

Module 5: The Judiciary

Topic 2 Content: Other Federal Courts

Introduction

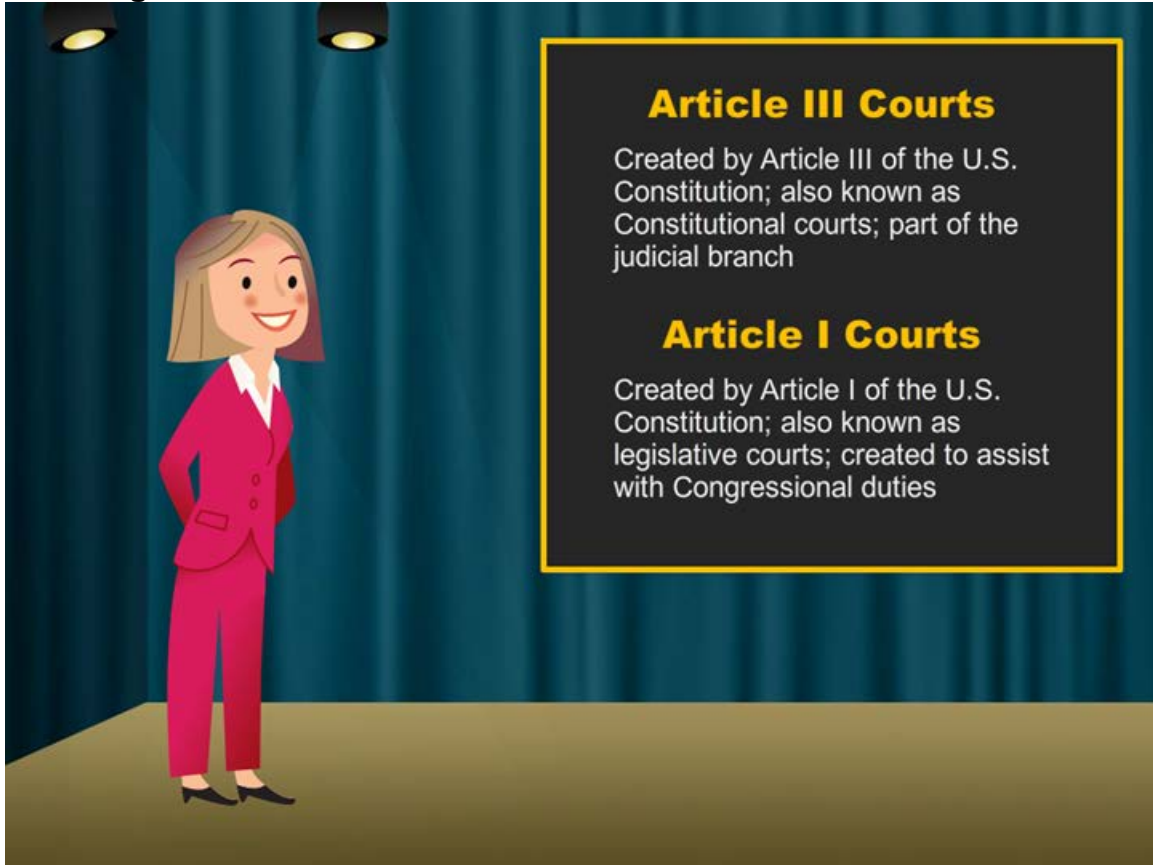


Glover Mint: The federal judicial system is composed of three tiers, the district trial courts, the circuit courts of appeals, and the Supreme Court. In addition to these courts, there are other federal courts to consider. These courts address special needs that are not met within the traditional court system, or which would overwhelm the system if assigned to regular district or circuit courts.

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The Judgment Zone



Jeanne Marcel: Article III of the Constitution grants judicial power to the Supreme Court and “in such inferior Courts as the Congress may from time to time ordain and establish.” Article I, Section 8 of the Constitution grants the legislative branch the ability “To constitute Tribunals inferior to the supreme Court.” This means that Congress has the power to create other special purpose courts, as long as they are inferior to the Supreme Court. Some of these are a part of the judicial branch, and are referred to as Article III courts. Some were created to assist Congressional duties, and are referred to as Article I or legislative courts. Let’s take a look at a few of these courts.

