

K

What do you know?

W

What do you want to know?

L

What have you learned?

The Role of the Judiciary



The purpose of the judiciary is

Justice:
The administering of deserved punishment or reward.
The maintenance and administration of what is just by law.

Draw a picture of a local law or ordinance that might be broken.

What might the judge have to decide if this were taken to court?

the administering of deserved punishment or reward.

6. the maintenance or administration of what is just by law, as by judicial or other proceedings: a court of justice.

Civil and Criminal Court Case Definitions and Examples

What is a civil case?

If you decide to sue another person, an organization or a business, your case is a civil case. Private individuals, businesses or the government can sue other people and organizations. The person who is suing is called the **plaintiff** and the person who is being sued is called the **defendant**.

Some examples of civil cases are:

- a person who is hurt in a car accident sues the driver of the other car;
- a worker sues his employer after the worker hurts his back at work and can never work again;
- a homeowner who has hired a builder to build a new kitchen sues the builder when the kitchen is badly built and has to be fixed;
- a family sues their doctor when the doctor does not discover that the mother has cancer in time for the cancer to be treated.

People usually sue for an amount of money to make up for the injury or loss they have suffered. Civil cases do not result in prison terms.

What is a criminal case?

A criminal case is based on an offense against society's rules. The police are involved in investigating the crime and a person (called a **suspect**) is charged with a crime and brought to court. The state of Michigan (or the federal government) will be the one charging the suspect with a crime, not the actual victim. The government has to prove that the suspect committed the crime. In a criminal case, the suspect must be found guilty beyond a reasonable doubt.

Crimes where the suspect could go to jail for more than one year are called **felonies**. Crimes where the suspect could serve a year or less in jail are called **misdemeanors**.

Some examples of crimes are:

- Drunk driving
- Murder
- Arson
- Selling illegal drugs

SCENARIO CARDS

SAMPLE CASE:

A man is accused of stealing his friend's car.

SAMPLE CASE:

A woman wants her neighbor to pay for damage the neighbor caused to her mailbox.

SAMPLE CASE:

A driver failed to stop at a stop sign.

SAMPLE CASE:

A woman's car was damaged by a shopping cart at the local grocery store. She wants the store to pay for the damages.

SAMPLE CASE:

A woman is caught driving drunk.

SAMPLE CASE:

A man attacks an older lady and steals her purse.

SAMPLE CASE:

A man is pulled over by the police for driving 55 mph in an area where the speed limit is 35 mph.

SAMPLE CASE:

A woman is caught shoplifting in a store.

SAMPLE CASE:

A couple fixes a driveway they share with the neighbors. They want the neighbors to pay for half.

SAMPLE CASE:

Three friends are caught selling drugs.

SAMPLE CASE:

A man is suing his wife for divorce.

SAMPLE CASE:

A woman was in a car accident. She wants the person at fault to pay for the damages to her car.

SAMPLE CASE:

A neighbor believes his neighbor damaged his fence. He wants him to pay to have it fixed.

SAMPLE CASE:

A man drops an object from a bridge. It lands on a car and hurts the driver.

SAMPLE CASE:

A woman reports a bomb threat to the police. The police find out the woman was lying to them and there was no bomb threat.

SAMPLE CASE:

A man sues his doctor. He isn't recovering well from surgery and he feels the doctor must have made a mistake.

SAMPLE CASE:

A man sneaks into the local school bus parking lots and purposefully breaks all the windows on a school bus.

SAMPLE CASE:

A woman is suing her carpet cleaners. She feels they wrecked her carpet and she wants them to replace it.

SAMPLE CASE:

A man is caught pretending to be a fireman.

SAMPLE CASE:

A woman is suing her car mechanic. He said he put a new engine in her car but she believes that he put a used one in and charged her the price of a new one.

SAMPLE CASE:

A woman breaks into an apartment and steals some jewelry.

SAMPLE CASE:

A man sues a local coffee shop. The worker at the shop spilled hot coffee on his hands and he is scarred for life.

