

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

Introduction



Demi Tracy: The United States Supreme Court receives plenty of attention, from history books and the news to popular television shows and movies. This attention is warranted, but the lower federal courts have the responsibility of hearing the bulk of the cases in America. In fact, ninety-nine percent of the federal court caseload is heard in the lower federal courts. Jeanne Marcel is here to help us explore the lower federal courts.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

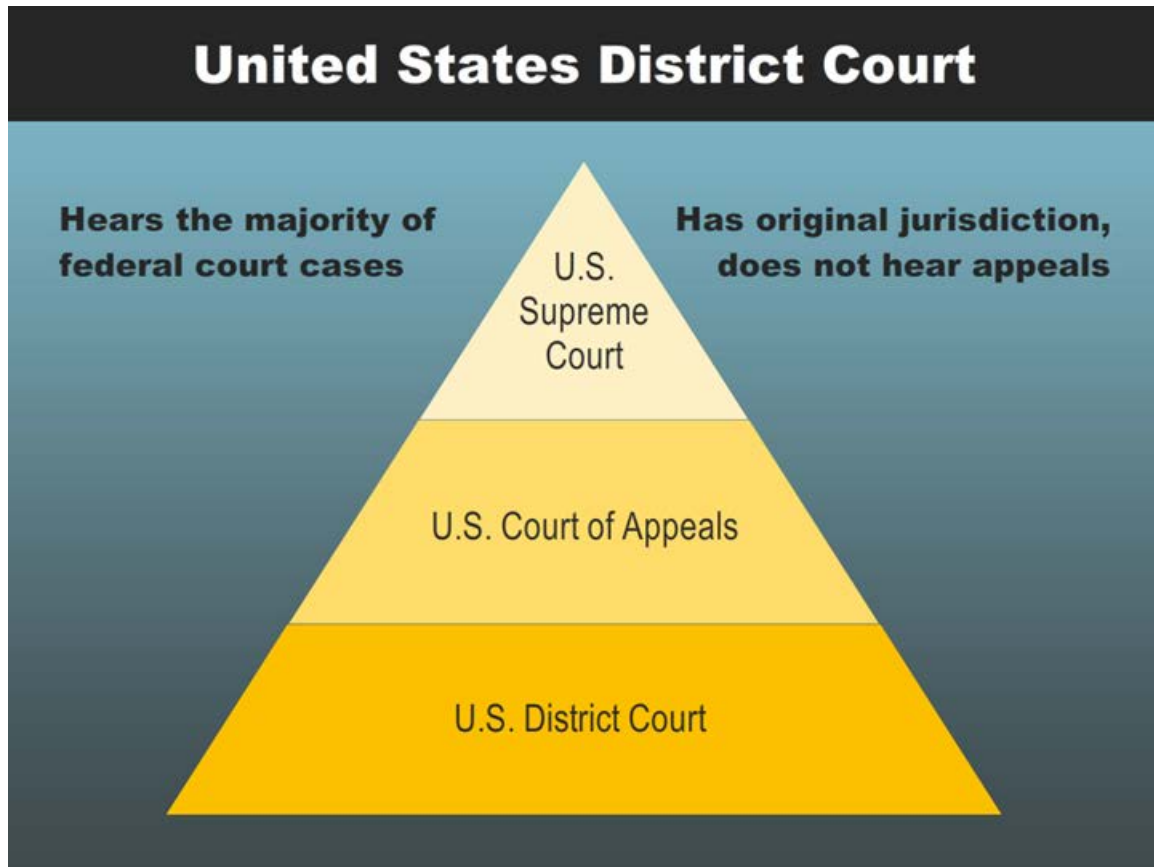
The Judgment Zone



Jeanne Marcel: The federal judiciary was divided into a three-tier system with the passage of the Judiciary Act of 1789. The district courts reside at the lowest tier. At the second tier are the Courts of Appeals. The Supreme Court is at the top of this system. In this episode of *The Judgment Zone*, we will examine the United States District Court and the United States Court of Appeals.

