

Lesson: The Journey of a Court Case

Objective: Learn what happens to cases as they travel within a court and between courts.
(*Colorado Model Content Standards: Civics, Standard 2.1, grades 9-12*)

Activities: Class participation activity; homework assignment.

Outcomes: Students know how a court case goes through the system.

Grade Level: Grades 9-12

Anticipated classroom time: 45-60 minutes

Message from former Colorado Court of Appeals Judge Dennis Graham:

Our legal system can trace its lineage to the English Common Law which was based upon the social order of the Middle Ages. English colonists brought to America the only law they knew, which was the law of England in the seventeenth and eighteenth centuries. When those colonists determined to separate from England, they based their arguments and their assertion of legal rights upon famous commentaries about Common Law developed by English legal scholars. Their view of the court system was also based upon their experiences with Common Law.

The concepts of court specialization and court jurisdiction have their roots in the Common Law. America's modern legal system makes use of specialized courts which may be grouped into two classes: trial courts of limited scope and appellate courts of relatively broad scope.

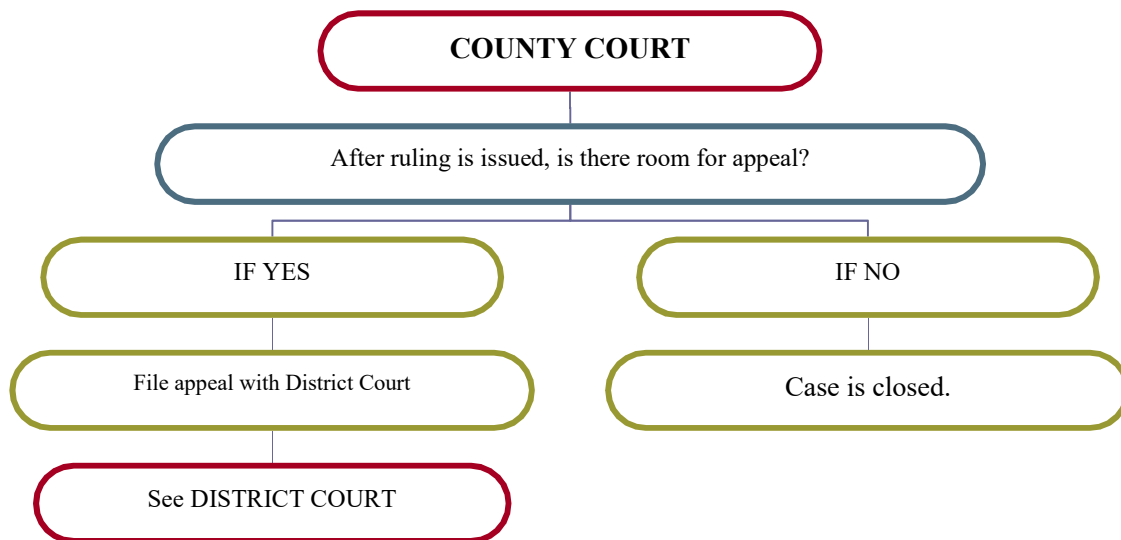
This lesson asks you first to focus on trial courts, while recognizing that amounts in dispute and types of offenses may well determine which trial court has jurisdiction to hear the case. Based upon our Common Law heritage, our system strives to assure that all who come before the trial court will be afforded substantial justice and a fair trial. Appellate courts serve as a check and balance to the trial courts. Review of the trial court proceedings and the law applied there helps the appellate court to determine whether the trial was fair. In some cases a higher appellate court will review an intermediate court and thereby provide a further check and balance.

Class participation activity: You are given two sets of flow charts: one is complete, and one is incomplete with many blanks. Use the incomplete one as a transparency, having the class try to figure out the missing steps in the journey of a court case. Check your answers and/or guesses against the complete flow chart. The incomplete chart can also be handed out as a homework assignment.