SAMPLE CASE:

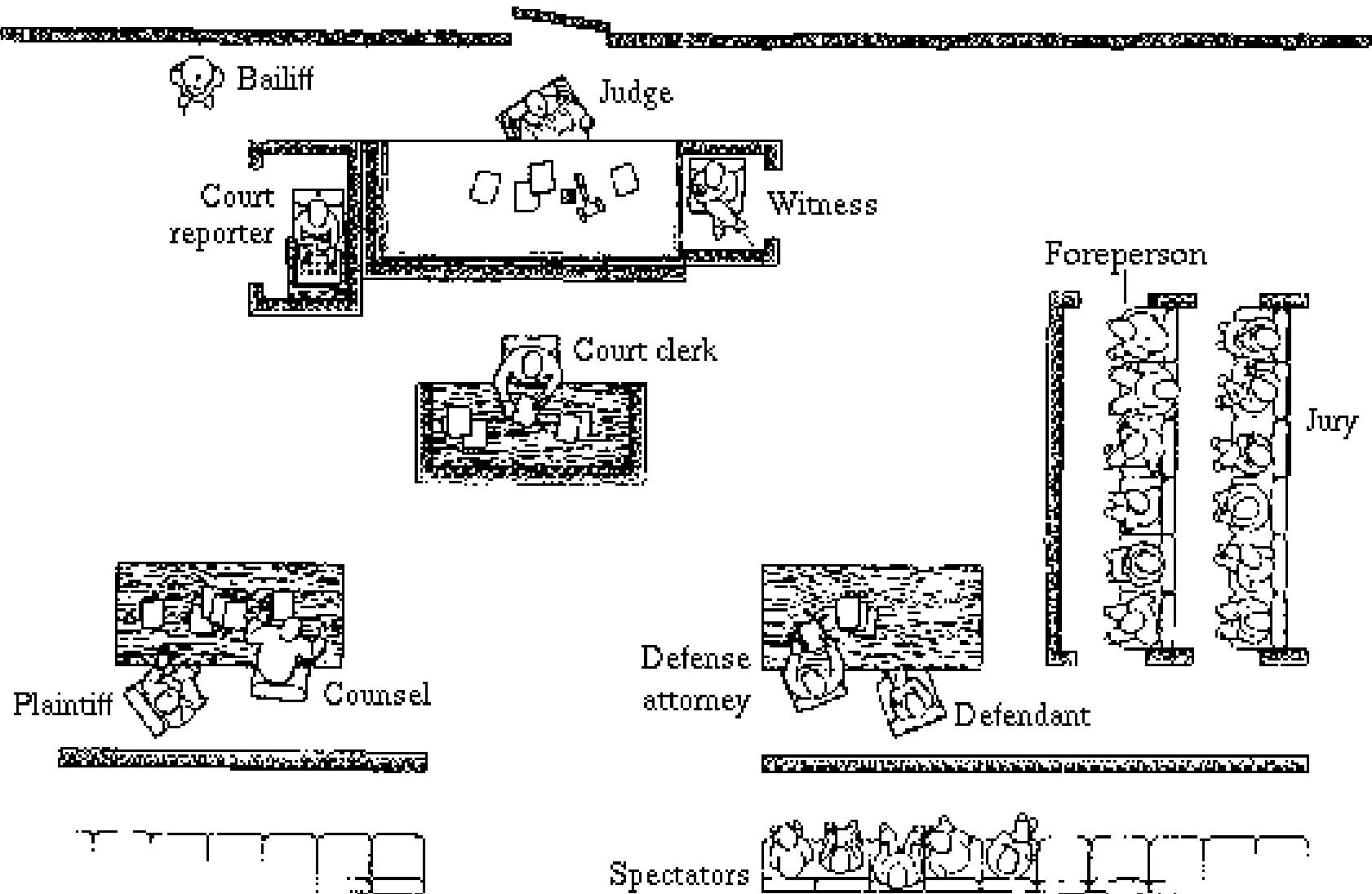
A woman tries to help her boyfriend escape from prison.

SAMPLE CASE:

