

CHAPTER 2

The Legal System

A basic understanding of the legal system is critical to mastering concepts in this book. Unlike physical therapy, in the profession of law, few things are concrete or “black and white.” Law is a profession intertwined with actual laws, concepts, theories, and principles to which facts of cases are applied to determine outcomes for individual situations. Therefore, definitions of legal terms and concepts will be discussed throughout this book. Nevertheless, a foundation of the legal system is necessary to maximize the benefit of this book; the purpose of this chapter is to establish the groundwork necessary for subsequent chapters.

KEY CONCEPTS

Different types of law
Burdens of persuasion
Different court systems
Teston case
Federal court system
State court systems
Venue
Personal jurisdiction
Subject matter jurisdiction
Appeals

DIFFERENT TYPES OF LAW

Generally speaking, law can be divided into three types: criminal, civil, and administrative. The most-recognized type of law is probably criminal because there have been, and there will probably continue to be, television shows that tell these stories.

CRIMINAL LAW

Criminal law involves an attempt to punish a particular act that laws have been created to prohibit. Thus, in criminal law an attorney, called a *prosecutor*, represents either the victim or the state's interest in seeking punishment for a crime. The law(s) governing the prosecution of the criminal act have been enacted by that state's legislature. The laws, which are also called *statutes*, create the elements of the causes of action the state's prosecutor must prove.

An element of a cause of action is defined as, "[a] constituent part of a claim that must be proved for the claim to succeed."¹ As an example, the crime of murder is generally defined as "[t]he killing of a human being with malice aforethought."² (It should be noted this is an example and each state's definition or statute defining the crime of murder could be slightly different and have varying levels.) Hence, the elements of this cause of action would be:

1. A killing
2. Of a human being
3. With malice aforethought

Consequently, for a prosecutor to be successful in proving a defendant murdered someone, the prosecutor would have to prove each element of the crime; thus, all three elements would have to be proven.

The person or entity being prosecuted is called a *defendant* and has the right to be represented by counsel to defend charges brought forth through the prosecutor working for the state attorney's office (SAO). Sometimes a defendant can afford to have private counsel represent his or her interest. If a defendant cannot afford counsel, then the defendant's rights are represented and protected by the *public defender*. A public defender is "a lawyer or staff of lawyers, usually publicly appointed, whose duty is to represent indigent criminal defendants."³

Criminal law differs from civil law in many ways. Civil law attempts to compensate a victim for a particular act or omission to act in an attempt to make the victim wronged "whole again." It is possible for a scenario of facts to result in criminal prosecution as well as a civil lawsuit. The criminal prosecution would be to punish the act or omission to act because laws of the state prohibit the conduct, while the civil lawsuit would be an attempt to compensate the victim for his or her loss. The attorney representing the victim in a civil lawsuit is called the *plaintiff's attorney*, whereas the party being sued is represented again by defense counsel. Civil law also differs from criminal law relative to the causes of action sued upon.

Criminal law's causes of action are statutorily based (laws) whereas civil law involves various causes of action established through case law for intentional torts, contracts, property, or various types of negligence. There are even statutorily created rights under which plaintiffs can sue for the enforcement of damages related to failure to comply with certain statutes. One of the best examples of a statutorily created civil right is the Civil Rights Acts of 1964, 42 U.S.C. § 2000d, et. seq. According to this compilation of statutes, amongst other things, employers may not discriminate in their hiring practices based upon a person's race, color, or national origin.

Administrative law is the area of law that deals with the enforcement or punishment of violations of rules and regulations that govern various professions or services. The best example relative to this book is that each state has developed for its state a practice act that governs physical therapists and physical therapist assistants. Physical therapists and physical therapist assistants, as well as students, must abide by a state's practice act in order to practice physical therapy within that state. A violation of the rules and regulations as set forth in the practice act could lead to the individual having a complaint filed against his or her license.

Once an *administrative complaint* is filed, the department responsible for the administration of that state's practice act is charged with the responsibility to investigate and determine if probable cause exists for the matter to be referred to that state's board of physical therapy practice. If probable cause exists, then the board of physical therapy practice would determine whether to bring forth charges against the licensee. If charges are brought, the licensee would have an opportunity to present evidence and defend his or her license against the charges. It is possible, depending on the allegations in the administrative complaint, for a licensee to be reprimanded, a fine to be levied, or someone's license to be suspended or revoked for extreme or multiple offenses. There also can be a combination of sanctions against a licensee.

To further understand the different types of law, an in-depth discussion will follow. One of the greatest differences between civil and criminal law is the different "burdens of persuasion" that accompany the different types of law.

Burdens of Persuasion

Depending on the type of law—criminal, civil, or administrative—there are different burdens of proof or persuasion necessary in order to adjudicate guilt or liability. As previously discussed, in criminal law, the prosecutor must prove each element of the crime (cause of action) "beyond a reasonable doubt." *Reasonable doubt* is defined as "[t]he doubt that prevents one from being firmly convinced of a defendant's guilt, or the belief that there is a real possibility that a defendant is not guilty."⁴

Another way to quantitatively understand this standard of proof is that the prosecution must prove each element of the crime at approximately 90 percent. In other words, the standard of reasonable doubt does not require 100 percent proof positive; however, it does require that the evidence presented prove beyond reasonable doubt that the way the prosecutor presented evidence is the most likely, beyond reasonable doubt, way the events unfolded or occurred. From that, a jury can draw the conclusion that the defendant is guilty of the crime stated and can be found guilty.

In civil law, the burden of proof is “by a preponderance of the evidence.” Florida recently changed this standard to be called “by a greater weight of the evidence.” However, the two phrases mean the same thing. *Preponderance of the evidence* means “[t]he greater weight of the evidence; superior evidentiary weight that, though not sufficient to free the mind wholly from all reasonable doubt, is still sufficient to incline a fair and impartial mind to one side of the issue rather than the other. This is the burden of proof in a civil trial, in which the jury is instructed to find for the party that, on the whole, has the stronger evidence, however slight the edge may be.”⁵ The best way to describe this standard in understandable or quantifiable terms is to think of the lady justice, which demonstrates a blindfolded lady holding a scale that is equally distributed as demonstrated in **Figure 2-1**.

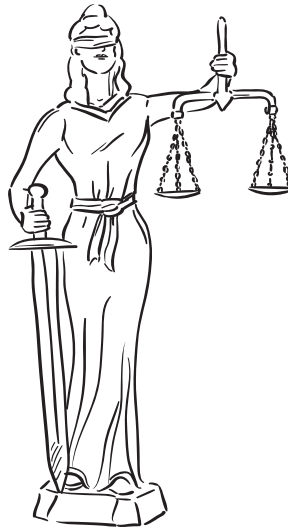


FIGURE 2-1 Scales of Justice

A preponderance of the evidence means that the scale tips toward one side or the other. The lady being blindfolded represents that the legal system accepts both parties as equal until such time as all the evidence has been presented and admitted into evidence. Then someone, usually a jury, determines on which side the scale tips. For civil law, it is merely the tipping of the scale; whereas, for criminal law the scale must tip greatly—to the point of beyond a reasonable doubt. Another way to quantitatively view this burden of persuasion is 51 percent compared to the other side at 49 percent. Under a preponderance of evidence standard, 51 percent tips the scale and that side wins.

Another burden of persuasion is called the clear and convincing standard. The *clear and convincing standard* is defined as “[e]vidence indicating that the thing to be proved is highly probable or reasonably certain. This is a greater burden than preponderance of the evidence, the standard applied in most civil trials, but less than evidence beyond a reasonable doubt, the norm for criminal trials.”⁶ Thus, again trying to assign some type of quantitative value, some people view this as approximately 75 percent. In some states, a claim for punitive damages, which will be discussed in detail in Chapter 5, requires a party to prove its party’s claim or part of the lawsuit at the clear and convincing standard.

Hence, schematically the burdens of persuasion can be illustrated as shown in **Figure 2-2**.

Everyone is familiar with the crime of murder; thus, to explain various legal principles, the crime and prosecution of murder will be used as an example to demonstrate the concept of applying facts to the “elements of a cause of action.” Remember, every crime will have its specific elements of the cause of action that must be proven as specified in a state’s laws or statutes. Recall that in criminal law, the jury must find that each element of the crime (cause of action) has been proven beyond a reasonable doubt. In civil law, each element of the cause of action must be proven usually at the preponderance of the evidence standard.

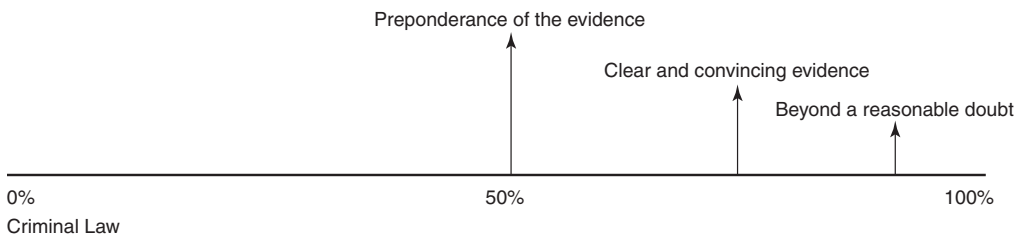


FIGURE 2-2 Preponderance of the Evidence

Generally speaking, the cause of action for the crime of murder is the killing of a human being with malice aforethought. At the outset it should be understood that this is the general criminal definition of the crime for murder. Each state will have specific language in its statutes (laws) that will define murder for that state. Usually each state will also have various degrees of murder such as first, second, and manslaughter. However, for illustration of legal concepts, this example will be kept simple with the use of this definition.

In order to convict someone for the crime of murder, the prosecutor must break down this crime into elements and prove each element beyond a reasonable doubt. This is how the breakdown into elements of the crime would appear:

1. The killing
2. Of a human being
3. With malice aforethought

This crime has three elements. If any one of the three elements is not proven beyond a reasonable doubt, then the jury must find that the defendant is innocent or not guilty of the crime.

An example of a crime a physical therapist, physical therapist assistant, or student might be prosecuted for is fraudulently billing Medicare for the provision of services. The general definition for this crime is “[a] knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment.”⁷ To break down the elements:

1. A knowing misrepresentation
2. Of the truth
3. Or concealment
4. Of a material fact
5. To induce another
6. To act
7. To his or her detriment

In order to be found guilty of fraudulent billing, the prosecutor must prove each of these elements beyond a reasonable doubt. Hence, if a physical therapist, physical therapist assistant, or student fraudulently billed Medicare for reimbursement of physical therapy services, the facts might be applied as explained in the next factual scenario.

