

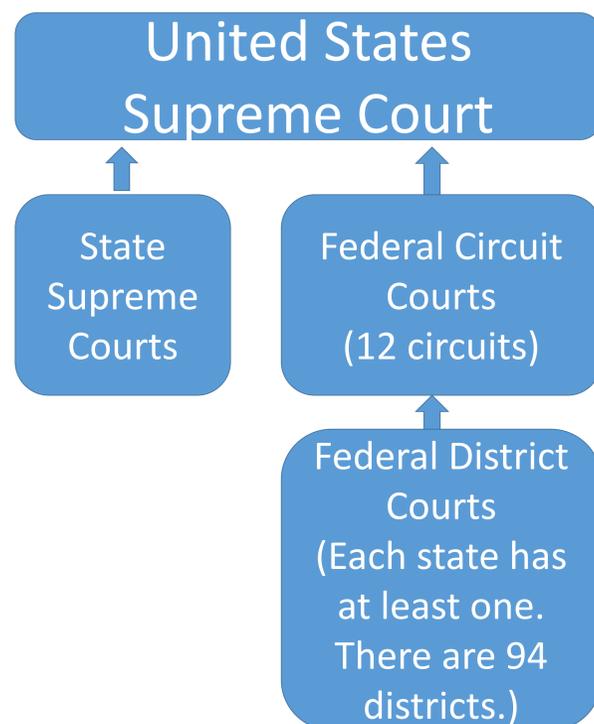
Federal Courts: Structure, Jurisdiction, & Research

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Structure

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.”

Congress chose to establish a system where state district courts served as trial courts, multiple-state circuit courts were the appellate courts, and the Supreme Court was the court of final appeal for both federal circuit courts and state Supreme Courts.



Source: <https://www.uscourts.gov/about-federal-courts/court-role-and-structure>

Jurisdiction

There are two ways for federal courts to gain jurisdiction over a case:

Federal Question Jurisdiction

Article III, section 2 says that “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 cases include:

- First Amendment Freedom of Speech
- Fourth Amendment due process
- Civil action for deprivation of rights cases (called §1983 cases because the relevant law is 42 U.S.C. § 1983)

Diversity Jurisdiction

Section 2 continues, “between Citizens of different States...” and 28 U.S. Code § 1332 clarifies that two conditions are necessary for diversity jurisdiction to apply:

1. The amount in controversy must be more than \$75,000; and
2. 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).

Standing

To bring a case, a person must have “standing.” that requires:

1. An injury that the law recognizes
2. The defendant caused the injury
3. The court can provide a remedy that will set the matter right.

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

Research

Supreme Court

- The Supreme Court website has:
 - Opinions from 1991 to the present (<https://www.supremecourt.gov/opinions/opinions.aspx>)
 - Transcripts of oral arguments (https://www.supremecourt.gov/oral_arguments/argument_transcript/)
 - Dockets, many of which include links to court documents (<https://www.supremecourt.gov/docket/docket.aspx>)
- The Office of the Solicitor General website has full text of its briefs from 1985 to the present (<https://www.justice.gov/osg/supreme-court-briefs>).

Lower Federal Courts

- PACER (<http://pacer.uscourts.gov>) is the fee-based system for district and circuit court opinions and filings. Librarians in FDLP libraries can save money by:
 - Accessing less than \$30 worth of records per quarter. (<https://pacer.uscourts.gov/pricing-how-pacer-fees-work>).
 - Using the PACER Recap website (<https://www.courtlistener.com/recap/>). It is incomplete, but it is free.
 - Participating in the FDLP’s PACER: Access and Education Program for a credit towards the library’s PACER bill (<https://www.fdlp.gov/requirements-guidance/collections-and-databases/1163-pacereducation>).
- Govinfo.gov has lower court opinions from 2004 to the present (<https://www.govinfo.gov/app/collection/uscourts>).