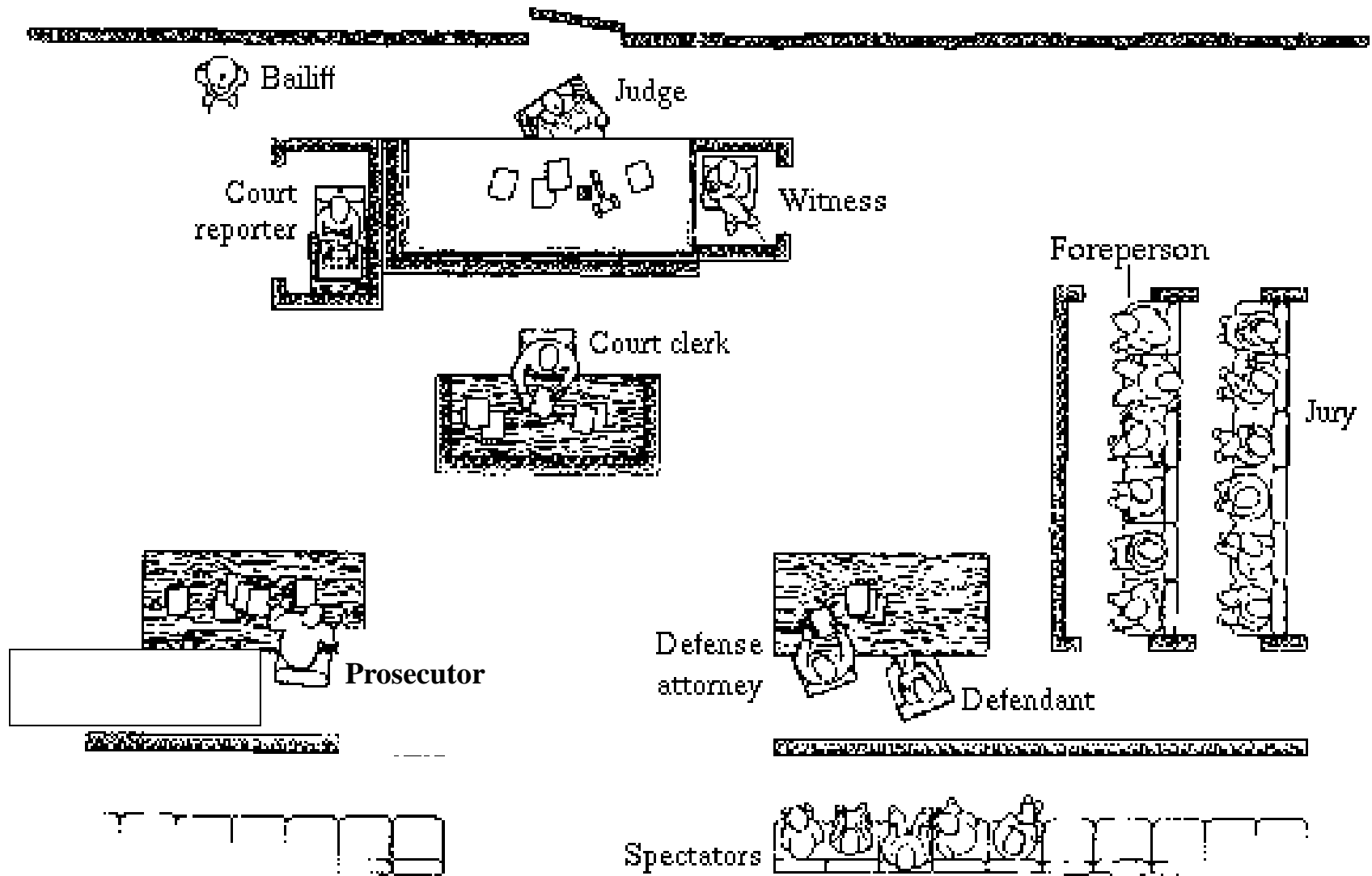
A man is leaving a restaurant when he slips and falls on some ice. He is suing the restaurant because they should have kept the sidewalk free of ice.