A physical therapist, physical therapist assistant, or student treated a Medicare recipient for a balance and gait disorder. The modalities usually used included gait training, therapeutic exercises, neuromuscular reeducation, and sometimes therapeutic activities. However, when the physical therapist, physical therapist assistant,

or student completes his or her charges for the patient, he or she also knowingly billed the patient for wheelchair mobility. The purpose of adding wheelchair mobility to the billing was to increase the number of modalities (CPT codes), which would increase the amount of money billed by the clinic. However, at no time did the patient receive wheelchair mobility. Thus, applying the facts of this scenario to the elements of the cause of action for fraud would be as follows:

1. A knowing misrepresentation—The physical therapist, physical therapist assistant, or student knowingly billed Medicare for wheelchair mobility when the services had not been provided to the Medicare recipient,
2. Of the truth—The physical therapist, physical therapist assistant, or student knew the wheelchair mobility modality had not been provided,
3. Or concealment—Not applicable,
4. Of a material fact—Whether a modality of service has been provided to a patient entitling the physical therapist, physical therapist assistant, or student to bill for those services would be material,
5. To induce another—Medicare,
6. To act—The physical therapist, physical therapist assistant, or student billed the wheelchair modality to Medicare to induce Medicare to pay for this additional modality of service,
7. To his or her detriment—It would be to Medicare's detriment and ultimately to taxpayers' detriment to pay for services that were not delivered.

Thus, the facts of a case are applied to the elements of a cause of action. Each element of the cause of action must be proven. The type of law or type of cause of action will dictate the burden of persuasion required or the burden of proof required for each element of the cause of action.

Likewise, in this example, the physical therapist or physical therapist assistant could also be sued in civil court by the patient for fraud. Each of the elements would need to be proven either at the preponderance of evidence or the clear and convincing standard of persuasion as established by a particular state for this cause of action. Additionally, the physical therapist or physical therapist assistant could have a complaint filed against his or her license in that state for fraudulent billing practices and could face sanctions against his or her license through administrative law.

As a real case example, in New York in 2006, three health care providers on Long Island were investigated for improper Medicaid billing practices (fraudulent billing practices). Medicaid, a national health insurance program that is funded by federal and state governments, essentially provides health insurance for the poor and is administered through state agencies.

On March 23, 2006, the New York Attorney General reported settlement agreements had been reached with the three health care providers: (1) Long Island Head Injury Association, Inc.; (2) Dr. Simon Zysman; and (3) Dr. Lewis Milhim.⁸ Long Island Head Injury Association, Inc., agreed to pay \$3 million to settle allegations it had billed Medicaid for treatments rendered by unqualified personnel. In addition to treatments being rendered by unqualified staff, the association also did not have documentation to substantiate treatments that had been billed to Medicaid to substantiate the care alleged in billing to have been provided had actually occurred. One of the motives to prosecute these claims was recovery of taxpayers' money that had been inappropriately spent.⁹

Dr. Simon Zysman agreed to pay \$700,000 to resolve the investigation into his billing practices wherein he allegedly provided false cost reports that led to Medicaid overpayments for patient treatments. Dr. Milhim agreed to pay the state \$145,000 to resolve allegations he failed to properly register his clinic with Medicaid, which resulted in billings to Medicaid that were ineligible for reimbursement.¹⁰

Physical therapists and physical therapist assistants should pay close attention to the rules and regulations promulgated not only for the practice of their profession, but also to any rules and regulations promulgated by the insurance carriers under which reimbursement for physical therapy services is sought. A failure to adhere to an insurance carrier's rules and regulations could be viewed and prosecuted as fraud. Further, an allegation of fraud could lead to an administrative complaint being filed against the physical therapist's or physical therapist assistant's license, which could lead to an administrative legal battle.

CIVIL LAW

Civil law deals with an attempt to compensate a victim monetarily for losses that should or could have been prevented. *Black's Law Dictionary* defines *civil law* as "an action brought to enforce, redress, or protect a private or civil right; a noncriminal litigation."¹¹ For physical therapists, physical therapist assistants, and students, the most likely civil cause of action they will face is medical malpractice or medical negligence. The elements for this cause of action generally will be:

1. The therapist owed a **duty** to someone, most likely the patient,
2. The physical therapist, physical therapist assistant, or student **breached the duty** that was owed,
3. The breach of the duty **caused** some type of harm,
4. Damages occurred as a result of the **harm** caused by the breach of the duty.

These elements and these types of actions will be discussed in much greater detail in Chapter 5. Suffice for this chapter to know that in civil actions, the goal of the plaintiff is remuneration for an alleged harm that was caused by the act(s) or omission(s) of the defendant. There are many types of civil actions a physical therapist, physical therapist assistant, or student could be involved with and the different types of actions will be discussed in Chapter 7.

However, an example will be presented here to assist with the explanation of these concepts. In *Patton v. Healthsouth of Houston, Inc.*, 2004 WL 253282 (Tex.App.-Hous. 1st Dist. 2004), a patient sued the rehabilitation hospital alleging he suffered burns as the result of heat applied during physical therapy. The case was ultimately dismissed on a technicality but the facts of the case are instructional for the purpose of this book.

The patient (plaintiff) in this type of case would have to assert that the physical therapist, physical therapist assistant, or student owed a duty to the patient to apply heat in a reasonable manner such that the patient would not suffer a burn. Then the patient would have to allege that the physical therapist, physical therapist assistant, or student breached that duty and did not apply the heat in a reasonable manner. The duty could be breached because the physical therapist, physical therapist assistant, or student did not test sensation immediately before application of the heat or inspect the area to observe for any new skin conditions.

Additionally, it should be foreseeable that a failure to test sensation before heat application and/or a failure to inspect the skin before heat application could lead to a patient suffering a burn from the application of heat. The next factual assertion would be the causal link between the duty owed and the failure to perform that duty that caused some harm to the patient.

In this example, the plaintiff would likely assert the physical therapist, physical therapist assistant, or student did not test sensation and/or observe the skin immediately before placement of the heat as being the causal link to harm. Because of this omission to act, assume hypothetically the physical therapist, physical therapist assistant, or student missed that the patient had a new sunburn. Hence, when the heat was applied to the patient, no additional precautions were taken and the applied heat caused an exacerbation of the preexisting thermal injury. Thus, the breach of duty—failure to test sensation and/or inspect the skin—caused an exacerbation of a thermal injury that resulted in pain and required medical treatment.

Accordingly, the patient would sue the physical therapist, physical therapist assistant, or student for medical malpractice seeking remuneration or “damages” for the medical expense of requiring treatment as well as remuneration for the subjective

“pain and suffering.” There could also be asserted damages for mental anguish and possibly even physical disfigurement.

To complicate the example even more, if the plaintiff also could assert that the thermal treatment was administered by an aide under the “supervision” of the physical therapist, physical therapist assistant, or student, the plaintiff may even have a cause of action for improper supervision of an employee and/or improper delegation to a subordinate. Thus, it can be seen how a simple therapeutic modality can lead to a complicated lawsuit. This example and other cases will be discussed in much greater detail in subsequent chapters.

ADMINISTRATIVE LAW

Administrative law is “the law governing the organization and operation of the executive branch of government (including independent agencies) and the relations of the executive with the legislature, the judiciary, and the public.”¹² For physical therapists, physical therapist assistants, and students the usual agency overseeing the practice of physical therapy is a state’s department of health or similarly titled agency. The department of health has the authority to create some type of board that will oversee the practice of physical therapy in its particular state; a board of physical therapy practice. Hence, each state may vary under which state agency the board of physical therapy practice falls, but it is most likely going to be under the umbrella of a health agency. For example, in Florida, the Board of Physical Therapy Practice falls under the Department of Health.

The board of physical therapy is responsible for the interpretation and enforcement of the rules and regulations governing the profession of physical therapy for that state. At times the board may even promulgate new rules and/or regulations. The physical therapy state associations and/or the American Physical Therapy Association can suggest to a board of physical therapy practice how to interpret the rules and regulations of a particular state; however, the board is empowered and has the authority to determine, within reason, how to regulate physical therapists, physical therapist assistants, and students in its state.

Likewise, other boards governing physicians, chiropractors, and nurses are performing the same types of duties as the board of physical therapy practice. These boards are also ensuring someone within its state is not practicing outside the scope of his or her license or practicing without a license. An excellent example of administrative law and its potential penalties is the case of *Arkansas State Board of Chiropractic Examiners v. Teston*, 2005 WL 775805 (April 7, 2005). In this case, a physical therapist was accused of practicing outside the scope of physical therapy when he performed manipulations.

Hence, not only was the physical therapist accused of practicing outside the scope of his license, but concomitantly was accused of practicing chiropractic medicine without a license. Thus, one infraction has the potential for multiple causes of action.

The Arkansas Board of Chiropractic Examiners charged the physical therapist with performing treatments defined within the Chiropractic Practice Act and not being licensed to perform those treatments. After an administrative hearing before the Arkansas Board of Chiropractor Examiners, the physical therapist was fined \$10,000 per violation (each and every incident of performing manipulation without a license that could be proven). The physical therapist appealed the decision of the Arkansas Board of Chiropractic Examiners to the Arkansas Circuit Court. On August 19, 2003, the Arkansas Circuit Court upheld the decision of the Board of Chiropractic Examiners. Thereafter, the physical therapist appealed the decision of the Arkansas Circuit Court to the Arkansas Supreme Court.

On April 12, 2005, the Arkansas Supreme Court upheld the decision of the Arkansas Circuit Court that had upheld the decision of the Arkansas Board of Chiropractic Examiners. Therefore, the physical therapist was found to have acted outside the scope of the Arkansas Physical Therapy Practice Act because he performed spinal manipulation that was not defined within the Arkansas Physical Therapy Practice Act. Further, it was practicing without a license because spinal manipulation was defined as being provided by chiropractors under the Arkansas Chiropractic Practice Act.

As can be seen from the dates alone, this particular case took over 2 years to come to a conclusion and cost a lot of money to defend. Further, in the end, the physical therapist lost the lawsuit (administrative complaint) and would have to pay the fine imposed by the Arkansas Board of Chiropractic Examiners. Additionally, the physical therapist had to pay his attorney fees and the costs associated with the litigation of the matter. The chiropractic board also could ask the court to award its attorney fees and costs, or, in layperson's terms, make the physical therapist pay for their fees and costs. Thus, every physical therapist, physical therapist assistant, and student should read and understand his or her particular state's practice act to know what may be performed and by omission what may not be performed. **Ignorance of the law will never be a defense!**

Another interesting administrative case that appears rather common deals with advertising services. In the case of *Pennsylvania Bureau of Professional and Occupational Affairs v. State Board of Physical Therapy*, the Bureau of Professional and Occupational Affairs charged a chiropractic group with violating the Pennsylvania Practice Act because the chiropractic group advertised in the newspaper that the group provided

physical therapy,¹³ yet the advertisement did not conspicuously identify that the group consisted of chiropractors and not physical therapists.¹⁴ This charge was brought by the Board of Physical Therapy Practice because the allegation was that the physical therapy practice act had been violated and that Board investigates and punishes violators of its practice act.

