



*An unfair trial in the district court, unconstitutional law, or verdict based on the wrong law are all valid reasons to appeal to an appellate court.*

## Level Up... Access Granted?

Most cases end in the first tier. But if one of the parties disagrees with the verdict because either there was an error during the trial or an error in the law, that person can ask for an **appeal**. This is a request to a higher court to ask it to review the decision. If the appeal is granted, the case moves up to the second tier. (The slightly smaller middle level of the cake). Courts in this second tier are called **courts of appeals** (or **appellate courts**). There are no juries present in these courts nor can lawyers present new evidence for their clients. So what happens in a **U.S. Appellate Court**? Three judges review what happened during the trial and the law that was applied, and then decide if the lower court made a mistake or conducted an unfair trial. The U.S. has only 13 appellate courts. Each

court is assigned a circuit, which (except for the U.S. Court of Appeals for the Federal Circuit) usually covers a few states. Since most cases are not appealed, these courts handle the appeals that come to them from the federal district courts located in the states in their assigned circuit.

## Final Tier

The federal court system has one more level. (This is the small top layer of the cake.) There's only one court here. The **U.S. Supreme Court** is the highest court in the country. It's also a court of appeal, which means that it reviews decisions from the lower courts. Very few cases are accepted to be heard by the U.S. Supreme Court. Of the 7,000–8,000 requests for appeals that make it here, only about 80 of those are granted a full review. These are cases with national significance and usually bring into question whether a law or government action goes against the Constitution. During a Supreme Court case, nine judges called **justices** listen to oral arguments from each side and deliver a decision, called an **opinion**. Once a case makes it to the Supreme Court, it can't be appealed any further. And the Court's decision applies to all states.



*The Supreme Court completes the final layer. Only a small number of cases make it to this court.*

## What Cases Can Federal Courts Hear?

The authority of a court to hear a case is also referred to as its **jurisdiction**. The jurisdiction of federal courts is limited to the types of cases listed in Article III, Section 2 of the Constitution and further defined by the laws Congress passes. There are a few things that the federal court system has *exclusive* jurisdiction over, meaning that cases involving these subjects can only be heard in a federal court of law. This type of jurisdiction is referred to as exclusive **subject matter jurisdiction** and includes cases involving the military, immigration, bankruptcy, copyright, and admiralty (a fancy term for cases related to ships and the sea). The federal court system also has **federal question jurisdiction** which, of course, gives it the authority to hear cases involving a federal law or the Constitution. When a case involves two parties from different states and a large sum of money (\$75K or more), a federal court can hear that case, too—even if it doesn't involve a federal issue. This is called **diversity jurisdiction**. Giving the federal court (instead of the parties' state courts) the authority to hear these cases ensures that both parties get a fair trial.