Courtroom Diagrams: Civil & Criminal Cases

Civil Trial



Criminal Trial



Courtroom Layout and Court Definitions

How the Courtroom is Organized

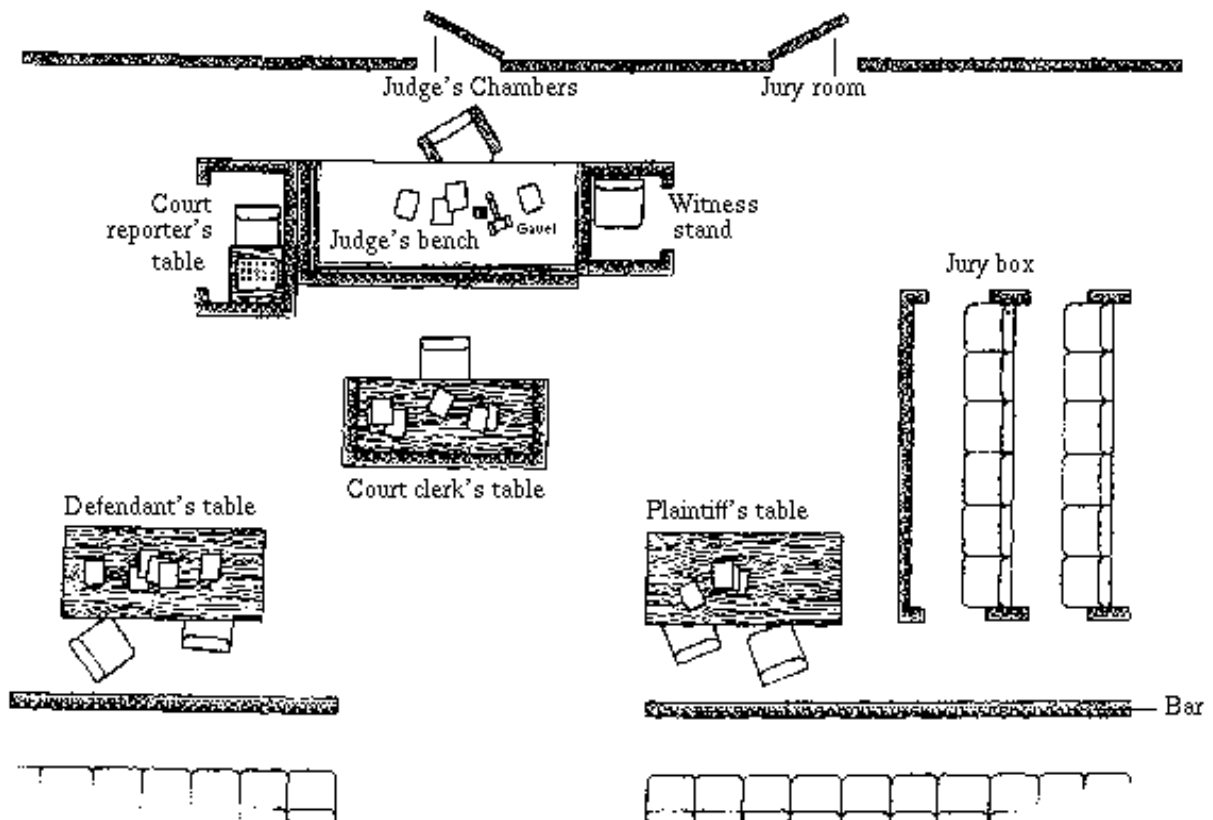
Courts of law are the umpires of the American legal system. Two types of cases are taken to court, civil and criminal. **Civil cases** usually deal with disagreements about people's rights and duties toward one another. **Criminal cases** are brought by the government (either state or federal) against people accused of committing crimes. All courts have the same set and cast of characters. Take your seat for the courtroom drama.

Setting the Scene

Judge's chambers: A small room off the courtroom where the judge changes into robes and confers with lawyers.

Jury room: A room outside the courtroom where the jury deliberates.

Bar: A fence-like barricade that separates the spectators from the court.



People In The Courtroom

Bailiff: The police officer who maintains order in the court.

Counsel: A name for the lawyer engaged in the trial. Both the plaintiff and the defendant have counsel.

Court clerk: The person who helps with administrative duties and stores the physical exhibits introduced as evidence at the trial.

Court reporter: A person who types every word said during the trial. The typewritten document is a permanent record of the trial.

Defendant: The person who is accused of a crime and is being tried.

Defense attorney or public defender: The lawyer who defends the accused person. A public defender is appointed if the accused is unable to pay for an attorney.

Foreperson: The foreperson of the jury speaks for the entire jury.

Judge: The legal officer who presides over the courtroom and directs and controls the trial.

Plaintiff: The person who accuses another and brings the lawsuit to court.

Prosecutor: A public official who brings the government's case against a person accused of a crime and asks the court to convict that person.

Trial Jury: Usually made up of six to twelve people, the jury listens to testimony from both the plaintiff and defendant's side and decides the verdict of a case.

Witness: A person who gives the jury information about the case.

Words from the Script

Acquittal: A legal determination that a person who has been charged with a crime is innocent.

Appeal: A request for a higher court to review a decision made by a lower court.

Arraignment: When the accused is brought before the court to hear the charges against the person to plead guilty or not guilty

Conviction: The result of a criminal trial in which a person is found guilty.

Cross-examination: The questioning of a witness by the lawyer for the opposing side.

Direct-examination: The first questioning in a trial of a witness by the lawyer who called that witness.

Indictment: An accusation of a crime, made against a person by a grand jury upon the request of a prosecutor.

Information: An accusation of a crime, made against a person by the prosecutor.

Mistrial: A trial that becomes invalid, is essentially canceled, because of a mistake in procedure.

Motion: How a lawyer asks the judge to make a decision.

Objection: The opposing side finds fault with the question being asked the witness.