A hearing examiner ruled that because the chiropractors were certified in “adjunctive procedures,” the advertisements were allowed and charges were dropped.¹⁵ On appeal to the Commonwealth Court, the decision was reversed; hence, the chiropractors’ advertisements violated the Physical Therapy Practice Act.¹⁶ The Supreme Court of Pennsylvania then granted review of the Commonwealth Court decision of interpretation of the Physical Therapy Practice Act.¹⁷ The Supreme Court of Pennsylvania ruled that it was in the interest of the public to protect the public from chiropractors misleading the public as to the scope of the chiropractors’ treatments.¹⁸

Accordingly, the Supreme Court of Pennsylvania upheld the Commonwealth Court’s decision and as such the chiropractic group could not advertise it provided physical therapy services.¹⁹ Of interest, two justices of the Supreme Court of Pennsylvania filed a dissenting opinion wherein both justices opined that chiropractors and physical therapists “perform some of the same services” and that the chiropractors had clearly identified themselves as chiropractors.²⁰ Thus, the dissenting opinion, if it had been the majority’s opinion, would have changed the outcome of the case.

COURT SYSTEMS

Now that there is a basic understanding of the three general types of law, there will be discussion of the multitude of courts where those different types of law are practiced. Most everyone will be familiar with “the state” court or criminal justice center simply from watching television. However, the court systems are more than just the criminal justice system. Just as there are three different types of laws at work every day, there are also two legal systems at work every day where criminal, civil, or administrative law is practiced. These two court systems are divided into federal and state courts. The various courts within these two systems will be discussed later; however, understanding how a particular court is selected for filing a lawsuit will be discussed first.

SELECTING THE CORRECT COURT

Whether someone can be required to appear before a particular court depends generally on three issues:

1. Venue
2. Personal jurisdiction
3. The court's subject matter jurisdiction

These categories are very important and must be pled (alleged) in every complaint so that a court will know that the lawsuit has been filed in the proper court and the court can hear the matter being brought forth. Each of these categories will be discussed in further detail.

Venue

Venue is defined as “[t]he proper or a possible place for the trial of a lawsuit, usu[ally] because the place has some connection with the events that have given rise to the lawsuit. The county or other territory over which a trial court has jurisdiction.”²¹ Thus, for physical therapists, physical therapist assistants, or students, in relation to medical malpractice lawsuits, this will usually be the county where the physical therapist, physical therapist assistant, or student provided the physical therapy services being sued upon. If the physical therapist, physical therapist assistant, or student was providing home health services in different counties, the proper venue most likely will be the county where the physical therapist, physical therapist assistant, or student provided the physical therapy services that are the subject of the lawsuit.

Personal Jurisdiction

Personal jurisdiction is defined as “[a] court's power to bring a person into its adjudicative process; jurisdiction over a defendant's personal rights, rather than merely over property interests.”²² Thus, again for the physical therapist, physical therapist assistant, or student in a medical malpractice lawsuit, the court where the lawsuit is brought must be able to exercise jurisdiction authority over the physical therapist, physical therapist assistant, or student.

As an example, suppose a physical therapist, physical therapist assistant, or student was working for a traveling therapy company and worked in a particular state. During the course of working in that state, a patient alleges the physical therapist,

physical therapist assistant, or student was negligent in the provision of care. However, the physical therapist, physical therapist assistant, or student does not permanently reside in that state, does not own property in that state, and has since moved to another traveling assignment in another state. In this scenario, the court might have difficulty asserting personal jurisdiction over the physical therapist, physical therapist assistant, or student who no longer works in that state and essentially has no ties to the state.

For this particular example, the plaintiff would likely not be without remedy because the plaintiff could file the lawsuit against the traveling therapy company for the act(s) and/or omission(s) of its employee. The therapist may or may not be able to be brought into court depending on the state's laws. The decision of whether a court can assert personal jurisdiction over someone usually revolves around whether the person could reasonably expect to be brought into that particular state's court and if the person has minimal contacts with the state.

Subject Matter Jurisdiction

Subject matter jurisdiction is defined as “[j]urisdiction over the nature of the case and the type of relief sought; the extent to which a court can rule on the conduct of persons or the status of things.”²³ It is not uncommon for county courts to have subject matter jurisdiction over controversies that allege damages less than \$15,000; whereas, lawsuits that allege greater than \$15,000 in damages are referred to the county's circuit court system. Thus, every complaint must assert why the court has subject matter jurisdiction. As most of the courts can hear either criminal or civil cases, the court system generally posts dollar limits on its jurisdiction.

It is essential that these categories—venue, subject matter jurisdiction, and personal jurisdiction—be pled in a complaint, which will be discussed in greater detail in Chapter 14 when corporate structure is discussed. One way to ensure the location of where a physical therapist or physical therapist assistant and/or the physical therapist's or physical therapist assistant's business will litigate cases is through the selection of different corporate structures. Thus, the physical therapist, physical therapist assistant, or student may want to tab these pages for ease of reference when undertaking Chapter 14. These essential categories are consistent for both court systems, federal or state, which will be discussed in detail now.

FEDERAL COURT SYSTEM

Each state has at least one federal court where lawsuits may be filed to invoke the assistance of the federal courts. Federal courts have jurisdiction over federal agencies' rules and regulations as well as over the laws of the United States, which is called the United States Code (U.S.C.). Each state's federal court(s), known as district courts, are listed in Appendix 2A. Depending on the venue of the lawsuit in the district court, the appellate court that could potentially hear an appeal will be based on the location of the initiating court. The appellate court in the federal court system is called a circuit court of appeal.

Once a circuit court of appeal renders its appellate decision, a party may petition the U.S. Supreme Court for another chance. The U.S. Supreme Court selects the cases it will hear through a process of judicial discretion. In other words, no one has a "right" to have his or her matter heard before the U.S. Supreme Court; but rather it is the Supreme Court's discretionary judgment as to which cases it will hear.

The last distinction to understand in the federal court system is the labeling of parties throughout the litigation phases. At the district court level, which is the initiating court of the litigation, parties are called state or government and defendant in criminal cases; whereas in civil cases the parties are called plaintiff and defendant. However, at the circuit court of appeal level, the first level of appeal, the party bringing the appeal is called the appellant and the party defending the appeal is called the respondent. If the U.S. Supreme Court grants a petition for review of the circuit court of appeal's decision, then the party bringing the case to the Supreme Court is called the petitioner and the party defending the matter is called the respondent.

STATE COURT SYSTEM

Most states divide their court systems into county courts, circuit courts, district courts of appeal, and a state supreme court. However, there are states that have different systems, including but not limited to New York. Generally speaking, whether a case goes to county court or circuit court (sometimes called district court or superior court) depends on the court's subject matter jurisdiction as discussed previously. Each state's court system is provided in Appendix 2B. Hence, venue, personal jurisdiction, and subject matter jurisdiction, would dictate where someone would file any lawsuit.

OTHER COURTS _____

This chapter has discussed the basic court systems. However, it should be recognized there are other types of courts that have subject matter jurisdiction specialty areas like bankruptcy, municipal matters, traffic, or juvenile. A further itemized breakdown though is beyond the scope of this book.

APPEAL _____

The last legal division concept that should be considered is an appeal. An *appeal* is defined as, “[t]o seek review (from a lower court’s decision) by a higher court.”²⁴ Generally speaking, in every case the losing party will have the right of appeal. However, an appeal beyond the first level is usually discretionary of the court being appealed to. The cases discussed throughout this book are the result of cases decided at the appellate level.

SUMMARY _____

There are essentially three types of law (criminal, civil, and administrative) that are litigated in two separate court systems every day. The different court systems are divided into state and federal. The federal court system’s jurisdiction is invoked when the matter being litigated involves federal laws, federal agencies, disputes between states, and sometimes when disputes involve citizens of different states. The state court system’s jurisdiction is invoked when the matter involves state laws or matters arising out of conduct or property within the state. Once a matter is litigated, whether it involved a jury trial or bench trial (trial where the judge rather than a jury makes the decision), the losing party generally has the right to one appeal. The actual court the matter will be appealed to depends on the court in which the matter originated. Whether a matter can be appealed a second time generally will be a matter of court discretion.

DISCUSSION QUESTIONS _____

1. What are the different types of laws?
2. Explain the differences in the types of laws.
3. What is burden of persuasion?
4. What are the different levels of burden of persuasion?
5. Explain each level of burden of persuasion and when it would be applicable.

6. What are the two court systems?
7. How is the proper court selected for a lawsuit?
8. What is an appeal?
9. What are the courts available in your state?

NOTES

¹ *Black's Law Dictionary*, 538 (Bryan A. Garner, ed., 7th ed., West Group, 1999).

² *Id.* at 1038.

³ *Id.* at 1234

⁴ *Id.* at 1272.

⁵ *Id.* at 1201.

⁶ *Id.* at 577.

⁷ *Id.* at 670.

⁸ *Andrews Litigation Reporter, N.Y. Authorities Settle Medicaid Billing Cases for Nearly \$4 Million*, page 11 (April 14, 2006).

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Black's Law Dictionary*, 12 (Bryan A. Garner, ed., 7th ed., West Group, 1999).

¹² *Id.* at 17.

¹³ *Pennsylvania Bureau of Professional & Occupational Affairs v. State Board of Physical Therapy*, 728 A.2d 240 (PA 1999).

¹⁴ *Id.* at 270.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at 276.

¹⁹ *Id.*

²⁰ *Id.* at 277.

²¹ *Black's Law Dictionary*, 1553 (Bryan A. Garner, ed., 7th ed., West Group, 1999).

²² *Id.* at 857.

²³ *Id.*

²⁴ *Id.* at 1553.

Appendix 2A

STATE-BY-STATE LISTING OF FEDERAL COURTS _____

Alabama has three district courts: Northern, Middle, and Southern.

U.S. District Court for Northern District of Alabama

1729 Fifth Avenue North

Birmingham, Alabama 35203

U.S. District Court for the Middle District of Alabama has three locations.

Frank M. Johnson U.S. Courthouse Complex*

One Church Street

Montgomery, Alabama 36104-4018

GW Andrews Federal Building and U.S. Courthouse

701 Avenue A

Opelika, Alabama 36801-4977

Federal Building and U.S. Courthouse

100 West Troy Street

Dothan, Alabama 36303-4574

U.S. District Court for the Southern District of Alabama has two locations.

Mobile Division

113 Saint Joseph Street

Mobile, Alabama 36602

Selma Division

908 Alabama Avenue

Selma, Alabama 36701

* Location for documents to be mailed.

Alaska has five locations.

