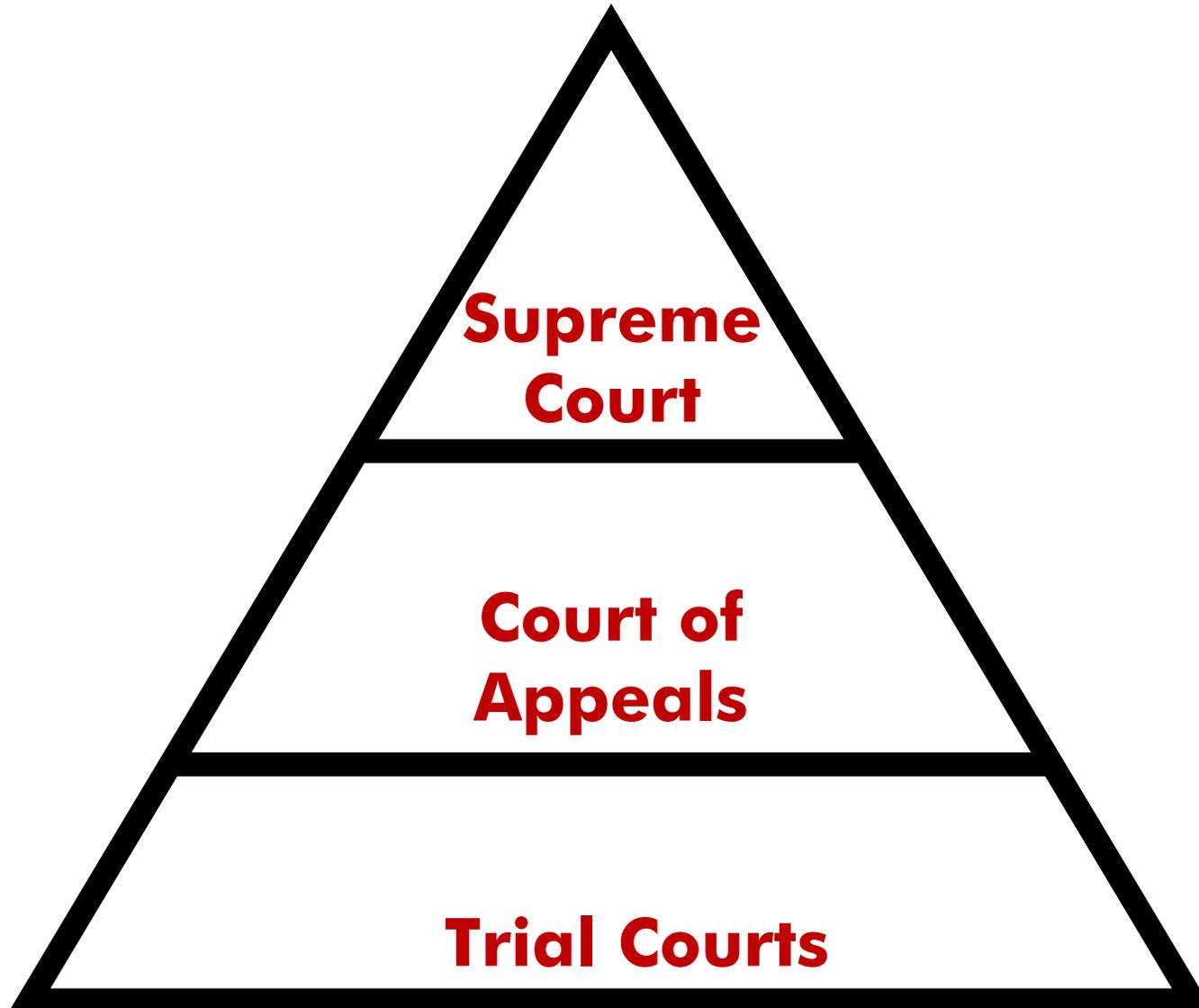


Michigan Court System



You can read just the odd pages of this book.

How do I use this book?

This book is about the Michigan Court System and how it is organized. If students have been introduced to the judicial branch already, you might want to read every page to learn more. But if you are starting to learn about courts, you can read just the odd-numbered pages.