Homework assignment: Go to the Colorado Judicial Branch's website at www.courts.state.co.us and click on the Supreme Court. Going into the case announcements, find a case from any of the years listed to analyze. You will not know what the cases are about until you click on them individually; choose one at random, or choose one that interests you. Give a one-paragraph summary on what the case is about. Then make a flow chart for the journey of that specific court case. For instance, did it start in the trial courts? Can you tell if it was county or district court? Who won, and who appealed? Did it go to the Court of Appeals? Who won and who appealed there? What happened at the Supreme Court level? Where will the case go from here (i.e. is it closed, or will it go back to the trial court?)?

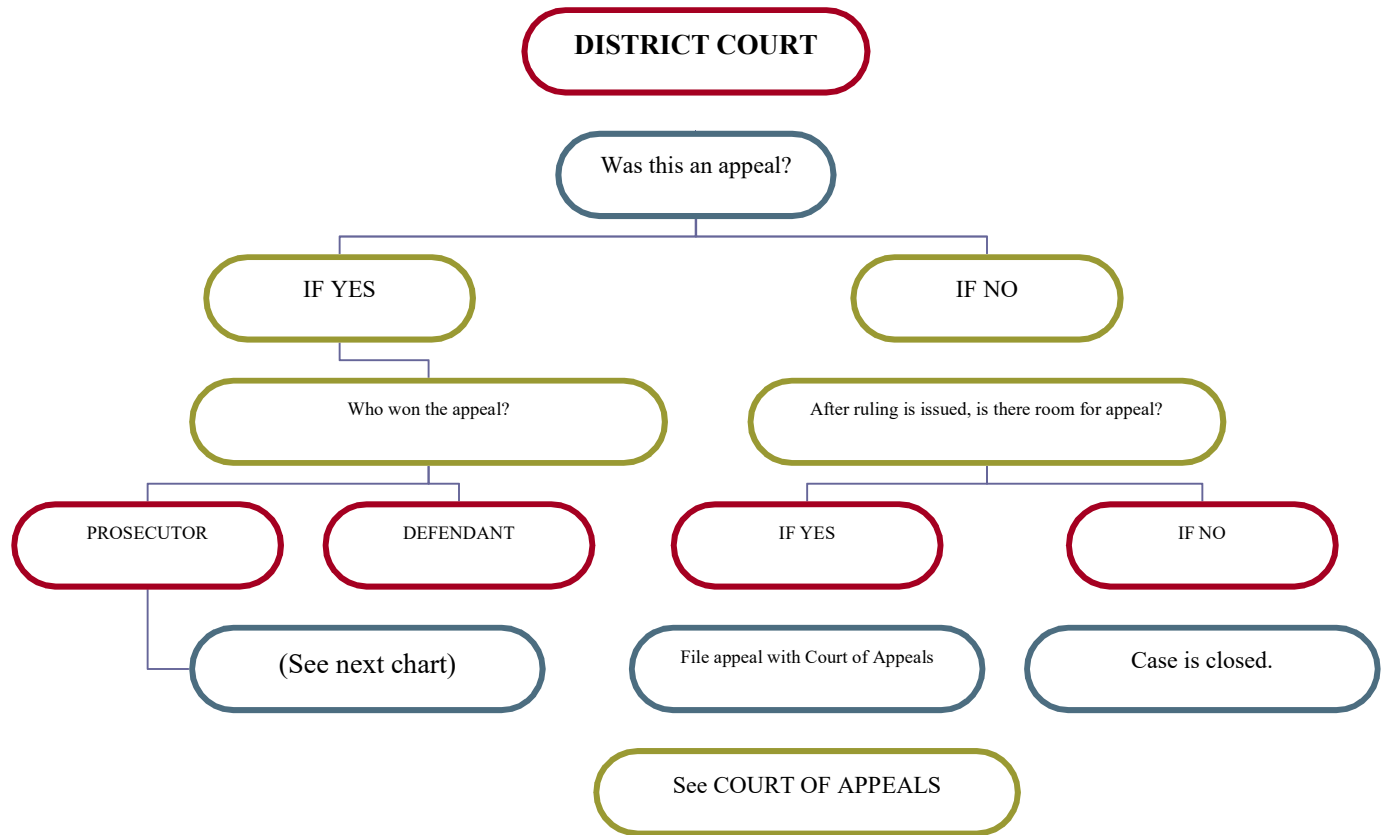
A Case in County Court

If the case is a serious public safety issue (such as misdemeanor cases, felony advisements, setting bonds, and preliminary hearings), traffic case, civil action less than \$15,000, or involves restraining orders or search warrants, the case will go to COUNTY COURT.



