

Federal Courts: Structure, Jurisdiction, & Research

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DISCLAIMER

This presentation is not legal advice. If you require legal advice, please consult an attorney licensed to practice in your jurisdiction.

PART I:
COURTS IN GENERAL

Basic Legal Terminology

- Standing to bring a case
- Trial Courts and Appellate Courts
- Cause of Action

Standing: Are You Eligible to Bring This Case?

- To have standing, you need:
 - An injury that the law recognizes,
 - A defendant who caused the injury, and
 - A remedy that the court can order to set the matter right*

Source: Lujan v. Defenders of Wildlife, 504 U.S. 555, 559 (1992)

- *Courts cannot adjudicate a “political question”
 - The Constitution assigns it to another branch
 - Congress has the “sole power to try” impeachments. (Case: Judge Nixon)
 - No judicially-discoverable standards
 - There are no standards defining “a republican form of government (Cases: Malapportionment)

Standing: A Typical Example

- An injury that the law recognizes
 - George Floyd is dead.
- A defendant who caused the injury
 - Derek Chauvin knelt on George Floyd's neck
- A remedy that the court can order to set the matter right
 - The court can award damages in a civil suit for wrongful death.
 - This would not bring back Mr. Floyd, but it would help mitigate the financial harm his death caused to his family.

Trial Courts and Appellate Courts

- Trial Courts: Facts Plus Law
 - What happened?
 - Did it satisfy the elements of the cause of action?
- Appellate Courts: Did the trial court apply the law to the facts correctly?

Elements of a cause of action: A Three-Part Hypothetical

Common Law Battery*

1. Voluntary act
2. Intended (or reasonably certain) to result in harmful or offensive contact
3. Harmful or offensive contact occurs.

*State laws vary

Facts

- Scenario #1: Iago is walking down the street. Carla, who doesn't know Iago, is taking a walk. Iago comes up behind Carla and playfully smacks her bottom.

Elements of a cause of action: A Three-Part Hypothetical

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Facts

- Scenario #1: Iago is walking down the street. Carla, who doesn't know Iago, is taking a walk. Iago comes up behind Carla and playfully smacks her bottom.
- Scenario #2: Same as #1, but it's Mardi Gras, and Carla is wearing a costume similar to Iago's girlfriend's costume.

Elements of a cause of action: A Three-Part Hypothetical

Common Law Battery*

1. Voluntary act
2. Intended (or reasonably certain) to result in harmful or offensive contact
3. Harmful or offensive contact occurs.

*State laws vary

Facts

- Scenario #3: Iago's dog pulls him to the ground. As he falls, he reaches out his hand to steady himself, and his hand comes in contact with Carla.