If you are reading the book aloud with a group, you may wish to show and read only the odd-numbered pages, and use the even-numbered pages to lead a discussion or to answer common questions. Enlarged illustrations are at the back. They can be used when reading to a large group.



GLCEs 3 – C1.0.1, 3 – C3.0.3, 3 – C3.0.4, 3 – C3.0.5

Michigan's Judicial Branch of Government

The state's judicial branch of government is also called the Michigan Court System.

State courts have the authority to decide cases about state laws within the State of Michigan.

Courts interpret and apply the laws. They resolve disputes by making decisions when people disagree about what is right.



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Can you see the words FREEDOM and EQUALITY in the picture?

The core democratic values are very important. FREEDOM, EQUALITY, TRUTH, and JUSTICE are on the front of the Michigan Hall of Justice in Lansing.

For the discussion leader

You may find this information helpful in answering questions about the previous page.

Why does Michigan's judicial branch have authority to decide cases about state laws?

The Michigan Constitution defines the powers, duties, and organization of our state government. Article VI, Section 1 of the Michigan Constitution, states, "The judicial power of the state is vested exclusively in one court of justice[.] . . . "

Why do we have federal courts, too?

Federal courts, including the U.S. Supreme Court, decide cases involving federal laws and the U.S. Constitution. They also decide cases related to state laws when the parties are from different states.