A Case in District Court

If the case is a felony criminal matter, civil claim over \$15,000, juvenile matter (including adoption, dependency and neglect matters, juvenile delinquency, and paternity matters), probate issue, mental health issue, divorce proceeding, water case, an appeal from a municipal or county court, or a review of a decision made by an administrative board or agency, the case will go to DISTRICT COURT.



DISTRICT COURT, continued

PROSECUTOR

DEFENDANT

Room for appeal?

Room for appeal?

IF YES

IF NO

IF YES

IF NO

File appeal with Court of Appeals

Case is closed.

File appeal with Court of Appeals

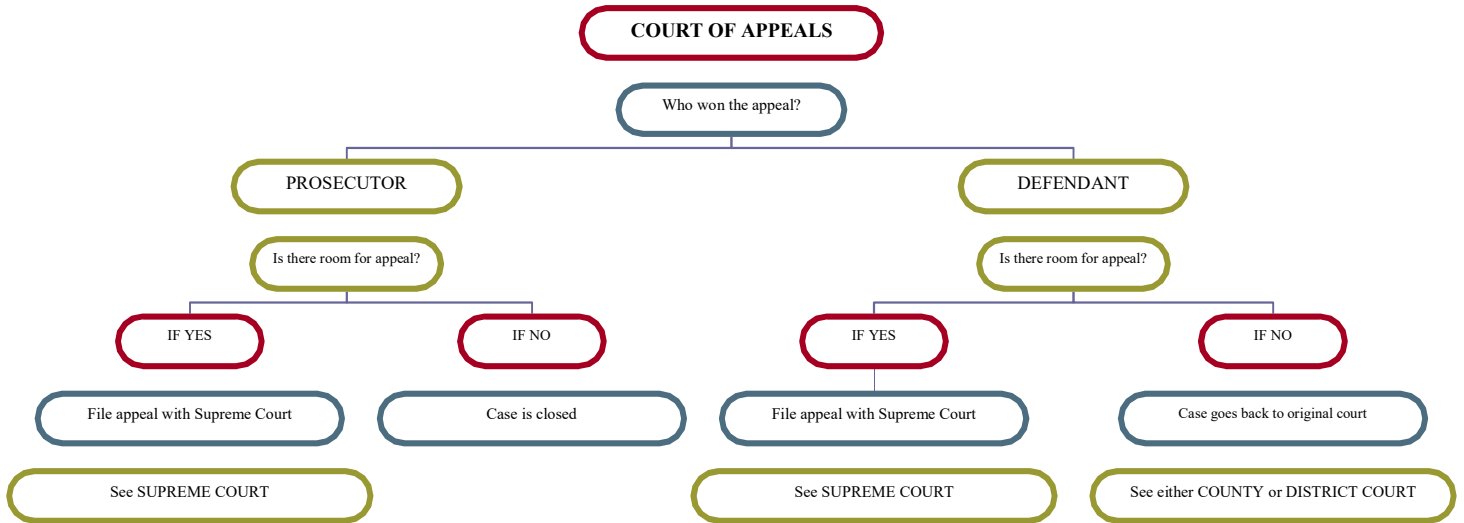
Case goes back to COUNTY COURT

See COURT OF APPEALS

See COURT OF APPEALS

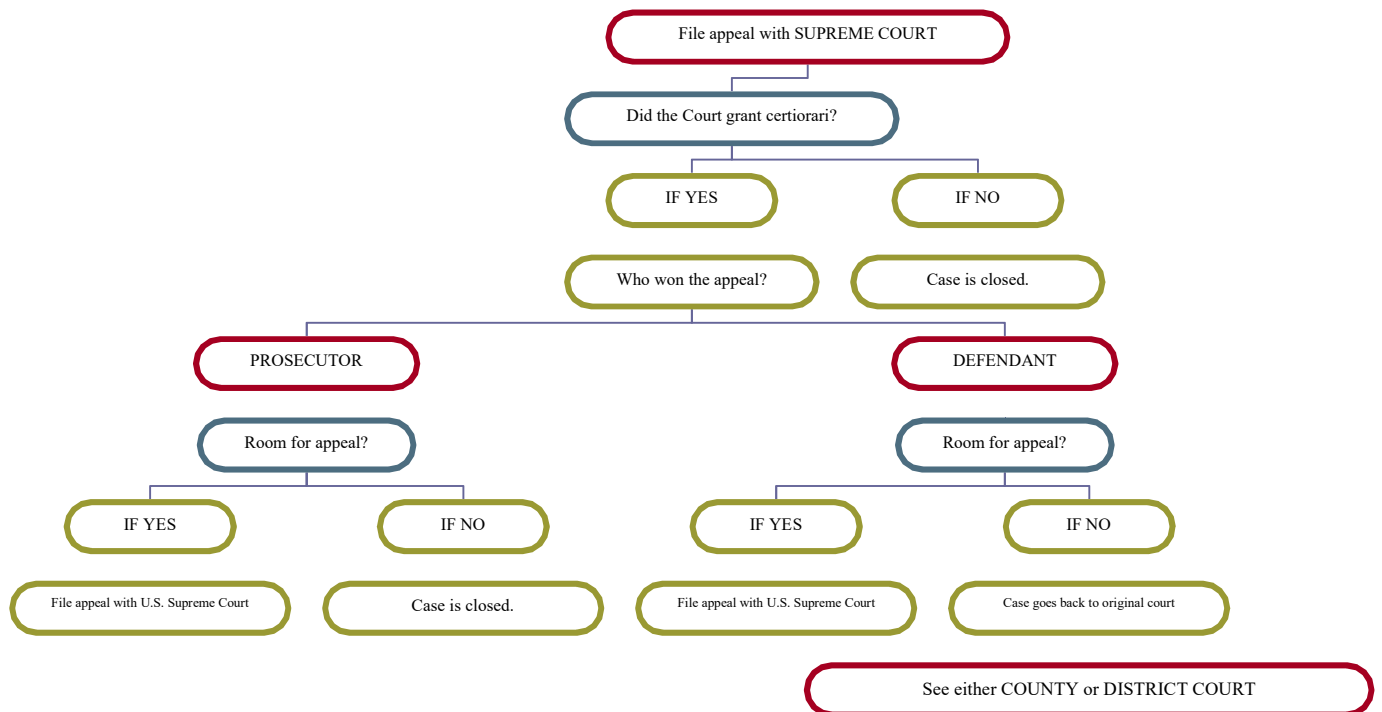
A Case in the Court of Appeals

If the case is an appeal of a judgment or order from the district, juvenile, or probate courts, or if it involves a review of a decision originating from a state administrative board or agency, the case goes to the COURT OF APPEALS.



