Judicial Structure & Process

Lesson No. 11

ENV H 471
Environmental Health Regulation
Winter Quarter 2004

Lesson Overview

American Courts
Court Procedures

Lesson Objectives

Understand the U.S. and Washington judicial systems,
Describe the relationship between the federal, state and local judiciary; and,
Determine the types of cases which are tried in each court.
Lesson 11. U.S. Courts

March 4, 2004

The American Courts
- Origins
  - Trial by combat
  - Anglo-American Jurisprudence
  - Constitution
- Court Structure
  - Federal Courts
  - State Courts
  - Local Courts

U. S. Court System
- United States Supreme Court
- Court of Claims
- Circuit Courts of Appeals (11)
- District Courts
  - Federal Courts
    - District Courts
      - Washington D.C.
      - Puerto Rico
    - District Courts with Local and Federal Jurisdiction (3)
  - State Courts
    - Prisoners

The United States
Federal Courts
- Supreme Court
- Circuit Courts
- District Courts
- Appeals Courts
- Trial Courts
- State Courts
- Federal
  - U.S. Court of Claims
  - Court of Federal Claims
  - Court of International Trade
- Military
  - U.S. Court of Appeals for Veterans Claims
  - Federal administrative agencies and boards
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**WA Superior Courts**

Division I

Division II

Division III

Enforcement

Civil

Criminal

Habeas Corpus

Court Procedures

- Filing
  - Criminal
  - Civil
- Rules of Evidence
- Proof
- Testimony

Types of Evidence

There are four basic types of evidence:

- Eyewitness testimony
- Physical evidence
- Demonstrative evidence
- Expert testimony
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Rules of Evidence
- Material and relevant
- Hearsay
- Proof
  - Burden of Proof
  - Degree of Proof

Proof
- Burden of Proof
  - Substantial evidence
  - Preponderance of the evidence
  - Clear and convincing evidence
  - Beyond a reasonable doubt

Rules of Testimony
- Relevancy
- Credibility
  - Hearsay
- Authenticity
  - Chain of Custody
Relevancy

- The testimony must relate directly to the issues involved in the controversy.

Credibility

- Witnesses offer the most credible evidence when:
  - Testifying, orally or in writing, under the solemnity of a court-administered oath.
  - The declarant is present in court.
  - An adversary has an opportunity to cross-examine the declarant about the truth of the matter asserted.

Hearsay Testimony

Exceptions:
- Out-of-court admissions of a party-opponent.
- Declarations against interest.
- Spontaneous declarations.
- Past recollections recorded.
- Regularly kept business records.
- Official written statements and certificates.
Authenticity

- Tangible items offered as evidence must be authenticated through testimony or certification

Questions

Next Lesson

Criminal Actions
Assignment for Lesson 12

Statutes & Regulations:

Assignment for Lesson 12

Required Readings:
- Reading #23 - FDA Food Service Sanitation Manual, §10-601.
- Reading #35 - Ligon, R., Legal Aspects of Disease Control Administration.