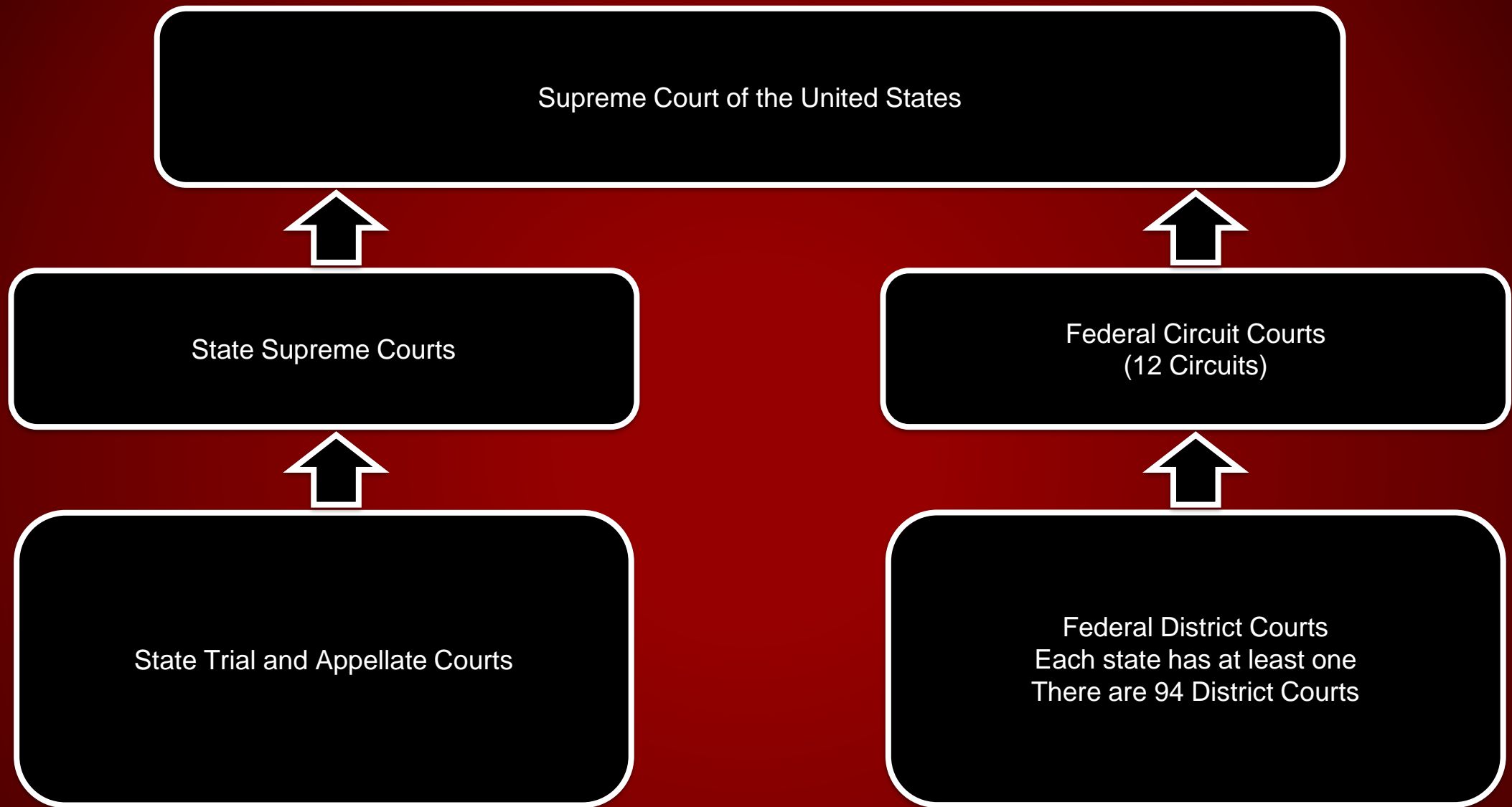
PART II:
ABOUT THE FEDERAL COURT SYSTEM

STRUCTURE

Established by the Constitution

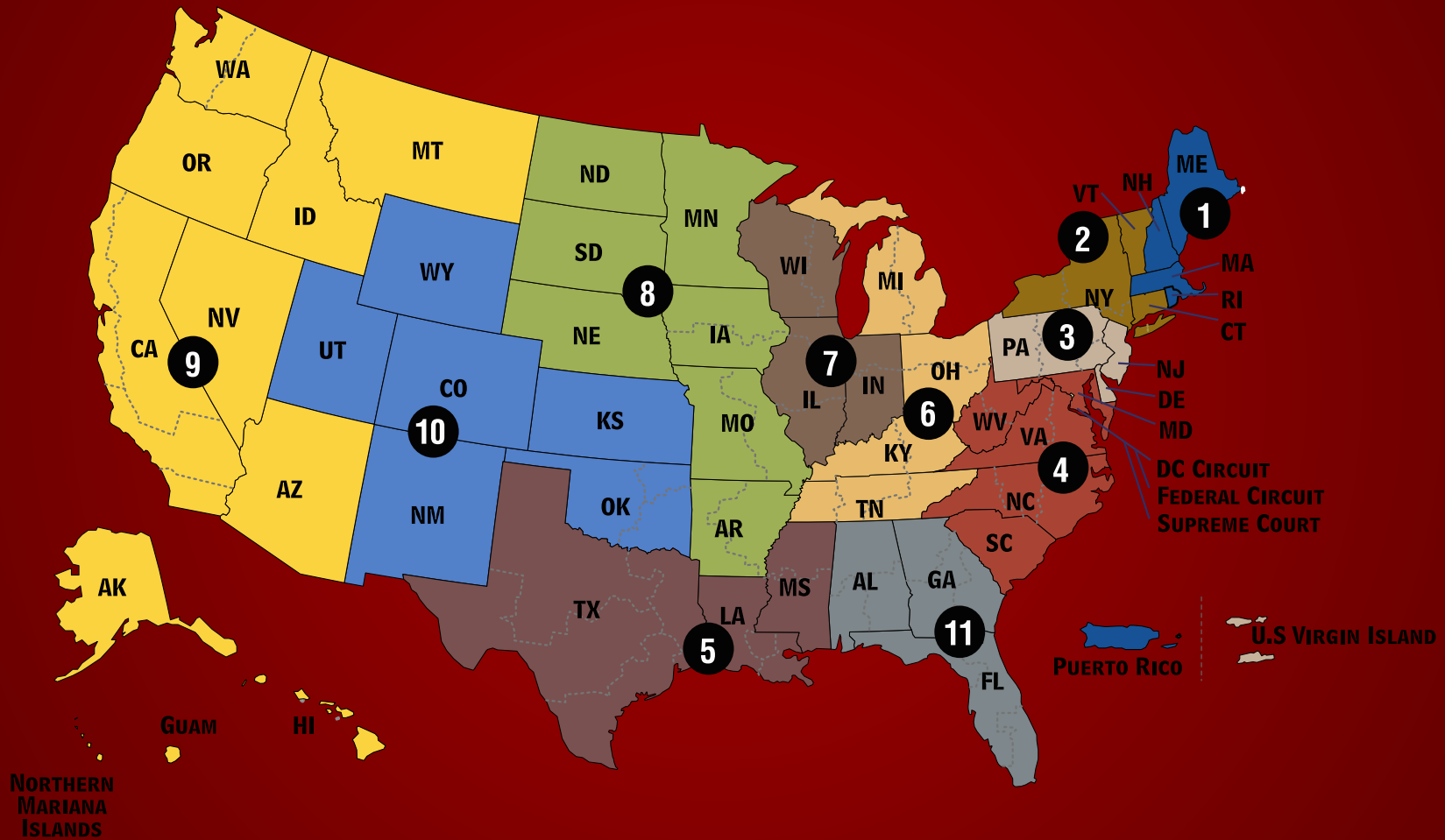
Article III of the Constitution established the United States Federal Court System: “The judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”

It didn't tell Congress how to set up the system.



Geographic Boundaries

of United States Courts of Appeals and United States District Courts



JURISDICTION

Federal Court jurisdiction is a complicated subject.
This is an extremely simplified version of the rules.

Subject-Matter Jurisdiction: Federal Question

- Article III, section 2 of the Constitution says, “The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution [and] the Laws of the United States...”
- Some common topics for Federal-Question Jurisdiction include:
 - Civil action for deprivation of rights cases (42 U.S.C. § 1983)
 - Police brutality cases get into federal court when an officer acting “under the color of law” violates someone’s rights.
 - Violation of federal labor laws (e.g., race and age discrimination)
 - Freedom of Speech (First Amendment)
 - Due Process (Fourth Amendment)
- A state-law claim arising out of the same set of facts as a federal-question claim may be heard in federal court. This is called supplemental jurisdiction.

Subject-Matter Jurisdiction: Diversity Jurisdiction

- Section 2 of the Constitution continues, “between Citizens of different States...” and 28 U.S. Code § 1332 clarifies that two conditions are necessary for diversity jurisdiction to apply:
 - The amount in controversy must be more than \$75,000; and
 - One of the parties is a citizen of the United States and none of the opposing parties are citizens of the same state (or lawfully-admitted subjects of a foreign state with legal permanent resident status and a domicile in the same state).

CAN WE MAKE A FEDERAL CASE OUT OF THIS?