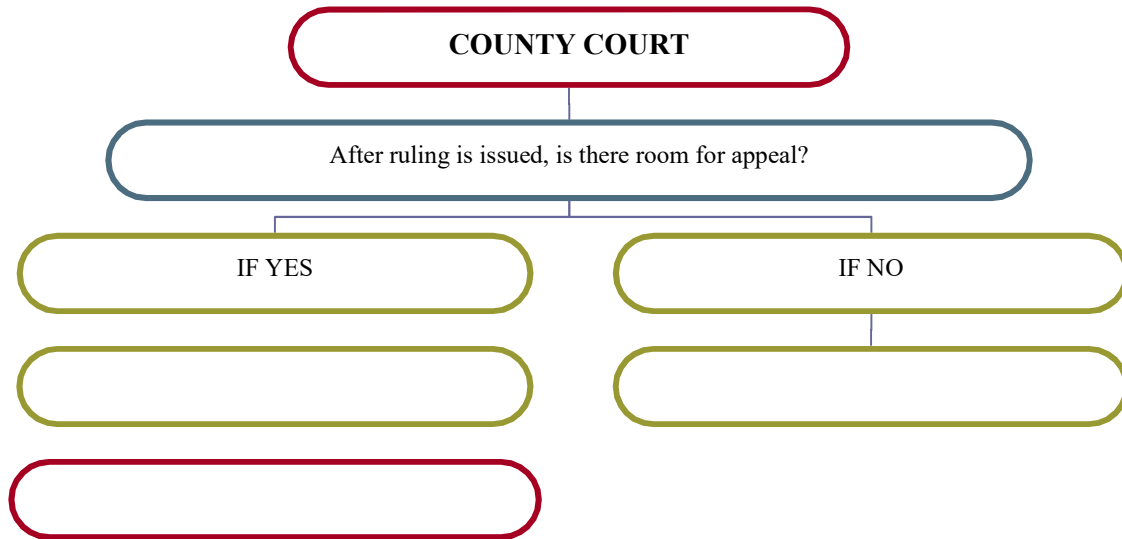
A Case in the Supreme Court

If the case is a review of a decision by the Court of Appeals, or if it is a case involving a statute that has been held to be unconstitutional, decision of the Public Utilities Commission, writ of habeas corpus, adjudication of water rights, summary proceedings initiated under the Election Code, or prosecutorial appeals concerning search and seizure questions in pending criminal proceedings, the case will go to the SUPREME COURT.



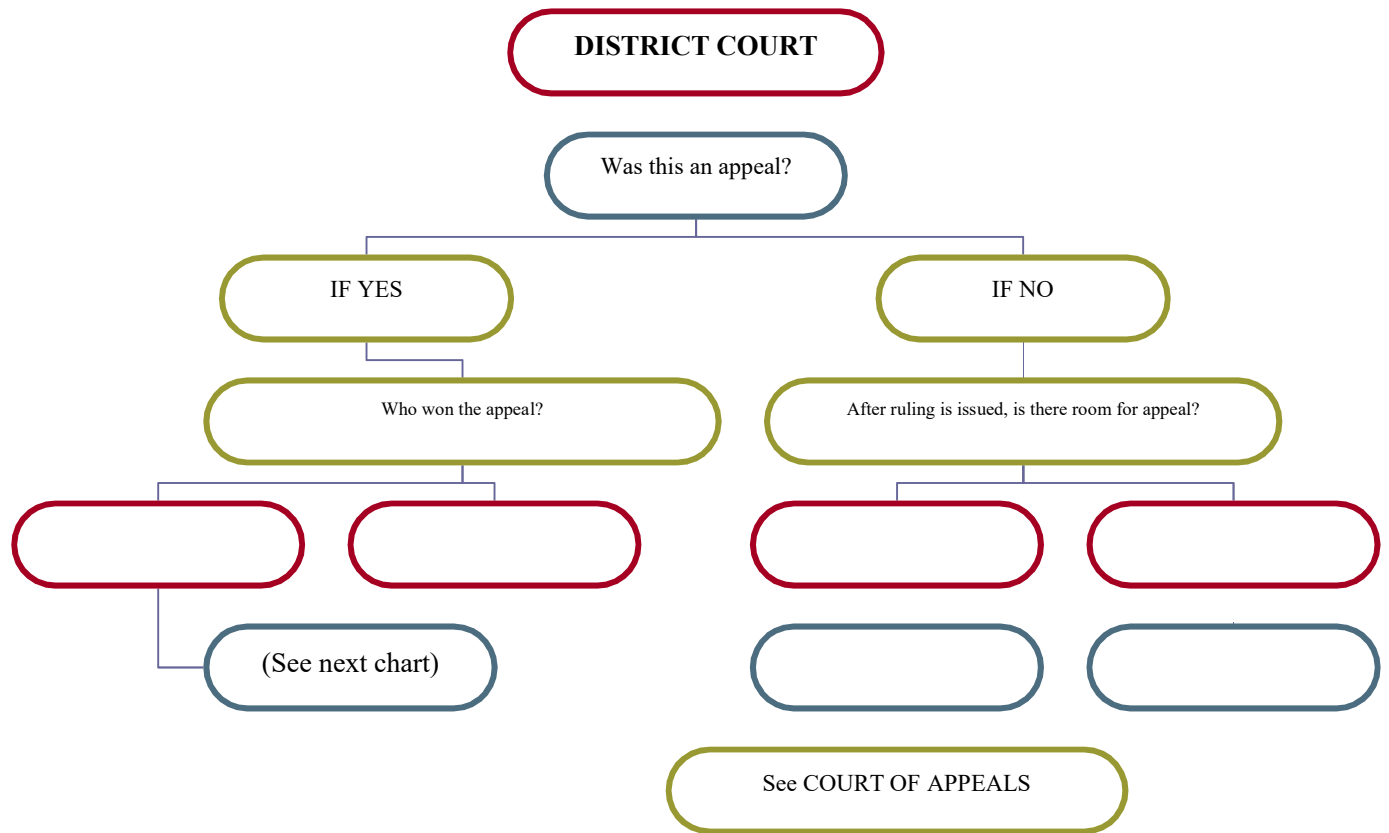
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DISTRICT COURT, continued

