Two Court Paths

Trace how civil and criminal cases move through the courts

SS24.USG.6a "Explain the structure, jurisdiction, and processes of civil and criminal courts in the United States, including courts with original and appellate jurisdiction."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the courts that first hear a case, circle the appellate courts, and number the two different standards of proof. Use your marks to trace what each court decides.

A Bike, a Bank, and Two Court Systems

1 A bicycle shop sells Maya a bike with a cracked frame, and she breaks her wrist when it fails. She sues the shop for medical costs. This is a civil case: one party asks a court for a remedy, often money, rather than a criminal sentence. Maya and the shop are from the same state. Her state-law claim begins in a state trial court with original jurisdiction, the power to hear evidence and decide a case first. The parties may exchange evidence before trial. At trial, Maya must generally prove her claim by a preponderance of the evidence, meaning more likely than not.

2 Across town, federal agents arrest Leo for robbing a federally insured bank. A federal prosecutor charges him under federal law in a U.S. district court, a federal trial court with original jurisdiction. In this criminal case, the government seeks a penalty, not payment to a private plaintiff. Leo is presumed innocent, and the prosecutor must prove guilt beyond a reasonable doubt. A judge rules on legal issues, while a jury may decide disputed facts at trial. If the jury acquits Leo, the prosecution generally cannot appeal that acquittal and try him again; if he is convicted, he can appeal.

3 After a trial, an appeal does not simply repeat the case. Appellate courts usually examine the trial record for legal errors rather than take new testimony. If Maya loses, she can seek review in her state's appellate courts, following that state's rules; a routine state-law dispute does not qualify for U.S. Supreme Court review. If Leo is convicted and appeals, a U.S. court of appeals reviews the district court's work. Either side may ask the U.S. Supreme Court to review the federal appellate decision, but the Court chooses most cases it hears. An appellate court may order a new trial if an error warrants it.

2 ANSWER WITH EVIDENCE

Use the passage

1. Where does Maya's case begin, and what must she prove to obtain a remedy?

2. Why does Leo's case begin in a U.S. district court, and how does the prosecutor's burden differ from Maya's?

3. If both trial outcomes are appealed, which appellate courts could review them first, and what would those courts usually examine?

4. Why might Leo's case reach the U.S. Supreme Court while Maya's routine state-law dispute would not?

3 YOUR TURN

Your own words

Invent one event that could lead to both a state civil lawsuit and a state criminal prosecution. In one paragraph, explain who starts each case, what each side seeks, where the cases begin, how the standards of proof differ, and what a later appellate court would review.

ANSWER KEY

Two Court Paths

GRADE 12 · SS24.USG.6a

PART 1 · READ AND MARK

Underline the courts that first hear a case, circle the appellate courts, and number the two different standards of proof. Use your marks to trace what each court decides. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Where does Maya's case begin, and what must she prove to obtain a remedy?	**It begins in a state trial court with original jurisdiction. Maya must prove her civil claim by a preponderance of the evidence.**
2	Why does Leo's case begin in a U.S. district court, and how does the prosecutor's burden differ from Maya's?	**Leo is charged under federal law for robbing a federally insured bank, so his case begins in a federal trial court. The prosecutor must prove guilt beyond a reasonable doubt, a higher standard than the preponderance standard in Maya's case.**
3	If both trial outcomes are appealed, which appellate courts could review them first, and what would those courts usually examine?	**Maya could seek review in her state's appellate courts, and a U.S. court of appeals would review Leo's case. Both would usually examine the trial record for legal errors rather than hear new testimony.**
4	Why might Leo's case reach the U.S. Supreme Court while Maya's routine state-law dispute would not?	**The Supreme Court may choose to review a federal appellate decision in Leo's case. A routine dispute involving only state law does not qualify for its review.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

After someone steals Nia's laptop, Nia sues the accused person for its value, and a state prosecutor files a theft charge. Both cases begin in state trial courts with original jurisdiction. Nia seeks money and generally must prove her civil claim by a preponderance of the evidence. The prosecutor seeks a criminal penalty and must prove guilt beyond a reasonable doubt. If either case is appealed after trial, a state appellate court would usually review the trial record for legal errors, not hear the witnesses again.

Accept other plausible events that support both a private civil claim and a state criminal charge. Responses should distinguish the two parties seeking relief, the two standards of proof, original jurisdiction, and appellate review.