U.S. District Court—Anchorage

222 West 7th Avenue, 4

Anchorage, Alaska 99513

U.S. District Court–Fairbanks
101 12th Avenue, Room 332
Fairbanks, Alaska 99701

U.S. District Court–Juneau
P.O. Box 020349
Juneau, Alaska 99802
(Located in room 979 of the U.S. Federal Building at 709 West 9th Street)

U.S. District Court–Ketchikan
648 Mission Street
Ketchikan, Alaska 99901

U.S. District Court–Nome
P.O. Box 130
Nome, Alaska 99762
(Located on 2nd floor Post Office Building at 113 Front Street)

Arizona has two locations.

Sandra Day O’Connor U.S. Courthouse
401 West Washington Street, Suite 130, SPC1
Phoenix, Arizona 85003-2118

Evo A. DeConcini U.S. Courthouse
405 West Congress Street, Suite 1500
Tucson, Arizona 85701-5010

Arkansas is divided into two divisions: Eastern and Western.

Eastern Division has three locations.

Little Rock Main Office
600 West Capital Avenue, Suite 402
Little Rock, Arkansas 72201-3325

Jonesboro Divisional Office
615 South Main, Room 312
Jonesboro, Arkansas 72401

Pine Bluff Divisional Office
100 East 8th Street, Room 3103
Pine Bluff, Arkansas 71602

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Western Division has six locations.

U.S. District Court–El Dorado
101 South Jackson Street, Room 205
P.O. Box 1566*
El Dorado, Arkansas 71731-1566

U.S. District Court–Fayetteville
John Paul Hammerschmidt Federal Building
35 East Mountain Street, Suite 510
Fayetteville, Arkansas 72701-5354

U.S. District Court–Fort Smith
Judge Isaac C. Parker Federal Building
South 6th Street and Rogers Avenue
P.O. Box 1547*
Fort Smith, Arkansas 72902-1547

U.S. District Court–Harrison
J. Smith Healey Federal Building
402 North Walnut Street, Room 238
Harrison, Arkansas 72601

U.S. District Court–Hot Springs
U.S. Courthouse
100 Reserve Street, Room 347
P.O. Box 6486*
Hot Springs, Arkansas 71902-6486

U.S. District Court–Texarkana
U.S. Courthouse and Post Office
500 State Line Avenue
P.O. Box 2746*
Texarkana, Arkansas 75504-2746

*Location for documents to be mailed.

California is divided into three districts: Northern, Central, and Southern.

U.S. Northern District has four locations.

U.S. District Court–Eureka
514 H Street
Eureka, California 95501-1038

U.S. District Court–Oakland
1301 Clay Street, Suite 400S
Oakland, California 94612-5212

U.S. District Court–San Francisco
450 Golden Gate Avenue
San Francisco, California 94102

U.S. District Court–San Jose
280 South 1st Street
San Jose, California 95113

U.S. Central District has four locations.

U.S. Eastern Division–Riverside Courthouse
3470 12th Street
Riverside, California 92501

U.S. Southern Division–Santa Ana Courthouse
411 West 4th Street, Room 1053
Santa Ana, California 92701-4516

U.S. Western Division–Roybal Federal Building
255 East Temple Street
Los Angeles, California 90012

U.S. Western Division–Spring Street Courthouse
312 North Spring Street
Los Angeles, California 90012

U.S. Southern District
800 Front Street, Suite 4290
San Diego, California 92101-8900

Colorado has one district court.

U.S. District Court for the District of Colorado
Alfred A. Arraj U.S. Courthouse
901 19th Street, Room A-105
Denver, Colorado 80294-3589

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Connecticut has three district courts.

U.S. District Court of the District of Connecticut.

Hartford Division
450 Main Street
Hartford, Connecticut 06103

New Haven Division
141 Church Street
New Haven, Connecticut 06510

Bridgeport Division
915 Lafayette Boulevard
Bridgeport, Connecticut 06604

Delaware has one district court.

U.S. District Court for District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, Delaware 19801

District of Columbia has one district court.

U.S. District Court for District of Columbia
333 Constitution Avenue, NW
Washington, D.C. 20001

Florida is divided into three districts: Northern, Middle, and Southern.

U.S. District Court for the Northern District of Florida has four locations.

Gainesville Division
U.S. Courthouse
401 SE 1st Avenue, Room 243
Gainesville, Florida 32601

Panama City Division
U.S. Courthouse
30 West Government Street
Panama City, Florida 32401

Pensacola Division
U.S. Courthouse
1 North Palafox Street
Pensacola, Florida 32502

Tallahassee Division
U.S. Courthouse
111 North Adams Street
Tallahassee, Florida 32301-7730

U.S. District Court for the Middle District of Florida has five locations.

Ft. Myers Division
U.S. Courthouse and Federal Building
2110 1st Street
Ft. Myers, Florida 33901

Jacksonville Division
U.S. Courthouse
300 North Hogan Street
Jacksonville, Florida 32202

Ocala Division
Golden-Collum Memorial Federal Building and U.S. Courthouse
207 N.W. 2nd Street
Ocala, Florida 34475

Orlando Division
George C. Young and U.S. Courthouse and Federal Building
80 North Hughey Avenue
Orlando, Florida 32801

Tampa Division
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, Florida 33602

U.S. District Court for the Southern District of Florida
301 North Miami Avenue
Miami, Florida 33128

Georgia is divided into three districts: Northern, Middle, and Southern.

U.S. District Court for the Northern District of Georgia has four locations.

Atlanta Division

Richard B. Russell Federal Building and Courthouse

75 Spring Street, SW, Room 2211

Atlanta, Georgia 30303-3361

Gainesville Division

Federal Building

121 Spring Street, SE, Room 201

Gainesville, Georgia 30501

Newman Division

18 Greenville Street

Newman, Georgia 30264

Rome Division

600 East 1st Street

Rome, Georgia 30161

U.S. District Court for the Middle District of Georgia has six locations.

Albany Division

L.B. King U.S. Courthouse

201 West Broad Avenue

Albany, Georgia 31701

Athens Division

U.S. Post Office and Courthouse

115 East Hancock Avenue

P.O. Box 1106

Athens, Georgia 30601

Columbus Division

U.S. Post Office and Court House

120 12th Street

P.O. Box 124

Columbus, Georgia 31902

Macon Division
William A. Bootle Federal Building and U.S. Courthouse
P.O. Box 128
475 Mulberry Street
Macon, Georgia 31202

Thomasville Division
U.S. Courthouse and Post Office
404 North Broad Street
Thomasville, Georgia 31792

Valdosta Division
U.S. Courthouse and Post Office
401 Patterson Street, Suite 212
Valdosta, Georgia 31601

Hawaii has one district court.

U.S. District Court for the District of Hawaii
300 Ala Moana Boulevard
Honolulu, Hawaii 96850

Idaho is divided into four districts: Northern, Central, Eastern, and Southern.

U.S. District Court for the Northern District of Idaho
205 North 4th Street, Room 202
Coeur d'Alene, Idaho 83814

U.S. District Court for the Central District of Idaho
220 East 57th Street, Room 304
Moscow, Idaho 83843

U.S. District Court for the Eastern District of Idaho
801 East Sherman Street
Polatello, Idaho 83201

U.S. District Court for the Southern District of Idaho
550 West Fort Street
Boise, Idaho 83724

Illinois is divided into three districts: Northern, Central, and Southern.

U.S. District Court for the Northern District of Illinois has two locations.

Eastern Division

Everett McKinley Dirksen Building

219 South Dearborn Street

Chicago, Illinois 60604

Western Division

U.S. Courthouse

211 South Court Street

Rockford, Illinois 61101

U.S. District Court for the Central District of Illinois has four locations.

Peoria Division

309 U.S. Courthouse

100 NE Monroe Street

Peoria, Illinois 61602

Rock Island Division

40 U.S. Courthouse

211 19th Street

Rock Island, Illinois 61201

Springfield Division

151 U.S. Courthouse

600 East Monroe Street

Springfield, Illinois 62701

Urbana Division

218 U.S. Courthouse

201 South Vine Street

Urbana, Illinois 61802

U.S. District Court for the Southern District of Illinois has two locations.

Benton Division

301 West Main Street

Benton, Illinois 62812

East St. Louis Division
750 Missouri Avenue
East St. Louis, Illinois 62201

Indiana is divided into two districts: Northern and Southern.

U.S. District Court for the Northern District of Indiana has four locations.

1108 East Ross Adain Federal Building
1300 South Harrison Street
Ft. Wayne, Indiana 46802

5400 Federal Plaza, Suite 2300
Hammond, Indiana 46320

102 Robert A. Grant Federal Building
204 South Main Street
South Bend, Indiana 46601

214 Charles Halleck Federal Building
230 North 4th Street
P.O. Box 1498
Lafayette, Indiana 47902

U.S. District Court for the Southern District of Indiana
46 East Ohio Street, Room 105
Indianapolis, Indiana 46204

Iowa is divided into two districts: Northern and Southern.

U.S. District Court for the Northern District of Iowa has three locations.

Fort Dodge Division
Post Office Building
205 South 8th Street
Fort Dodge, Iowa 50501

Sioux City Division
320 6th Street
Sioux City, Iowa 51101

Cedar Rapids Division
101 1st Street, SE
Cedar Rapids, Iowa 52401

U.S. District Court for the Southern District of Iowa has three locations.

Central Division
123 East Walnut Street, Room 300
P.O. Box 9344
Des Moines, Iowa 50306-9344

Davenport Division
131 East 4th Street
Davenport, Iowa 52801-1516

Western Division
6th and Broadway, Room 313
Council Bluffs, Iowa 51502

Kansas has three locations for its district courts.

U.S. District Court for the District of Kansas.

161 Robert J. Dole U.S. Courthouse
500 State Avenue
259 U.S. Courthouse
Kansas City, Kansas 66101

444 SE Quincy
490 U.S. Courthouse
Topeka, Kansas 66683

401 North Market
204 U.S. Courthouse
Wichita, Kansas 67202

Kentucky is divided into Western and Eastern divisions.

U.S. District Court for the Western District of Kentucky has four locations.

Bowling Green Division
241 East Main Street, Suite 120
Bowling Green, Kentucky 42101-2175

Louisville Division
Gene Snyder U.S. Courthouse
601 West Broadway, Room 106
Louisville, Kentucky 40202

Owensboro Division
423 Frederica Street, Suite 126
Owensboro, Kentucky 42301-3013

Paducah Division
501 Broadway, Suite 127
Paducah, Kentucky 42001-6801

U.S. District Court for the Eastern District of Kentucky has six locations.

Lexington Division
101 Barr Street, Room 206
Lexington, Kentucky 40588-3074

Ashland Division
336 Carl Perkins Federal Building
1405 Greenup Avenue
Ashland, Kentucky 41101

Frankfort Division
313 John C. Watts Federal Building
330 West Broadway
Frankfort, Kentucky 40601

Pikeville Division
110 Main Street, Suite 203
Pikeville, Kentucky 41501-1100

Covington Division
35 West 5th Street
P.O. Box 1073
Covington, Kentucky 41102-1073

London Division
310 South Main Street
P.O. Box 5121
London, Kentucky 40745-5121

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Louisiana is divided into three districts: Western, Middle, and Eastern.