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DEFENDANT

Room for appeal?

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IF NO

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IF NO

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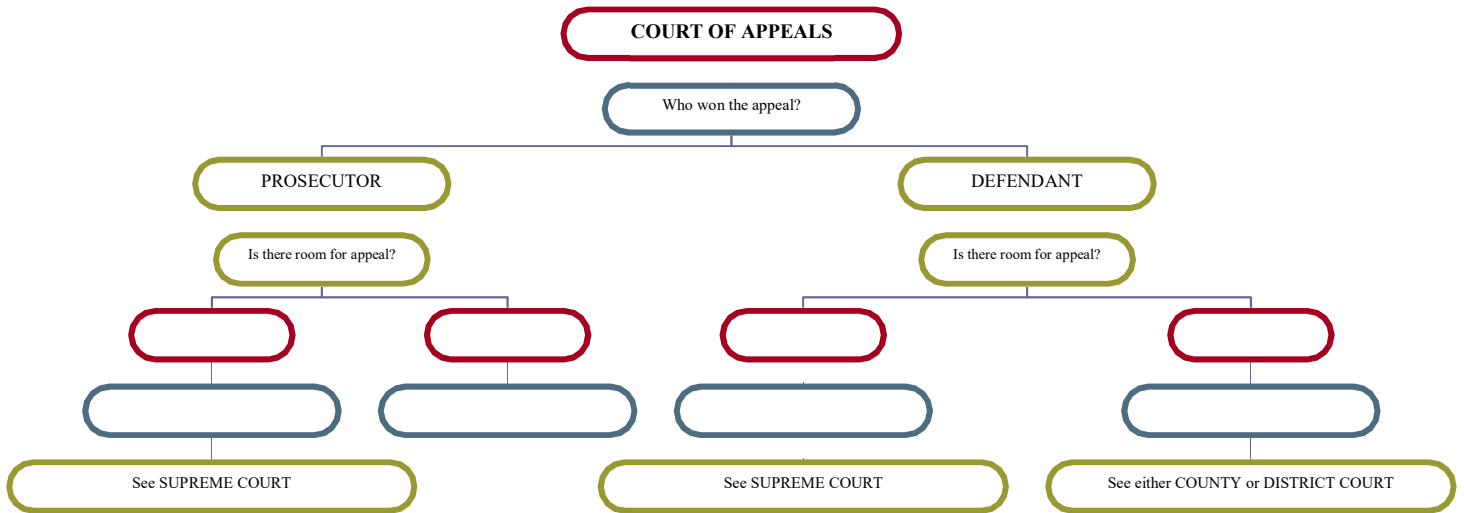
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See COURT OF APPEALS

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