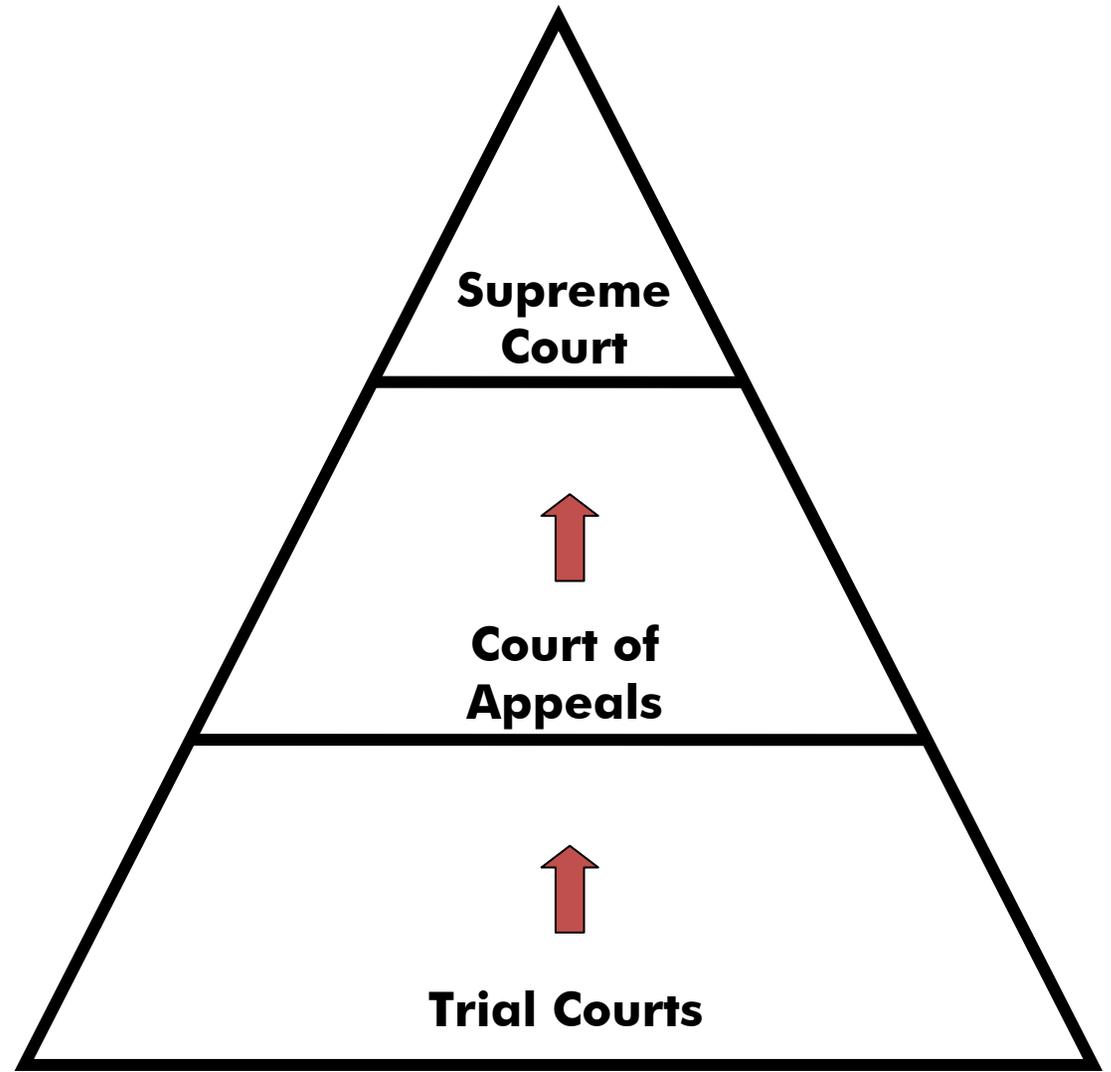
Michigan's Judicial Branch

The Michigan's judicial branch has three levels.

1. Cases start at a trial court. Almost all cases finish here.
2. A few cases go to the Court of Appeals. It decides if the trial court was fair.
3. Even fewer cases go to the Michigan Supreme Court. It makes the final decision.



Asking for a case to be studied by a higher court is called an **appeal**.



For the discussion leader

You may find this information helpful in answering questions about the previous page.

Do you know what a case is?

A **case** is a problem or a question that is in court.

Examples

One neighbor built a fence. Another neighbor is upset because he thinks the fence is in a place that it is unfair to him. The neighbors cannot work it out themselves. They take the **case** to court to decide what is fair.



A teenager is accused of taking a pair of jeans from a store without paying. The **case** goes to court to decide: did the teenager steal the jeans?