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Bankruptcy Courts

Bankruptcy Courts



- **Bankruptcy:** person or organization receives legal assistance to help solve debt problems
- Exclusive jurisdiction over all bankruptcy cases
- Separate court in each judicial district
- Article I courts
- Judges appointed by the U.S. Court of Appeals for 14-year terms

Bankruptcy Courts

U.S. Court of Appeals for the Armed Forces

U.S. Court of International Trade

U.S. Tax Court

Make a Selection Above

Jeanne Marcel: When persons or organizations are unable to pay outstanding debts, they declare bankruptcy and receive legal protection and court assistance in solving their financial issues. Bankruptcy cases cannot be filed in a state court, since federal courts have exclusive jurisdiction over all bankruptcy cases. Each federal judicial district court has a separate bankruptcy court with its own judges. These are considered legislative judges, since the bankruptcy courts were created under Article I of the Constitution. This means bankruptcy judges are not appointed by the President and do not serve for life. They are appointed by a U.S. Court of Appeals instead, and serve for a term of fourteen years.

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U.S. Court of Appeals for the Armed Forces

U.S. Court of Appeals for the Armed Forces



- **Uniform Code of Military Justice:** the foundation of military law in the U.S.
- **Court-martial:** a military court
- Has appellate jurisdiction over courts-martial decisions
- Article I court, 5 civilian judges
- Judges appointed to 15-year terms

Bankruptcy Courts

U.S. Court of Appeals for the Armed Forces

U.S. Court of International Trade

U.S. Tax Court

Make a Selection Above

Jeanne Marcel: The Uniform Code of Military Justice is the foundation of military law in the United States. When the code is violated, the military will hold a hearing to decide the case. These hearings are referred to as courts-martial. The appellate jurisdiction over these courts-martial belongs to the United States Court of Appeals for the Armed Forces. This Article I court consists of five civilian judges who are appointed to fifteen-year terms by the President. These appointments are then approved by the Senate. It is important to point out that since these judges are civilians, they are not subject to the military command.

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U.S. Court of International Trade

U.S. Court of International Trade



- Created to handle increasing number of disputes involving international trade
- Hears cases that involve other nations, foreign and domestic manufacturers, labor unions, trade associations, and citizens
- 9 judges, Article III court
- Original jurisdiction in cases involving international trade

Bankruptcy Courts

U.S. Court of Appeals for the Armed Forces

U.S. Court of International Trade

U.S. Tax Court

Make a Selection Above

Jeanne Marcel: As trade has grown, so has the number of cases involving disputes over international trade. This demand led to the creation of the United States Court of International Trade. The types of cases tried in this court may involve other nations, foreign and domestic manufacturers, labor unions, trade associations, or regular citizens. This court is composed of nine judges, who are appointed by the President with the advice and consent of the Senate. As Article III judges, they serve life-long terms. Although this court is located in New York City, it has original jurisdiction in cases involving international trade throughout the nation. Cases from this court may be appealed to the Court of Appeals for the Federal Circuit, in Washington, D.C.

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U.S. Tax Court

U.S. Tax Court



- Handles cases that involve disputes with the IRS
- Article I court
- Tries cases involving disputes over federal taxes
- Decisions may be appealed to the Court of Appeals for the Federal Circuit

Bankruptcy Courts

U.S. Court of Appeals for the Armed Forces

U.S. Court of International Trade

U.S. Tax Court

Next

Jeanne Marcel: If the Internal Revenue Service (IRS) claims you have a deficiency in your taxes, you may dispute the claim in the United States Tax Court before paying any of the disputed amount. This Article I court tries cases involving disputes over federal taxes, with the exception of cases involving bankruptcy. Decisions made in this court may be appealed to the Court of Appeals for the Federal Circuit.

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Ending of Episode



Glover Mint: The Article I, or legislative, courts established by Congress may serve judicial roles, but they do not have full judicial power. Many of these courts may have a verdict appealed to the Court of Appeals for the Federal Circuit. Not only that, the Supreme Court has the final word in all judicial matters. That's it for us today. Thanks for watching!