Module 5: The Judiciary
Topic 2 Content: Lower Federal Courts

United States District Court



Jeanne Marcel: The United States District Court is at the bottom of the three-tier system. The majority of federal cases heard in America are held in a U.S. district court. A district court, also known as a trial court, has original jurisdiction, meaning it is the first court to hear a case and it does not hear appeals. The district court system is composed of 94 federal judicial districts. Each state has between one and four districts, a number that is based mainly on the number of cases filed in that state. Virginia, for example, is divided into the United States District Court for the Eastern District of Virginia and the United States District Court for the Western District of Virginia. Washington, D.C. and the territories of Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico all have districts courts as well.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

District Court Officials

District Court Officials



District Court Judges

- Primary court official that presides over trials
- Ensure legal procedures are followed properly and instruct juries about matters of law
- **Article III judges:** part of the judicial branch
- Appointed by the President, confirmed by the Senate, and serve their terms for life

Other Court Officials

- **Magistrate judges:** appointed by district court judges for 8-year terms; oversee early hearings and minor criminal cases
- **Clerks of the court:** in charge of most of the non-judicial operations like maintaining court records

Jeanne Marcel: Judges are the primary official in any court and are responsible for presiding over the trials in a district court. Judges are also responsible for ensuring legal procedures are followed properly and instructing juries about matters of law. In a district court case, juries may or may not be present. If not, the case will be decided by the presiding judge. District court judges are considered to be Article III judges, meaning they are part of the judicial branch, and are therefore appointed by the President and confirmed by the Senate. They also serve their terms for life.


Other courtroom officials include magistrate judges, who are appointed by district court judges for terms of eight years. Magistrate judges oversee the early hearings of criminal trials and other minor criminal cases. District courts also employ a clerk of the court, who is in charge of most of the non-judicial operations like maintaining court records.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

Executive Branch Court Officials

Executive Branch Court Officials



- U.S. Attorney**
 - Represents the U.S. government in federal court
 - Acts as prosecutor on behalf of the U.S. in criminal trials and defends the government in civil suits
 - Work for the DOJ under the Attorney General
 - Appointed by the President for 4-year terms
- U.S. Marshals**
 - Law enforcement officers for the federal judiciary
 - Protects federal courthouses, transports prisoners, protects witnesses, arrests people accused of a federal crime
 - Heads of offices are appointed by the President and serve 4-year terms

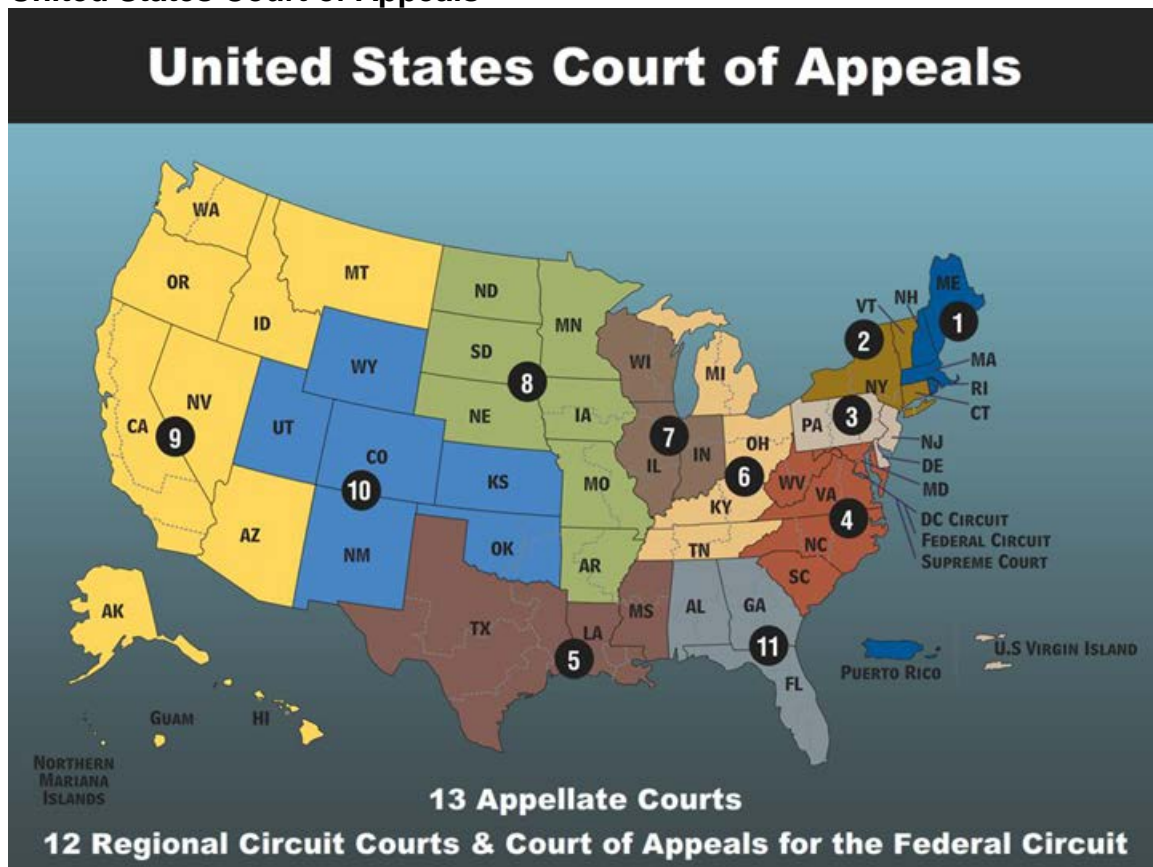
Jeanne Marcel: There are other important court officials who are actually part of the executive branch. Each district has a U.S. Attorney, who represents the U.S. government in federal court. The U.S. Attorney acts as the prosecutor on behalf of the U.S. government in a criminal trial and defends the government in a civil suit. U.S. Attorneys work for the Department of Justice under the Attorney General and maintain staffs of their own. As part of the executive branch, they are appointed by the President and serve at the President's discretion for four years.