U.S. District Court for the Western District of Louisiana has five locations.

105 U.S. Post Office and Courthouse
515 Murray Street
Alexandria, Louisiana 71301

Lafayette Division
U.S. Courthouse, Suite 2100
800 Lafayette Street
Lafayette, Louisiana 70501

Lake Charles Division
Edwin F. Hunter, Jr.
U.S. Courthouse and Federal Building, Suite 188
611 Broad Street
Lake Charles, Louisiana 70601

Monroe Division
Federal Building, Suite 215
201 Jackson Street
Monroe, Louisiana 71201

Shreveport Division
U.S. Courthouse, Suite 1167
300 Fannin Street
Shreveport, Louisiana 71101

U.S. District Court for the Middle District of Louisiana
777 Florida Street, Suite 139
Baton Rouge, Louisiana 70801

U.S. District Court for the Eastern District of Louisiana
New Orleans Courthouse
500 Poydras Street
New Orleans, Louisiana 70130

Maine has one district court.

U.S. District Court for the District of Maine
156 Federal Street
Portland, Maine 04101

Maryland has two locations.

U.S. District Court for Maryland.

Baltimore Division
101 West Lombard Drive
Baltimore, Maryland 21201

Greenbelt Division
6500 Cherrywood Land
Greenbelt, Maryland 20770

Massachusetts has three locations.

U.S. District Court for Massachusetts.

Boston Division
1 Courthouse Way
Boston, Massachusetts 02210

Worcester Division
595 Main Street
Worcester, Massachusetts 01608

Springfield Division
1550 Main Street
Springfield, Massachusetts 01103

Michigan is divided into two districts: Western and Eastern.

U.S. District Court for the Western District of Michigan has four locations.

Grand Rapids Division, Headquarters
399 Federal Building
110 Michigan Street, NW
Grand Rapids, Michigan 49503

Kalamazoo Division
B-35 Federal Building
410 West Michigan Avenue
Kalamazoo, Michigan 49007

Lansing Division
113 Federal Building
315 West Allegan Street
Lansing, Michigan 48933

Marquette Division
P.O. Box 698
229 Federal Building
202 West Washington Street
Marquette, Michigan 49855

U.S. District Court for the Eastern District of Michigan has five locations.

U.S. District Courthouse
1000 Washington Avenue, Room 304
P.O. Box 913
Bay City, Michigan 48707

U.S. District Court Flint
600 Church Street
Flint, Michigan 48502

Detroit Division
Theodore Levin U.S. Courthouse
231 West Lafayette Boulevard
Detroit, Michigan 48226

Ann Arbor Division
U.S. District Courthouse
200 East Liberty Street
Ann Arbor, Michigan 48104

Port Huron Division
U.S. District Courthouse
526 Water Street
Port Huron, Michigan 48060

Minnesota has four districts.

U.S. District Court for the District of Minnesota has four locations.

Minneapolis Division
202 U.S. Courthouse
300 South 4th Street
Minneapolis, Minnesota 55415

St. Paul Division
700 Federal Building
316 North Robert Street
St. Paul, Minnesota 55101

Duluth Division
417 Federal Building
515 West 1st Street
Duluth, Minnesota 55802-1397

Fergus Fall Division
212 U.S. Post Office Building
118 South Mill Street
Fergus Fall, Minnesota 56537

Mississippi is divided into two districts: Northern and Southern.

U.S. District Court for Mississippi's Northern District has three locations.

Aberdeen Thomas G. Abernathy Federal Building
301 West Commerce Street
P.O. Box 704*
Aberdeen, Mississippi 38730

Greenville Division
U.S. District Court
305 Main Street, Room 329
Greenville, Mississippi 38701

Oxford Division
Room 369 Federal Building
911 Jackson Avenue
Oxford, Mississippi 38655

*Location for documents to be mailed.

United States District Court for Mississippi's Southern District has three locations.

U.S. District Court
245 East Capitol Street, Suite 316
Jackson, Mississippi 39201

Hattiesburg Division
U.S. District Court
701 Main Street, Suite 200
Hattiesburg, Mississippi 39401

Gulfport Division
U.S. District Court
2012 15th Street, Suite 403
Gulfport, Mississippi 39501

Missouri is divided into two districts: Western and Eastern.

U.S. District Court for Missouri's Western District has four locations.

Jefferson City
U.S. District Court
131 West High Street
Jefferson City, Missouri 65101

Joplin-SW Division
Jasper Center Courthouse
Courthouse Division II Courtroom
302 South Main Street
Carthage, Missouri 64836

Kansas City Division
Charles Evan S. Whittaker Courthouse
400 East 9th Street
Kansas City, Missouri 64106

St. Joseph Division
U.S. Court
8th and Edmond Street, 2nd Floor
St. Joseph, Missouri 64501-1727

U.S. District Court for Missouri's Eastern District has three locations.

St. Louis Division
111 South 10th Street, Suite 3.300
St. Louis, Missouri 63102

Cape Girardeau Division
339 Broadway
Cape Girardeau, Missouri 63701

Hannibal Division
801 Broadway
Hannibal, Missouri 63401

Montana has one district court.

U.S. District Court for District of Montana
James F. Battin Courthouse
316 North 26th Street
Billings, Montana 59101

Nebraska has two locations.

U.S. District Court for District of Nebraska
Omaha Division
111 South 18th Plaza
Omaha, Nebraska 68102

U.S. District Court for District of Nebraska
Lincoln Division
593 Federal Building
100 Centennial Mall
Lincoln, Nebraska 68508-3803

Nevada has two locations.

U.S. District Court for District of Nevada
Las Vegas Division
333 South Las Vegas
Las Vegas, Nevada 89101

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U.S. District Court for District of Nevada
Reno Division
400 South Virginia Street
Reno, Nevada 89501

New Hampshire has one district court.

U.S. District Court for District of New Hampshire
Warren B. Rudman U.S. Courthouse
55 Pleasant Street, Room 110
Concord, New Hampshire 03301-3941

New Jersey has one district court.

U.S. District Court for District of New Jersey
50 Walnut Street, Room 4015
Newark, New Jersey 07101

New Mexico has four locations.

U.S. District Court for District of New Mexico has four locations.

Albuquerque Division
U.S. District Court
333 Lomas NW
Albuquerque, New Mexico 87102

Las Cruces Division
U.S. District Court
2009 Griggs, 2nd Floor
Las Cruces, New Mexico 88001

Roswell Division
U.S. District Court
Roswell, New Mexico 88201

Santa Fe Division
U.S. District Court
120 South Federal Plaza
Santa Fe, New Mexico 87501

New York is divided into four districts: Eastern, Northern, Southern, and Western.

U.S. District Court for New York's Eastern District has two locations.

Brooklyn–Main
Eastern Division of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722-4438

U.S. District Court for New York's Northern District has seven locations.

Albany Division
James T. Foley—U.S. District Court
445 Broadway, Room 509
Albany, New York 12207-2924

Auburn Division
Old Post Office and Courthouse
157 Genesee Street, 2nd Floor
Auburn, New York 13021

Binghamton Division
U.S. Courthouse and Federal Building
15 Henry Street
Binghamton, New York 13902-2723

Fort Drum Division
U.S. Courthouse
Lewis Avenue
Fort Drum, New York 13602

Syracuse Division
U.S. District Court
100 South Clinton Street
P.O. Box 7367
Syracuse, New York 13261-7367

Utica Division
Alexander Pirnie Federal Building
10 Broad Street
Utica, New York 13501-1233

Watertown Division
Jefferson Center Courthouse
Dulles State Office Building
317 Washington Street, 10th Floor
Watertown, New York 13601

U.S. District Court for New York's Southern District
U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312

U.S. District Court for New York's Western District
304 U.S. Courthouse
68 Court Street
Buffalo, New York 14202

North Carolina is divided into three districts: Eastern, Middle, and Western.

U.S. District Court for North Carolina's Eastern District has six locations.

Elizabeth City Division
306 East Main Street
Elizabeth City, North Carolina 27909

Fayetteville Division
U.S. Post Office and Courthouse
301 Greet Street, 3rd Floor
Fayetteville, North Carolina 28302

Greenville Division
U.S. Court
201 South Evans Street, Room 209
Greenville, North Carolina 27858-1137

New Bern Division
U.S. Courthouse
413 Middle Street
New Bern, North Carolina 28560

Raleigh Division

Terry Sanford Federal Building and Courthouse
310 New Bern Avenue
Raleigh, North Carolina 27601

Wilmington Division

Alton Lennon Federal Building
2 Princess Street
Wilmington, North Carolina 28401

U.S. District Court for North Carolina's Middle District has three locations.

Greensboro Division

U.S. District Court
324 West Market Street, Suite 401
Greensboro, North Carolina 27401

Winston-Salem Division

251 North Main Street
Winston-Salem, North Carolina 27101

Durham Division

323 East Chapel Hill Street
Durham, North Carolina 27702

U.S. District Court for North Carolina's Western District has three locations.

Charlotte Division

401 West Trade Street, Room 212
Charlotte, North Carolina 28202

Statesville Division

200 West Broad Street
Statesville, North Carolina 28677

Bryson City Division

Federal Building
306 Main Street
Bryson City, North Carolina 28713

North Dakota has four locations.

U.S. District Court for North Dakota has four locations.

Minot Division

100 1st Street, SW

Minot, North Dakota 58701

Grand Fork Division

102 North 4th Street

Grand Fork, North Dakota 58201

Fargo Division

655 1st Avenue North

Fargo, North Dakota 58102

Bismarck Division

220 East Rosser Avenue

P.O. Box 1193

Bismarck, North Dakota 58502

Ohio is divided into two districts: Northern and Southern.

U.S. District Court for Ohio's Northern District has four locations.

Toledo Division

114 U.S. Courthouse

1716 Spielbusch A

Toledo, Ohio 43604-1363

Cleveland Division

Carl B. Stokes U.S. Court House

801 West Superior Avenue

Cleveland, Ohio 44113-1830

Akron Division

568 U.S. Courthouse Federal Building

Two South Main Street

Akron, Ohio 44308-1813

Youngstown Division

337 U.S. Federal Building and Courthouse

125 Market Street

Youngstown, Ohio 44503-1780

U.S. District Court for Ohio's Southern District has three locations.

Cincinnati Division
Potter Stewart U.S. Courthouse
100 East 5th Street
Cincinnati, Ohio 45202

Columbus Division
Joseph P. Kinneary U.S. Courthouse, Room 260
85 Marconi Boulevard
Columbus, Ohio 43215

Dayton Division
Federal Building, Room 712
200 West 2nd Street
Dayton, Ohio 45402

Oklahoma is divided into three districts: Eastern, Northern, and Western.

