle is known as **sovereign immunity**. There are some cases in which parties can bring complaints against the U.S. government. The U.S. Court of Federal Claims hears involving money claims over more than \$10,000. Rulings of this court can be appealed to the Court of Appeals for the Federal Circuit.

U.S. Court of Appeals for the Armed Forces In cases of violation of the Uniform Code of Military Justice—rules of conduct for members of the U.S. military—the military holds hearings called **courts-martial** to decide the cases. Courts-martial are heard by the U.S. Court of Appeals for

the Armed Forces. The five judges on this court are not members of the military. They serve 15-year terms.

National Security Courts The Foreign Intelligence Surveillance Court reviews and authorizes requests by the government to conduct spying operations on American soil if it determines that the target of the investigation is an “agent of a foreign power.” Eleven district court judges appointed by the chief justice of the United States sit on this court for seven-year terms.

The Alien Terrorist Removal Court reviews requests by the U.S. attorney general to remove from the country an individual suspected of being a terrorist. Judges on this court are appointed by the chief justice of the United States and serve five-year terms.

Military Commissions These commissions were created after the terrorist attacks of September 11, 2001, to try individuals captured during fighting in Afghanistan. The Supreme Court ruled against the commissions’ procedures, methods, and powers in *Hamdan v. Rumsfeld*. The new rules created by the president and Congress are also being challenged in court.

Washington, D.C., and Territorial Courts Congress has governing responsibility for Washington, D.C., and any U.S. territories. For this reason, it authorized the creation of trial and appellate courts in Washington, D.C., and the territories. These courts are separate from the federal district court and the federal court of appeals in these jurisdictions.

Reading Check Summarizing What are some of the reasons why Congress created additional courts?

SECTION 2 ASSESSMENT

1. **Describe** What kinds of cases are heard in federal district courts?
2. **Identify** What is an **appellant**?
3. **Describe** What is the purpose of the Court of Appeals for the Armed Forces?