Overruled: The judge, following an objection, decides the questions may continue.

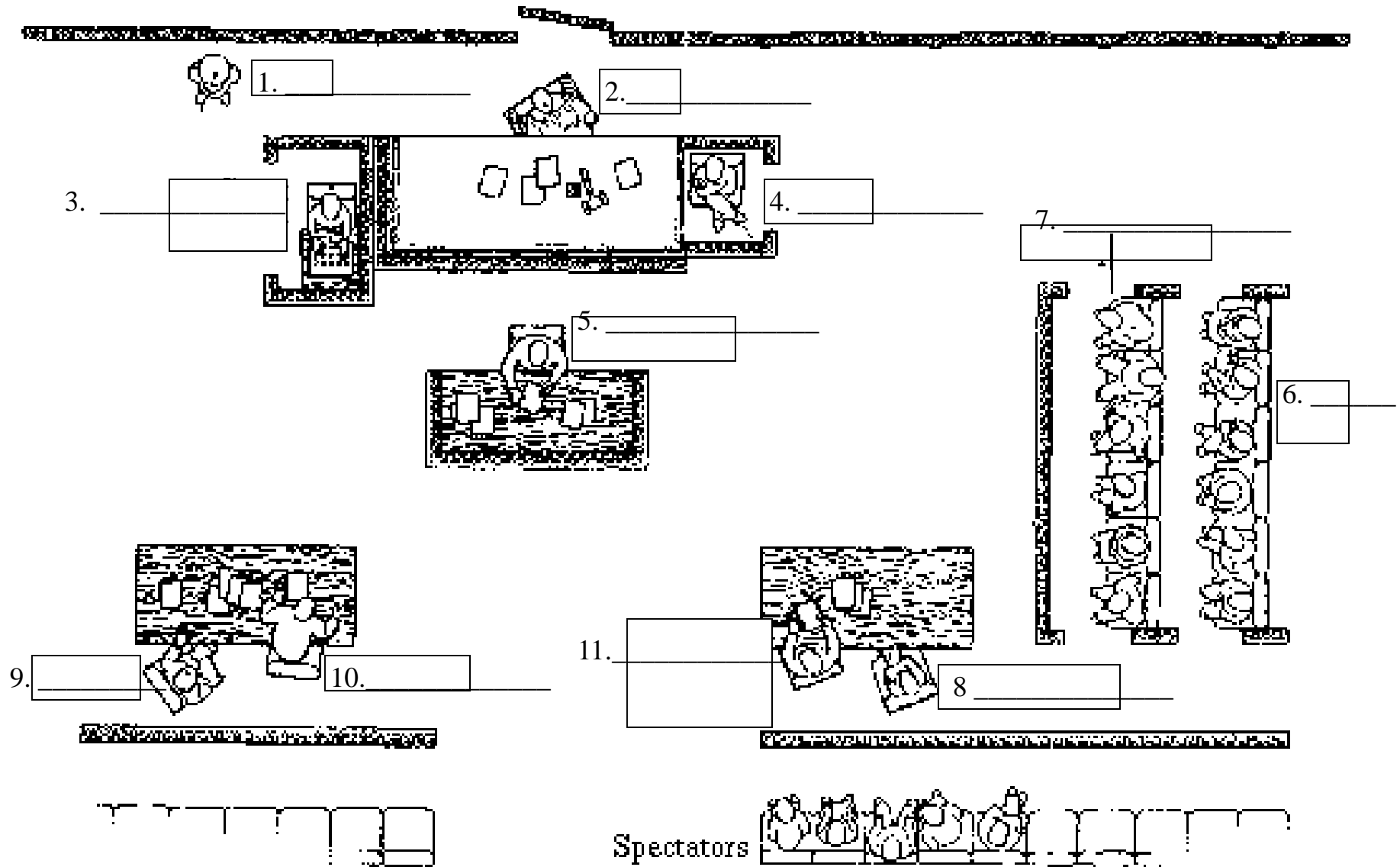
Sentence: The punishment given to a person who has been convicted of a crime.

Sustained: The judge, following an objection, agrees that the line of questioning should not continue.

Verdict: A verdict of guilty or not guilty is handed down by the jury.

Your Honor: The way a judge is addressed in a courtroom.

The Courtroom Diagram: A Check for Understanding



Where Is Your Local Court?



My local court is called

_____.

The judge for my local court is

_____.

My local court is located

_____.

the administering of deserved punishment or reward.

6. the maintenance or administration of what is just by law, as by judicial or other proceedings: a court of justice.