U.S. District Court for Oklahoma's Eastern District
101 North 5th Street, Room 208
Muskogee, Oklahoma 74401

U.S. District Court for Oklahoma's Northern District
333 West 4th Street, Room 411
Tulsa, Oklahoma 74103

U.S. District Court for Oklahoma's Western District
200 NW 4th Street, Room 1210
Oklahoma City, Oklahoma 73102

Oregon has three locations.

U.S. District Court for Oregon has three locations.

Mark O. Hatfield U.S. Courthouse
1000 SW 3rd Avenue
Portland, Oregon 97204-2902

Wayne L. Morse U.S. Courthouse
405 East 8th Avenue, Room 2100
Eugene, Oregon 97401

James A. Redden, U.S. Courthouse
310 West 6th Street, Room 201
Medford, Oregon 97501

Pennsylvania is divided into three districts: Eastern, Middle, and Western.

U.S. District Court for Pennsylvania's Eastern District has four locations.

Allentown Division
504 Hamilton Street, Room 1601
Allentown, Pennsylvania 18101-1514

Easton Division
The Holmes Building, 4th Floor
101 Larry Holmes Drive
Easton, Pennsylvania 18042-7722

U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, Pennsylvania 19106-1797

Reading Division
The Madison Building
400 Washington Street, Room 401
Reading, Pennsylvania 19601-3956

U.S. District Court for Pennsylvania's Middle District has four locations.

Scranton Headquarters
William J. Nealon Federal Building and U.S. Courthouse
235 North Washington Avenue
P.O. Box 1148
Scranton, Pennsylvania 18501

Harrisburg Division
Federal Building and Courthouse
228 Walnut Street
P.O. Box 983
Harrisburg, Pennsylvania 17108

Williamsport Division
U.S. Courthouse and Federal Office Building
240 West 3rd Street, Suite 218
Williamsport, Pennsylvania 17701

Wilkes-Barre Division
Max Rosean U.S. Courthouse, Suite 161
Wilkes-Barre, Pennsylvania 18701

U.S. District Court for Pennsylvania's Western District has three locations.

Erie Division
17 South Park Row
Erie, Pennsylvania 16501

Johnstown Division
Penn Traffic B
319 Washington Street
Johnstown, Pennsylvania 15901

Pittsburgh Division
829 U.S. Courthouse
7th and Grant Street
Pittsburgh, Pennsylvania 15219

Puerto Rico has one district court.

U.S. District Court for Puerto Rico
Clemente Ruiz-Nazaro U.S. Courthouse
Federico Degetan Federal Building
150 Carlos Chardon Street
Hato Rey, Puerto Rico 00918

Rhode Island has one district court.

U.S. District Court for Rhode Island
One Exchange Terrace
Federal Building and Courthouse
Providence, Rhode Island 02903

South Carolina has eight locations.

U.S. District Court for South Carolina has eight locations.

Aiken Division

Charles E. Simons, Jr. Federal Courthouse
223 Park Avenue, SW
Aiken, South Carolina 29801

Anderson Division

G. Ross Anderson Jr. Federal Building and U.S. Courthouse
315 South McDuffie Street, 2nd Floor
Anderson, South Carolina 29624

Beaufort Division

Beaufort Federal Courthouse
1501 Bay Street
Beaufort, South Carolina 29401

Charleston Division

Charleston Federal Courthouse
85 Broad Street
Charleston, South Carolina 29401

Columbia Division

Matthew J. Perry, Jr. Courthouse
901 Richland Street
Columbia, South Carolina 29201

Florence Division

McMillan Federal Building
401 West Evans Street
Florence, South Carolina 29501

Greenville Division

Clement F. Haynsworth Federal Building
300 East Washington Street
Greenville, South Carolina 29601

Spartanburg Division

Donald S. Russell Federal Building
201 Magnolia Street
Spartanburg, South Carolina 29301

South Dakota has one district court.

U.S. District Court for South Dakota
400 South Phillips Avenue
Sioux Falls, South Dakota 57104

Tennessee is divided into three districts: Eastern, Middle, and Western.

U.S. District Court for Tennessee's Eastern District has four locations.

Chattanooga–South Division
U.S. District Court
900 Georgia Avenue
Chattanooga, Tennessee 37402

Greenville–NE Division
U.S. District Court
220 West Depot Street, Suite 200
Greenville, Tennessee 37743

Knoxville–North Division
U.S. District Court
800 Market Street, Suite 130
Knoxville, Tennessee 37902

Winchester Division
U.S. District Court
200 South Jefferson Street
Winchester, Tennessee 37398

U.S. District Court for Tennessee's Middle District
Room 242, Federal Building
167 North Main Street
Memphis, Tennessee 38103

U.S. District Court for Tennessee's Western District
Room 262, U.S. Courthouse
111 South Highland Avenue
Jackson, Tennessee 38301

Texas is divided into four districts: Eastern, Northern, Western, and Southern.

U.S. District Court for Texas' Eastern District has six locations.

Beaumont Division
300 Willow Street, Suite 104
Beaumont, Texas 77701

Lufkin Division
104 North 3rd Street
Lufkin, Texas 75901

Marshall Division
100 East Houston, Room 125
Marshall, Texas 75670

Sherman Division
101 East Pecan, Room 216
Sherman, Texas 75090

Texarkana Division
500 State Line Avenue
Texarkana, Texas 75501

Tyler (Headquarters) Division
211 West Ferguson Street, Room 106
Tyler, Texas 75702

U.S. District Court for Texas' Northern District has seven locations.

Abilene Division
341 Pine Street, 2008
Abilene, Texas 79601

Amarillo Division
205 East 5th Street, 133
Amarillo, Texas 79101-1559

Dallas Division
1100 Commerce Street, Room 1452
Dallas, Texas 75242

Ft. Worth Division
501 West 10th Street, Room 310
Ft. Worth, Texas 76102-3673

Lubbock Division
1205 Texas Avenue, Room 209
Lubbock, Texas 79401-4091

San Angelo Division
33 East Twohig Street, 202
San Angelo, Texas 76903-6451

Wichita Falls
1000 Lamar Street, 203
Wichita Falls, Texas 76301

U.S. District Court for Texas' Western District has 10 locations.

Austin Division
2000 West 8th Street, Room 130
Austin, Texas 78701

Del Rio Division
111 East Broadway, Room L100
Del Rio, Texas 78840

El Paso Division
511 East San Antonio Avenue, Room 219
El Paso, Texas 79901

Midland-Odessa Division
200 East Wall, Room 107
Midland, Texas 79701

Pecos Division
410 South Cedar
Pecos, Texas 79772

Alpine Division
803 Fighting Buck Avenue
Alpine, Texas 79830

San Antonio Division
655 East Durango Boulevard, Room G65
San Antonio, Texas 78206

Waco Division
800 Franklin Avenue, Room 380
Waco, Texas 768701

Fort Hood Division
MG Williams Individual Center
Building 5794, Tank Destroyer Boulevard
P.O. Box 5507
Fort Hood, Texas 76544-0507

Temple Division
U.S. Probation Office
1005 Marlandwood Road, Suite 119
Temple, Texas 76502

U.S. District Court for Texas' Southern District has seven locations.

Brownsville Division
Reynaldo G. Garza-Filemon B. Vela
U.S. Courthouse
600 East Harrison Street
Brownsville, Texas 78520

Houston Division
U.S. Courthouse
515 Rusk Avenue
Houston, Texas 77002

Victoria Division
Martin Luther King, Jr. Federal Building
312 South Main, Room 406
Victoria, Texas 77901

Corpus Christi Division
U.S. Courthouse
1133 North Shoreline Boulevard
Corpus Christi, Texas 78401

Laredo Division
U.S. Courthouse
1300 Victoria Street
Laredo, Texas 78040

Galveston Division
U.S. Post Office and Courthouse
601 Rosenberg, Room 411
Galveston, Texas 77550

McAllen Division
Bentsen Tower
1701 West Business Highway 83, Suite 1011
McAllen, Texas 78501

Utah has one district court.

U.S. District Court for Utah
350 South Main Street, Room 150
Salt Lake City, Utah 84101

Vermont has three locations.

U.S. District Court for Vermont's three locations.

Brattleboro Division
204 Main Street, Room 201
Brattleboro, Vermont 05301

Burlington Division
11 Elmwood A, Room 506
Burlington, Vermont 05401

Rutland Division
151 West Street, Room 204
Rutland, Vermont 05701

Virginia is divided into two districts: Eastern and Western.

U.S. District Court for Virginia's Eastern District has four locations.

Alexandria Division
Albert V. Bryan U.S. Courthouse
401 Courthouse Square
Alexandria, Virginia 22314

Newport News Division
U.S. Post Office and Courthouse B
101 25th Street
P.O. Box 494
Newport News, Virginia 23607

Norfolk Division
Walter E. Hoffman U.S. Courthouse
600 Granby Street
Norfolk, Virginia 22510

Richmond Division
U.S. Courthouse
1000 East Main Street
Richmond, Virginia 23219

U.S. District Court for Virginia's Western District has seven locations.

Abingdon Division
180 West Main Street, Room 104
Abingdon, Virginia 24210

Big Stone Gap Division
322 East Wood Avenue, Room 204
Big Stone Gap, Virginia 24219

Charlottesville Division
255 West Main Street, Room 304
Charlottesville, Virginia 22904

Lynchburg Division
1101 Court Street, Suite A66
Lynchburg, Virginia 24504

Danville Division
700 Main Street, Room 202
Danville, Virginia 24541

Harrisonburg Division
116 North Main Street, Room 314
Harrisonburg, Virginia 22802

Roanoke Division
210 Franklin Road, Room 308
Roanoke, Virginia 24011

Virgin Islands has two locations.

U.S. District Court for Virgin Islands.

St. Croix Division
3013 Estate Golden Rock, Suite 219
St. Croix, Virgin Islands 00820

St. Thomas/St. John Division
5500 Veterans Drive, Room 310
St. Thomas, Virgin Island 00802

Washington is divided into two districts: Eastern and Western.

U.S. District Court for Washington's Eastern District has three locations.

Thomas S. Foley U.S. Courthouse
920 West Riverside Avenue
Spokane, Washington 99201

William O. Douglas Courthouse
255 3rd Street
Yakima, Washington 98907

U.S. Courthouse and Federal Building
825 Jadwin Avenue
Richland, Washington 99352

U.S. District Court for Washington's Western District has two locations.

Tacoma Division
Union Station Courthouse
1717 Pacific Avenue
Tacoma, Washington 98402

Seattle Division
U.S. Courthouse
700 Stewart Street
Seattle, Washington 98101

West Virginia is divided into two districts: Northern and Southern.

U.S. District Court for West Virginia's Northern District has four locations.