Five short hypotheticals

Hypothetical 1: Kevin's Party

Kevin lives in California, and COVID restrictions have lessened so he can have an outdoor party at his vineyard (with masks & proper social distancing).

Iago (Kevin's obnoxious neighbor) crashed the party and got very drunk. When Kevin realized Iago was at the party, Kevin told Iago to leave. On his way out, Iago stumbled, dropped his lit cigarette onto the very dry grass, and didn't pick it up. It started a grass fire, which destroyed the following cars before the fire department could put it out:

- 2021 Lamborghini, belonging to Mike from Ohio (valued at \$300,000)
- 1990 Dodge Omni, belonging to Sarah from Ohio (valued at \$800)
- Kevin's 2021 Bentley (valued at \$200,000)

Who can sue Iago in federal court?

Hypothetical 2: Iago Looks for Trouble

After leaving the party, Iago stumbled down the street, smacking unsuspecting women on the bottom as he went.

We will assume the women have a cause of action for battery, which is defined in California Civil Jury Instructions No. 1300.

Can the women sue Iago in federal court?

Hypothetical 3: Iago Looks for More Trouble

Next, Iago came across Kim, an off-duty police officer taking a walk with her husband. Iago yelled, “Nice hooters!” Kim rolled her eyes and kept walking. Iago went right up in her face, removed his mask, and yelled, “Hey, [crude word for a woman]! I’m talking to you!” She replied, “You need to keep 6 feet distance!” and shoved him away from her as hard as she could. Being extremely drunk and unstable on his feet, he fell down, breaking his wrist as he hit the sidewalk.

As he hit the sidewalk, he realized that he had seen Kim before. Kim had recently been in the news because she was working on programs to improve relations between the police and minority communities.

Can Iago sue Kim in federal court?

Hypothetical 4: Iago Finds Trouble

As Iago was picking himself up off the ground, the police arrived (Kevin had called them because of the party-crashing and the fire). When the officers heard Iago had called Kim a foul name, they beat Iago to a bloody pulp before arresting him for public intoxication. They'd all been written up for stuff like this before, but the Chief of Police didn't like people who were rude to women, so he'd overlooked it.

Can Iago bring a lawsuit in federal court?

Hypothetical 5: Iago is a Bad Boss

After getting out of the hospital and serving a brief sentence in county jail (battery is a misdemeanor in California), Iago returned to work at the company he owned. Over the next few weeks, he was visited by a string of process servers summoning him to state court for destroying cars and committing battery against women after the party.

Iago decided he didn't want to deal with women. He loudly said this to two of his male managers, and he proceeded to fire all of his female employees. The male managers reminded Iago that sexual discrimination was a violation of federal labor law, and he fired them, too.

Can the fired employees sue Iago in federal court?

PART II:
GETTING FEDERAL COURT DOCUMENTS

United States Supreme Court Website

- Opinions
 - Slip Opinions
 - U.S. Reports
- Oral Arguments
- Dockets

Office of the Solicitor General

- Full text of Supreme Court Briefs

Lower Federal Court Opinions: Govinfo.gov

- Govinfo.gov has lower court opinions from 2004 to the present.
- If you just need an opinion, this is a good source.

Lower Federal Courts: PACER

- PACER (<http://pacer.uscourts.gov>) is the fee-based system for district and circuit court opinions and filings.
- Libraries can save money by:
 - Fee Waiver: Accessing less than \$30/month worth of documents
 - Fee Exemption: An individual researcher can obtain a fee exemption, but the conditions are very restrictive.
 - Using PACER Recap

Lower Federal Courts: PACER Recap

- The PACER Recap website is incomplete, but it is free:
<https://www.courtlistener.com/recap/>
- If one uses the recap plug-in, one can get archived copies of documents on the PACER website and contribute to the database if the documents are not there.

Lower Federal Courts: PACER for Depositories

- FDLP's PACER: Access and Education Program
 - Obligated to provide training to the public
 - Participating libraries are exempt from first \$50 of charges
 - For more information, Google "PACER Access and Education Program"

Questions?

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