

Two Paths to Court

Compare how civil and criminal cases differ and overlap.

CE.5.c “comparing and contrasting civil and criminal cases; and”

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Underline details about civil cases, circle details about criminal cases, and number two details that apply to both kinds of cases so you can compare their purposes and processes.

When a Dispute Reaches Court

- ① Courts hear different kinds of cases. A civil case usually begins when one person, group, or business says another caused harm or failed to meet a legal duty. The person bringing the case is often called the plaintiff, and the person accused is the defendant. Civil cases may involve damaged property, unpaid contracts, or injuries. The plaintiff may ask the court for money to cover a loss or for an order requiring someone to do, or stop doing, something. The goal is to settle a dispute or repair a harm.
- ② A criminal case starts when the government charges a person with breaking a law. The government is represented by a prosecutor because crimes are viewed as harms against the public. The accused person is still called the defendant. If a court finds the defendant guilty, penalties can include fines, probation, jail, or prison, depending on the law. In a criminal case, the prosecutor generally must prove guilt beyond a reasonable doubt. Defendants have important constitutional protections, including the right to a lawyer and the right to remain silent.
- ③ Both kinds of cases use courts, judges, evidence, and rules designed to protect fairness. At a hearing, each side may question witnesses and present documents. Yet civil and criminal cases have different purposes and possible results. A single event can lead to both types of cases. For example, a driver who damages a store window might face a criminal charge if the act broke a law. The store owner could also file a civil case seeking payment for repairs. The two cases would be handled separately.

2 ANSWER WITH EVIDENCE Use the passage

1 Who usually brings a civil case, and who brings a criminal case?

2 Contrast a possible result of a civil case with a possible result of a criminal case.

3 What are two ways civil and criminal cases are alike?

4 In the store-window example, why could there be both a civil case and a criminal case?

3 YOUR TURN Your own words

Write exactly three sentences about an invented situation that could lead to both a civil case and a criminal case. In sentence 2, explain the civil case. In sentence 3, explain the criminal case.

PART 1 • READ AND MARK

Underline details about civil cases, circle details about criminal cases, and number two details that apply to both kinds of cases so you can compare their purposes and processes. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	Who usually brings a civil case, and who brings a criminal case?	A plaintiff, such as a person, group, or business, usually brings a civil case. The government, represented by a prosecutor, brings a criminal case.
2	Contrast a possible result of a civil case with a possible result of a criminal case.	A civil case may result in money to cover a loss or a court order. A criminal case may result in a fine, probation, jail, or prison.
3	What are two ways civil and criminal cases are alike?	Both use courts, judges, evidence, and rules meant to protect fairness. In both, sides may question witnesses and present documents.
4	In the store-window example, why could there be both a civil case and a criminal case?	The act might have broken a law, so the government could bring a criminal case. It also damaged the store owner's property, so the owner could bring a civil case seeking repair money.

PART 3 • YOUR TURN (SAMPLE ANSWER)

Jordan sprays paint on a bakery wall after it closes. The bakery owner could bring a civil case asking Jordan to pay for cleaning and repairs. The government could bring a criminal case because damaging the wall may violate a law, and Jordan could face a fine or another penalty.

Accept equivalent comparisons that accurately identify the plaintiff or government, the different purposes, possible outcomes, and shared court processes. For Part 3, accept realistic situations that clearly separate a property or personal harm claim from an alleged law violation.