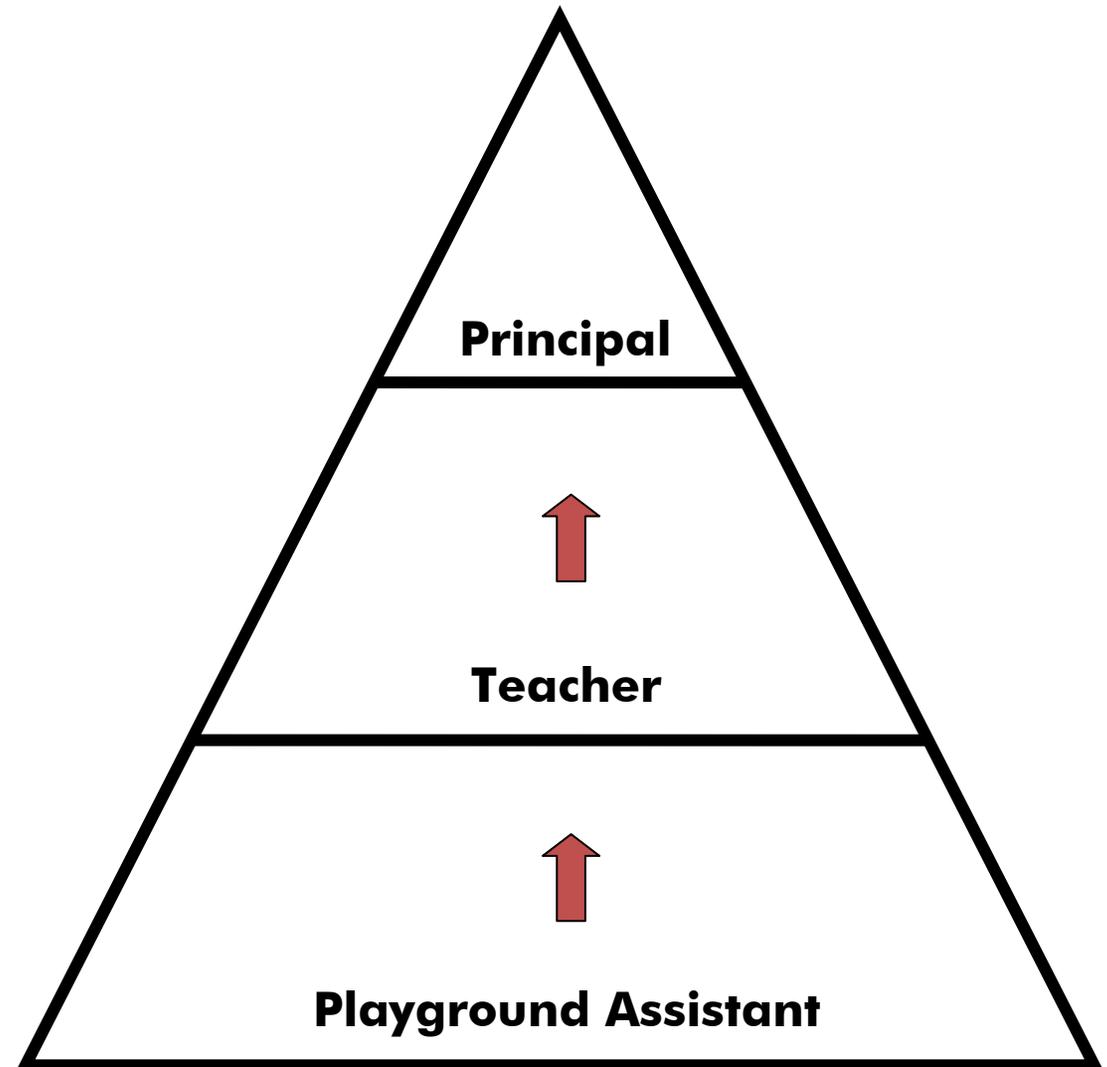


On the Playground

Let's compare court cases to when students disagree on the playground.

1. First, the playground assistant makes a decision.
2. If the students think it was not fair, they may talk to their teacher.
3. If the decision still was not fair, they may ask the principal to decide.

Now, let's think about courts again.



For the discussion leader

You may find this information helpful in leading a discussion related to the previous page.

What can you do to work out a problem?

- Talk to the person about what happened.
- Listen to how they feel.
- Say you are sorry.
- Ask how you can make it right.

Other Ways to Solve Problems

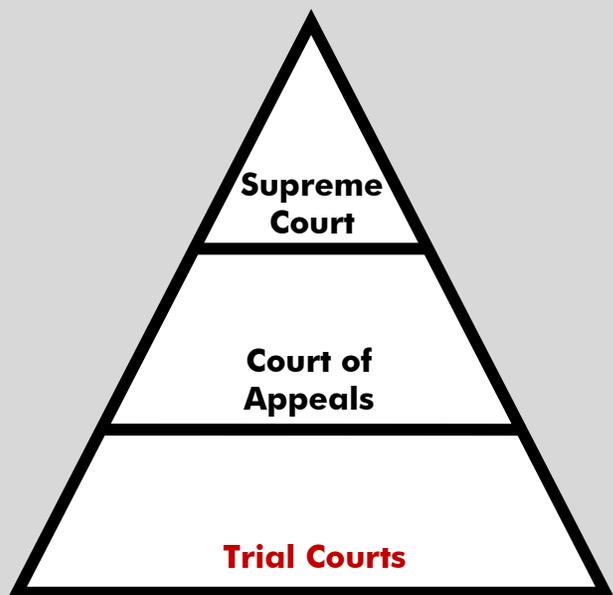
Courts help to resolve disputes. They encourage people to solve problems before going to a judge. Sometimes people use **alternative dispute resolution** or **mediation**. A third person helps the sides find a solution. People who use mediation are usually more satisfied than those who have a judge decide.

Trial Courts

Cases begin in one of the trial courts. During a trial, each side gives the facts, called evidence, to a judge and jury.

Trial courts include:

- District Court
- Probate Court
- Circuit Court



A trial court case has one judge and a jury. Can you find the judge's chair?

This courtroom is in the Ingham County Courthouse in Mason, Michigan.

For the discussion leader

You may find this information helpful in answering questions about the previous page.

What are Trial Courts?

Trial courts are the courts found in communities around the state. More than 99% of cases in Michigan are resolved at this level. They are responsible for trials and other hearings.

