

Essay on dual court system

Business



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The USA operates on a dual court system, which means that there are courts at the state level and the federal level.

This system dates back to the colonial times and is still in place because it works and because it allows different crimes to be tried at the appropriate level of government. When the thirteen colonies established their independence from Britain, each of them had its own state court system, but were all able to also use the federal system that ruled them all at one time.

How the State Courts Work The state courts generally have a broad jurisdiction, which means they mostly work with crimes that affect individuals. This includes things like theft, family issues, traffic violations and broken contracts. In addition, when there is a criminal crime in a state, it is typically tried in state courts.

This is because most of these criminal cases are crimes against the state. Most of the time, state cases are tried without anyone really knowing about the crime. In some instances, a crime is tried by the state, but gains attention due to the name of the person who is being tried. This includes instances like the O. J. Simpson trial and the Aurora Theater shooting trial.

State crimes include domestic violence, harassment, murder and assault.

How the Federal Courts Work Federal courts try far fewer cases each year than the state courts do. The federal courts see cases when there is a crime against the United States, such as antitrust, bankruptcy and copyright crimes. When the United States is a party in a trial, it's usually tried by the federal court system. When a federal law, or one that breaks the Constitution, the federal courts usually get involved. In addition, if the parties

involved are from different states and the amount of money involved exceeds \$75, 000, the federal courts will sometimes get involved.

Crimes against federal property, such as in national parks, and crimes that involve bringing drugs into the country are also tried by the federal courts.

When Both are Involved Sometimes both the state and federal courts have jurisdiction regarding a certain crime or court case. This includes things like employee discrimination and religious discrimination. If a state law is imposed and a person challenges it as breaking his or her Constitutional rights, the federal courts often take the case. There are fewer federal court judges and the number of cases they see is dramatically lower than the state courts.

The dual court system works in the United States because it falls under the self-governing statement in the Declaration of Independence, allowing states to make their own laws, while still being governed by the country. States have varying laws so the way the state courts work is to uphold those laws. When a crime becomes a national matter, the federal court system will take over and try the case. Most cases will fall under state jurisdiction.

Understanding how this works ensures that you know your rights and are treated fairly by the court system.