Also under the Department of Justice are the U.S. Marshals, which are basically law enforcement officers for the federal judiciary. Each judicial district has a U.S. Marshal's office, which is responsible for protection at federal courthouses, prisoner transportation, protecting witnesses, and arresting people accused of a federal crime. The heads of these offices are appointed by the President and serve for four years.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

United States Court of Appeals



Jeanne Marcel: The United States Court of Appeals is positioned on the second tier of the judicial system. As you can guess from the name, the Court of Appeals has appellate jurisdiction, meaning the case originated in a lower court and moved up to the court of appeals. As a higher court with appellate jurisdiction, the U.S. Court of Appeals does not try new cases. This middle tier consists of thirteen appellate courts, which are divided among the country. The 94 federal judicial districts are organized into twelve regional circuits, each with its own circuit court. One of these regions is Washington, D.C., which has its own circuit court on top of its own district court. The final court is known as the Court of Appeals for the Federal Circuit, and has jurisdiction over the entire nation. The Eastern District of Virginia and the Western District of Virginia are part of the United States Court of Appeals for the Fourth Circuit. This federal appellate court is located in Richmond, but hears the appeals from the districts of five different states.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

Court of Appeals Procedure

Court of Appeals Procedure

- A party not satisfied with a district court ruling may apply for an appeal.
- A defendant may appeal the verdict in a criminal trial, but not the U.S. Attorney.
- Either side may appeal if it is a civil trial.
- An appealed case is reviewed by a panel of 3 randomly selected circuit judges.
- Circuit judges are appointed by the President, approved by the Senate, and serve for life.
- There is no jury, as the decision is left up to the panel of judges.
- The initial verdict may be upheld or overturned.
- A U.S. Court of Appeals decision may be reviewed by the Supreme Court.

The diagram is a pyramid with three horizontal sections. The top section is light yellow and labeled 'U.S. Supreme Court'. The middle section is a medium yellow and labeled 'U.S. Court of Appeals'. The bottom section is a darker yellow and labeled 'U.S. District Court'. To the left of the pyramid, a white gavel icon is shown with a white arrow pointing towards the top section.

Jeanne Marcel: If a case is tried in a district court, any party dissatisfied with the ruling may apply for an appeal in circuit court. In a criminal trial, a defendant found guilty of a crime may appeal the verdict. The U.S. Attorney may not appeal the verdict if the defendant is found not guilty. Either side may appeal if it is a civil trial.

Unless there was a legal mistake made or some sort of improper procedure followed, it is very rare that a court of appeals will overturn a decision. An appealed case is not retried, but rather it is reviewed by a panel of three randomly selected circuit judges. These circuit judges are appointed by the President, approved by the Senate, and serve for life. They do not hear new evidence, but they examine both sides of the appealed case and may consider listening to oral arguments as well. There is no jury at these hearings, as the decision is left entirely up to the panel of judges. These judges frequently rely on Supreme Court precedent in similar cases and precedent set in cases within their own circuit.

The initial verdict may be upheld or overturned. In some instances, the case may be sent back to the district court for more hearings. Additional judges from the circuit court may be called in to review the case further. Generally, whatever decision the panel of judges reaches is the final one, but on rare occasions, a U.S. Court of Appeals decision may be reviewed by the Supreme Court.

Module 5: The Judiciary

Topic 2 Content: Lower Federal Courts

Ending of Episode



Demi Tracy: Although the Supreme Court has the final say in defining the law, the inferior courts set the precedents that other courts refer to. Unless there is a Supreme Court ruling to the contrary, the rulings in these lower federal courts determine what the law is. Thanks for tuning in.