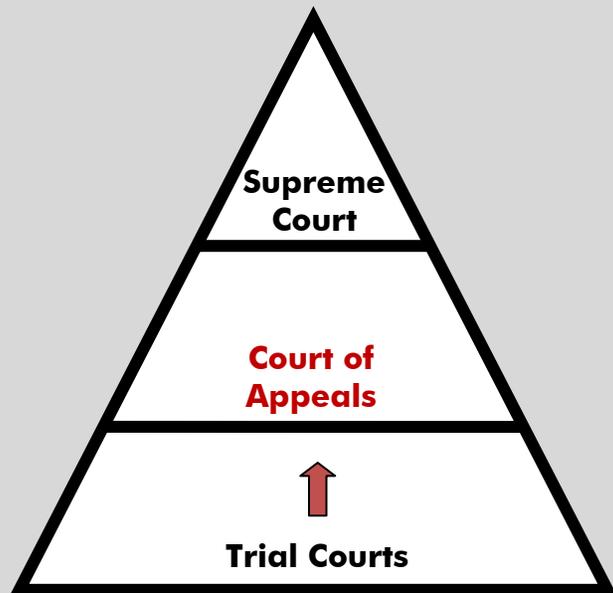
Common Trial Courts in Michigan

- **District Court** – Hears traffic cases, criminal cases with a possible sentence of a year or less in jail, and civil cases involving disputes for \$25,000 or less.
- **Probate Court** – Handles wills and estates, orders treatment for the mentally ill, and appoints guardians.
- **Circuit Court** – Hears cases involving serious crimes with a possible sentence of more than one year in prison, civil cases involving disputes for more than \$25,000, and appeals from lower courts.

Court of Appeals

A few cases go to the Michigan Court of Appeals. This happens when one side thinks the decision was not fair. They ask the Court of Appeals to study the case.

Three judges listen to the lawyers and decide if it was fair according to the law.



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A Court of Appeals case has three judges. Can you see their chairs?

This courtroom is in the Michigan Hall of Justice in Lansing, Michigan.

For the discussion leader

You may find this information helpful in answering questions about the previous page.

Why are there an odd number of judges on a case?

Majority rules and an odd number prevents ties.

Court of Appeals

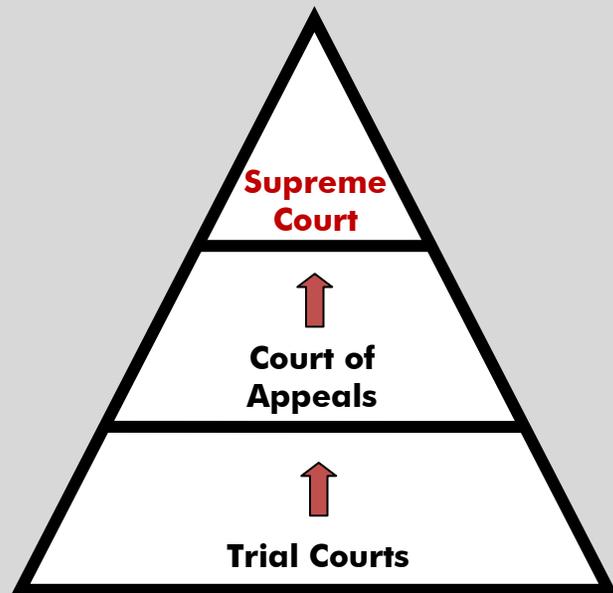
Michigan's Court of Appeals hears cases in three-judge panels. They make a decision about whether the case was decided fairly at the Trial court. In the courtroom the lawyers from each side tell the judges their best reasons why they should win. There are no juries or witnesses at the Court of Appeals.

Most cases in the Court of Appeals are heard by right. That is, the court must hear the case if one of the parties asks.

Supreme Court

Very few cases go to the Michigan Supreme Court. The seven justices choose only the most important cases.

The justices' decision is final. No Michigan court can overrule the Supreme Court.



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A Supreme Court case is decided by seven justices. Where are their chairs?

This courtroom is in the Michigan Hall of Justice in Lansing, Michigan.

For the discussion leader

You may find this information helpful in answering questions about the previous page.

What does final decision mean?

The Michigan Supreme Court is the highest state court. All other state courts must follow its decisions, even in similar cases. This is called precedent.

Example

Let's imagine that someone wanted a library card from a public library in another city. The library said they would not give them a card. The person who wanted the library card might think this was unfair and take the case through the court system to the Michigan Supreme Court. The Court might interpret state law as saying that public libraries must give library cards to anyone who wants one. If that was the Court's opinion:

- The library involved in the case would have to give a library card to anyone who wanted one.
- Trial courts and the Court of Appeals would have to decide the same in all future cases that asked the same question. They would have to decide that a library had to give a card to anyone who wanted one.