Martinsburg Division
217 West King Street
Martinsburg, West Virginia 25401-3286

Wheeling Division
1125 Chaplin Street
Wheeling, West Virginia 26003-2976

Clarksburg Division
500 West Pike Street
Clarksburg, West Virginia 26301-2664

Elkins Division
300 3rd Street
Elkins, West Virginia 26241-3898

U.S. District Court for West Virginia's Southern District has five locations.

Bluefield—Division 1
601 Federal Street, Room 2303
Bluefield, West Virginia 24701

Charleston—Division 2
Robert C. Byrd U.S. Courthouse
300 Virginia Street East, Suite 2400
Charleston, West Virginia 25301

Huntington—Division 3
Sidney L. Christie 713
845 5th Avenue, Room 101
Huntington, West Virginia 25716

Beckley—Division 4
110 North Heber Street, Room 119
Beckley, West Virginia 25801

Parkersburg—Division 5
425 Juliana Street, Room 5102
Parkersburg, West Virginia 26101

Wisconsin is divided into two districts: Eastern and Western.

U.S. District Court for Wisconsin's Eastern District has two locations.

Milwaukee Division
362 U.S. Courthouse
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Green Bay Division
125 South Jefferson Street
P.O. Box 22490
Green Bay, Wisconsin 54305-2490

U.S. District Court for Wisconsin's Western District
120 North Henry Street, Room 320
P.O. Box 432
Madison, Wisconsin 53701-0432

Wyoming has two locations.

U.S. District Court for Wyoming has two locations.

Cheyenne Division
2120 Capitol Avenue
Cheyenne, Wyoming 82001

Casper Division
111 South Wolcott, Room 121
Casper, Wyoming 82601

There are 11 circuit courts of appeal, which are divided geographically around the states, from which appeals are taken. The distribution is listed here:

U.S. Court of Appeals for the First Circuit
1 Courthouse Way
Boston, Massachusetts 02210

The First Circuit Court of Appeals receives appeals from federal district courts representing Maine, New Hampshire, Massachusetts, Rhode Island, and Puerto Rico.

U.S. Court of Appeals for the Second Circuit
500 Pearl Street
New York, New York 10007

The Second Circuit Court of Appeals receives appeals from federal district courts representing Vermont, New York, and Connecticut.

U.S. Court of Appeals for the Third Circuit
James A. Byrne Courthouse
601 Market Street
Philadelphia, Pennsylvania 19106

The Third Circuit Court of Appeals receives appeals from federal district courts representing Pennsylvania, New Jersey, Delaware, and the Virgin Islands.

U.S. Court of Appeals for the Fourth Circuit
Lewis F. Powell, Jr. U.S. Courthouse
1100 East Main Street
Richmond, Virginia 23219

The Fourth Circuit Court of Appeals receives appeals from federal district courts representing Maryland, West Virginia, Virginia, North Carolina, and South Carolina.

U.S. Court of Appeals for the Fifth Circuit
600 South Maestri Place
New Orleans, Louisiana 70130-3408

The Fifth Circuit Court of Appeals receives appeals from federal district courts representing Mississippi, Louisiana, and Texas.

U.S. Court of Appeals for the Six Circuit
100 East 5th Street
540 Potter Stewart U.S. Courthouse
Cincinnati, Ohio 45202

The Sixth Circuit Court of Appeals receives appeals from federal district courts representing Michigan, Ohio, Kentucky, and Tennessee.

U.S. Court of Appeals for the Seventh Circuit
Room 2722
219 South Dearborn Street
Chicago, Illinois 60604

The Seventh Circuit Court of Appeals receives appeals from federal district courts representing Wisconsin, Illinois, and Indiana.

U.S. Court of Appeals for the Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street
St. Louis, Missouri 63102

The Eighth Circuit Court of appeals receives appeals from federal district courts representing North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, and Arkansas.

U.S. Court of Appeals for the Ninth Circuit
95 7th Street
San Francisco, California 94103

The Ninth Circuit Court of Appeals receives appeals from federal districts courts representing Washington, Oregon, Idaho, Montana, Nevada, California, Arizona, Arizona, Hawaii, and Guam.

U.S. Court of Appeals for the Tenth Circuit
The Bryon White U.S. Courthouse
1823 Stout Street
Denver, Colorado 80257

The Tenth Circuit Court of Appeals receives appeals from federal districts courts representing Wyoming, Utah, New Mexico, Colorado, Kansas, and Oklahoma.

U.S. Court of Appeals for the Eleventh Circuit
Elbert P. Tuttle U.S. Court of Appeals Building
56 Forsyth Street, NW
Atlanta, Georgia 30303

The Eleventh Circuit Court of Appeals receives appeals from federal districts courts representing Alabama, Georgia, and Florida.

U.S. Court of Appeals for Federal Circuit
717 Madison Place, NW
Washington, DC 20439

U.S. Court of Appeals for District of Columbia Circuit
E. Barrett U.S. Courthouse
333 Constitution Avenue, NW
Washington, DC 20001

Appendix 2B

STATE-BY-STATE LISTING OF COURT SYSTEMS _____

Alabama

The highest ranking state court in Alabama is the Alabama Supreme Court, which reviews cases decided at the Alabama Court of Civil Appeal or Alabama Court of Criminal Appeal. The Alabama Courts of Appeal (civil and criminal) hear cases brought forth on appeal from the Alabama Circuit Courts. There are 40 Alabama circuit courts, which have general subject matter jurisdiction over felonies, civil action for greater than \$3,000, and domestic relations, and concurrent jurisdiction with district courts over issues related to juveniles. Alabama also has 68 probate courts, 67 district courts, and 257 municipal courts.

Alaska

The highest ranking state court in Alaska is the Alaska Supreme Court, which reviews cases decided by the Alaska Court of Appeals. The Alaska Court of Appeals hears cases on appeal from the trial courts, called superior courts, and some cases from the district courts. Alaska has divided the state into four judicial districts. Each judicial district has a superior court and a district court. The superior court has general jurisdiction over subject matters while the district court has limited jurisdiction over misdemeanors, civil cases up to \$100,000, and small claims not exceeding \$10,000.

Arizona

The highest ranking state court in Arizona is the Arizona Supreme Court, which reviews cases decided by the Arizona Courts of Appeals. There are two Arizona courts of appeal: Division One and Division Two. The Arizona Courts of Appeal hear cases brought forth on appeal from the trial courts, called superior courts. There are also administrative tribunal courts and city courts.

Arkansas

The highest ranking state court in Arkansas is the Arkansas Supreme Court, which reviews cases decided by the Arkansas Court of Appeals. The Arkansas Court of Appeals hears cases on appeal from the circuit courts and sometimes the district courts. There are also city courts. The circuit courts are of general jurisdiction and hear cases of five different subject matter jurisdictions: criminal, civil, probate, domestic relations, and

juvenile. District courts' subject matter jurisdiction are misdemeanor, preliminary felony, and civil cases less than \$5,000.

California

The highest ranking court in California is the California Supreme Court, which reviews cases decided by the California Courts of Appeal. There are six California courts of appeal that are divided by districts: District 1 is in San Francisco; District 2 is in Los Angeles; District 3 is in Sacramento; District 4 is in San Diego; District 5 is in Fresno; and District 6 is in San Jose. The California Courts of Appeal review cases decided at the trial courts, which in California are also called superior courts. There are 58 trial courts in California, one in each county.

Colorado

The highest ranking court in Colorado is the Colorado Supreme Court, which reviews cases decided by the Colorado Court of Appeals. The Colorado Court of Appeals hears cases of appeal from Colorado's district courts and sometimes county courts. The district courts have subject matter jurisdiction over any civil action, domestic relations, criminal, juvenile, probate, and mental health. The county courts have limited jurisdiction over civil cases less than \$15,000 in damages, misdemeanors, traffic, felony complaints and small claims. There are also water courts and the Denver Court System because Denver is both a city and a county.

Connecticut

The highest ranking court in Connecticut is the Connecticut Supreme Court, which hears appeals from the Connecticut Appellate Court. The Connecticut Appellate Court hears appeals taken from superior courts, which have subject matter jurisdiction over civil, criminal, family, and juvenile. There are also judicial district courts, geographical area courts, and juvenile matters courts.

Delaware

The highest ranking court in Delaware is the Delaware Supreme Court, which hears appeals from Delaware's superior courts and courts of chancery. It occasionally hears appeals from family courts. The superior courts have general subject matter jurisdiction over criminal, civil, and felonies. The courts of chancery have subject matter jurisdiction over matters in equity. The other courts in Delaware are alderman's courts, justice of the peace courts, court of common pleas, and family court.

District of Columbia

The District of Columbia is not a state; therefore, it does not have a state court system.

Florida

The highest ranking court in Florida is the Florida Supreme Court, which hears appeals from Florida district courts of appeal. Florida has five district courts of appeal, which hear appeals from trial courts, called circuit courts. Florida has 20 circuit courts. There are also county courts.

Georgia

The highest ranking court in Georgia is the Georgia Supreme Court, which hears appeals from the Georgia District Court of Appeal. Georgia's District Court of Appeal hears appeals from Georgia's superior courts, which are the trial courts in Georgia. The superior courts have general subject matter jurisdiction over felonies, divorce, and equity. There are 10 judicial districts with 49 judicial circuits. Each county has its own superior court. There are also state courts that have limited subject matter jurisdiction over misdemeanors and civil. There are also magistrate courts, juvenile courts, probate courts, and municipal courts.

Hawaii

The highest ranking court in Hawaii is the Hawaii Supreme Court, which hears appeals from the Hawaii Intermediate Court of Appeal. Hawaii's Intermediate Court of Appeal hears appeals from the circuit courts, which have general subject matter jurisdiction over civil actions alleging damages in excess of \$20,000, as well as criminal, probate, and felonies. There are also district courts of limited jurisdiction and family courts.

Idaho

The highest ranking court in Idaho is the Idaho Supreme Court, which hears appeals from the Idaho Court of Appeal. The Idaho Court of Appeal hears appeals from trial courts (district courts). There are also drug courts, family courts, and youth courts.

Illinois

The highest ranking court in Illinois is the Illinois Supreme Court, which hears appeals from the Illinois Appellate Court. The Illinois Appellate Court hears appeals from trial courts, called circuit courts.

Indiana

The highest ranking court in Indiana is the Indiana Supreme Court, which hears appeals from Indiana District Courts of Appeal. Indiana has five district courts of appeal, which hear appeals from trial courts. There are also tax courts.

Iowa

The highest ranking court in Iowa is the Iowa Supreme Court, which hears appeals from Iowa's Court of Appeal. Iowa's Court of Appeal hears appeals from trial courts, called district courts.

Kansas

The highest ranking court in Kansas is the Kansas Supreme Court, which hears appeals from the Kansas Court of Appeal. Kansas' Court of Appeal hears appeals from trial courts, called district courts. There are also municipal courts.

