Role of Courts in the Criminal Justice System

The Judicial Branch

Courts help maintain the social order and protect individuals from governmental abuses of power (Aikman, 2007). The structure and powers of the federal and state courts are regulated by the relevant statutes and constitutions.

U.S. Court System

The United States has what is called a dual court system because it is comprised of two main court systems: the first is the federal court system, and the second is the state-level court system for each of the 50 states (Neubauer, 2005). The federal courts have jurisdiction over cases that involve federal law or the U.S. Constitution and also over cases that involve parties from different states with more than $75,000 at stake. State courts have jurisdiction over cases relating to the state law and constitution (Neubauer, 2005). The relationship between the federal and state court systems can become complicated because they are two parallel systems that often have overlapping and concurrent jurisdiction.

Structure of the Courts

Federal Courts

The federal courts have a three-tier structure; the first tier involves the district courts, the second tier involves the United States Courts of Appeals, and third tier is the United States Supreme Court (Administrative Office of the U.S. Courts, 2003). A criminal case would generally begin at the district court level, where the trial would be held. The decision of the district court may be appealed to the U.S. Courts of Appeals and eventually as far as the Supreme Court. The U.S. Courts of Appeals and Supreme Court justices have the option of remanding a case back to a lower court for further consideration (Administrative Office of the U.S. Courts, 2003). A case involving complex issues could move back and forth between the different court levels several times.

State Courts

Each state court system is structured differently although most bear a resemblance to the federal model. The great majority of criminal cases are heard through the state courts. Trial courts of limited jurisdiction generally exist at the county or municipal level and have a restricted range of cases that
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they can address (Neubauer, 2005). Trial courts of general jurisdiction have the authority to hear all cases that were not specifically delegated to the lower courts (Neubauer 2005). The decisions of the trial courts may be appealed to an intermediate court of appeal and then the court of last resort, usually referred to as the state supreme court.

**Differences Between Trial and Appellate Courts**

In a trial court, the parties present witnesses and evidence, and the judge or jury makes a determination as to the facts and application of the law. At a criminal case, the parties are the prosecution and defendant, and the prosecution must prove to the court that the defendant is guilty beyond a reasonable doubt to obtain a conviction (Neubauer, 2005). A record is made of the trial and the verdict.

The courts of appeal function to correct mistakes at the trial court level and also to formulate policy by filling in gaps in existing law and clarifying the meaning of statutes or previous case law. The trial court has determined the facts of the case, so the appellate court only reviews whether there were errors in the trial court’s application of the law. The decision of a court of appeals is made by a group of justices rather than just one judge (Neubauer, 2005). The attorneys for the parties submit written briefs to the appellate court regarding the issues being appealed and may also present an oral argument to the court. After the case has been argued, the appellate justices make a final decision in a private conference and issue a written opinion. The justices may modify, reverse, or remand the case only if they find that the lower court made a legal error at trial (Administrative Office of the U.S. Courts, 2003).

**References**