Kentucky

The highest ranking court in Kentucky is the Kentucky Supreme Court. There is a Kentucky Court of Appeal that hears appeals from circuit courts. There are also district courts that have limited subject matter jurisdiction, including civil matters of less than \$4,000 in damages. There are also family courts.

Louisiana

The highest ranking court in Louisiana is the Louisiana Supreme Court, which hears appeals from the five district courts of appeal. The district courts of appeal hear appeals from the district courts, which are divided by parishes. There are also city and parish courts.

Maine

The highest ranking court in Maine is the Maine Supreme Court, which hears appeals from the superior courts. There are 17 superior courts in the state. There are also 31 district courts that sit without a jury and hear small claims of less than \$4,500.

Maryland

The highest ranking court in Maryland is the Court of Appeals, which hears appeals from the Court of Special Appeals. The Court of Special Appeals is the intermediate court of appeals for Maryland. The trial courts are called circuit courts and district

courts, with the circuit courts having general jurisdiction and district courts having limited jurisdiction.

Massachusetts

The highest ranking court in Massachusetts is the Supreme Judicial Court, which hears appeals from the Massachusetts Appeal Court. The Massachusetts Appeal Court hears appeals from a multitude of courts, some of which include Boston Municipal Court Department, the Housing Court Department, the Land Court Department, the Superior Court Department, the District Court Department, the Juvenile Court Department, and Probate and Family Court Department.

Michigan

The highest ranking court in Michigan is the Michigan Supreme Court, which hears appeals from the Michigan Court of Appeals. The Michigan Court of Appeals hears appeals from the trial courts.

Minnesota

The highest ranking court in Minnesota is Minnesota's supreme court, which hears appeals from the Minnesota Court of Appeals. The Minnesota Court of Appeals hears appeals from the 10 district courts that are divided by judicial districts. There are also problem-solving courts.

Mississippi

The highest ranking court in Mississippi is the Mississippi Supreme Court, which hears appeals from the Mississippi Court of Appeals. The Mississippi Court of Appeals hears appeals from the circuit courts and chancery court. There are also county courts, justice courts, and municipal courts.

Missouri

The highest ranking court in Missouri is the Missouri Supreme Court, which hears appeals from Missouri's three courts of appeals. The courts of appeals hear matters originating in the 45 circuit courts. There are also 473 municipal courts.

Montana

The highest ranking court in Montana is the Montana Supreme Court. Of note there is not a Montana appellate court. There are district courts in 56 counties. There are also

four water courts, a worker's compensation court, 66 courts for justice of the peace, 5 municipal courts, and 81 city courts.

Nebraska

The highest ranking court in Nebraska is the Nebraska Supreme Court, which hears appeals from the Nebraska Court of Appeal. It should be noted that Nebraska did not have a court of appeal until September 6, 1991. There are 12 districts courts as well as separate juvenile courts, 93 county courts, and 1 worker's compensation court.

Nevada

The highest ranking court in Nevada is the Nevada Supreme Court, which hears appeals from the nine district courts. There is no intermediate appellate court. There are also justice courts in 55 towns and 118 municipal courts in incorporated cities and towns.

New Hampshire

The highest ranking court in New Hampshire is the New Hampshire Supreme Court, which hears appeals from the 11 superior courts. There is no intermediate appellate court. There are probate courts in 10 counties and 37 district courts.

New Jersey

The highest ranking court in New Jersey is the New Jersey Supreme Court, which hears appeals from the appellate division of the superior court. The court of general jurisdiction is the superior court, which subject matter jurisdiction includes civil, family, general, equity, and criminal. There are 15 vicinages in 21 counties. There are also tax courts and 544 municipal courts.

New Mexico

The highest ranking court in New Mexico is the New Mexico Supreme Court, which hears appeals from the New Mexico Court of Appeal. The next ranking court are the 13 district courts. There are also 54 magistrate courts, 83 municipal courts, probate courts in 33 counties, and a Bernalillo County Metropolitan Court, which handles tort, contract, real property of less than \$10,000, and misdemeanors.

New York

The highest ranking court in New York is the Court of Appeal, which hears appeals from the intermediate courts of appeal. The intermediate courts of appeal are called appellate terms of supreme court and appellate divisions of supreme court. There are four appellate divisions of supreme court. The intermediate appellate courts hear appeals from the trial courts, which are called supreme courts. There are supreme courts in 12 districts. There are also 57 county courts outside New York City. Other courts include Criminal Court of the City of New York, 14,878 town and village courts, one court of claims, 62 counties with surrogates courts, 62 counties with family courts, the District Court for Nassau and Suffolk, 79 city courts, and the Civil Court of the City of New York.

North Carolina

The highest ranking court for North Carolina is the North Carolina Supreme Court, which hears appeals from the North Carolina Court of Appeals. The North Carolina Court of Appeals hears appeals from the trial courts, which are called superior courts. There are 146 superior courts of general subject matter jurisdiction. There are also district courts of limited jurisdiction.

North Dakota

The highest ranking court in North Dakota is the North Dakota Supreme Court. There is no intermediate court of appeal. The courts of general jurisdiction are called district courts and are divided into seven districts. There are also 80 municipal courts, which have limited jurisdiction.

Ohio

The highest ranking court in Ohio is the Ohio Supreme Court, which hears appeal from the state's 12 courts of appeals. The Ohio courts of appeals hear cases from the 88 courts of common pleas, which are the courts of general jurisdiction. The other types of courts in Ohio are 122 municipal courts, 44 county courts, 1 court of claims, and 428 mayor's courts.

Oklahoma

The highest ranking courts in Oklahoma are the Oklahoma Supreme Court and the Oklahoma Court of Criminal Appeal. The Oklahoma Supreme Court hears appeals from the Oklahoma Court of Civil Appeals, while the Oklahoma Court of Criminal

Appeal hears appeals from the criminal courts. There are 26 district courts of general jurisdiction. There are also 340 municipal courts not of record, 2 municipal criminal courts of record, and 1 court of tax review.

Oregon

The highest ranking court in Oregon is the Oregon Supreme Court, which hears appeals from the Oregon Court of Appeals. The Oregon Court of Appeals hears appeals from the tax court and the 27 circuit courts. There are also 7 county courts, 30 justice courts, and 135 municipal courts.

Pennsylvania

The highest ranking court in Pennsylvania is the Pennsylvania Supreme Court, which hears appeals from the intermediate appellate courts, called commonwealth courts, and superior courts. The intermediate appellate courts hear appeals from the 60 courts of common pleas, which are the courts of general jurisdiction. There are also 551 district justice courts, Philadelphia Municipal Court 1st District, Philadelphia Traffic Court 1st District, and Pittsburgh City Magistrate 5th District.

Puerto Rico

The highest ranking court in Puerto Rico is the Puerto Rico Supreme Court, which hears appeals from the circuit court of appeals. The circuit court of appeals hears appeals from the court of first instance, which is the court of general jurisdiction. Other courts with limited jurisdiction are superior division and municipal division.

Rhode Island

The highest ranking court in Rhode Island is the Rhode Island Supreme Court, which hears appeals from the four divisions of superior courts. There is no intermediate appellate court. The superior courts are courts of general subject matter jurisdiction. There are a worker's compensation court, 4 divisions of district courts, 4 divisions of family courts, traffic tribunal, 16 municipal courts, and 39 probate courts in towns and cities.

South Carolina

The highest ranking court in South Carolina is the South Carolina Supreme Court, which hears appeals from the South Carolina Court of Appeal. The South Carolina Court of Appeal hears appeals from the 16 circuit courts. There are also 16 circuits of family courts, 286 magistrate courts, 46 probate courts, and 200 municipal courts.

South Dakota

The highest ranking court in South Dakota is the South Dakota Supreme Court, which hears appeals from the seven circuit courts. There is no intermediate appellate court.

Tennessee

The highest ranking court in Tennessee is the Tennessee Supreme Court, which hears appeals from either the three divisions of the courts of appeals or the three divisions of the courts of criminal appeals. The courts of appeal hear matters on appeal from judicial districts, which include circuit courts, chancery courts, and criminal courts representing 95 counties. There is also one probate court. The courts of limited jurisdiction include 98 juvenile courts, 300 municipal courts, and general session courts in the 98 counties.

Texas

The highest ranking courts in Texas are the Texas Supreme Court and the Texas Court of Criminal Appeals. These courts hear appeals from the 14 Texas courts of appeal. There are 418 district courts, which have general subject matter jurisdiction. There are also 472 courts of limited jurisdiction including county-level courts hearing matters of constitutional county court, probate court, county court at law, municipal court, and justice of the peace court.

Utah

The highest ranking court in Utah is the Utah Supreme Court, which hears appeals from Utah's court of appeals. Utah's court of appeals hears appeals from the 40 district courts, which are the courts of general subject matter jurisdiction. There are also 20 juvenile courts and 139 justice courts.

Vermont

The highest ranking court in Vermont is Vermont Supreme Court, which hears appeals from Vermont's family courts, superior courts, and district courts in each of the 14 counties. There are also environmental courts, probate courts, and Vermont's judicial bureau.

Virginia

The highest ranking court in Virginia is the Virginia Supreme Court, which hears appeals from the Virginia Court of Appeals. Virginia's Court of Appeals hears appeals

from the courts of general subject matter jurisdiction that include 31 circuit courts in 120 counties. There are also 130 courts of limited jurisdiction called districts courts.

Virgin Islands

The highest ranking court in the Virgin Islands is the Appellate Division of the District Court of the Virgin Islands. Appeals from the Appellate Division of the District Court of the Virgin Islands go to the U.S. Court of Appeals for the Third Circuit and then to the U.S. Supreme Court (federal). The court of general jurisdiction is the Superior Court of the Virgin Islands.

Washington

The highest ranking court in Washington is the Washington Supreme Court, which hears appeals from Washington's three courts of appeals. Washington's three courts of appeals hear appeals from the superior courts that are in 31 districts. There are also 121 municipal courts and 49 district courts.

West Virginia

The highest ranking court in West Virginia is the West Virginia Supreme Court, which hears appeals from the 55 circuit courts. There is no intermediate court of appeal. The circuit courts are courts of general jurisdiction. There are also courts of limited jurisdiction that include magistrate courts in 55 counties, 122 municipal courts, and family courts in 26 circuits.

Wisconsin

The highest ranking court in Wisconsin is the Wisconsin Supreme Court, which hears appeals from the four district courts of appeals. The courts of appeals hear appeals from the circuit courts that cover 69 circuits. There are also 224 municipal courts.

Wyoming

The highest ranking court in Wyoming is the Wyoming Supreme Court, which hears appeals from the nine district courts. There is no intermediate appellate court. The district courts have general subject matter jurisdiction. There are also courts of limited subject matter jurisdiction including 7 justice of the peace courts, 79 municipal courts, and 16 circuit courts.