Note: This example was created to help explain a concept. It is not an actual opinion of the Michigan Supreme Court. For a case about a library card, see the opinion below:

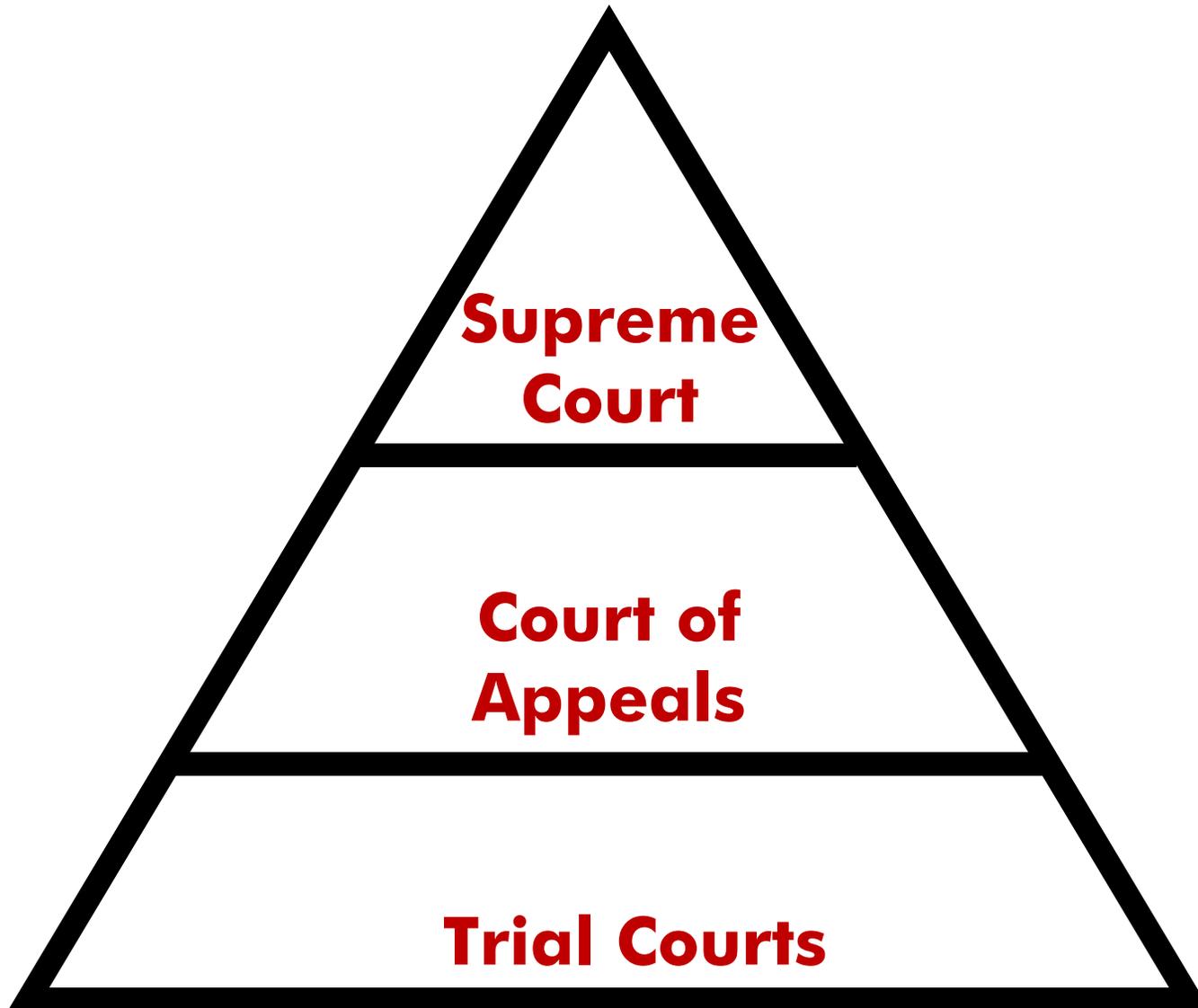
Goldstone v Bloomfield Twp. Public Library (2007)

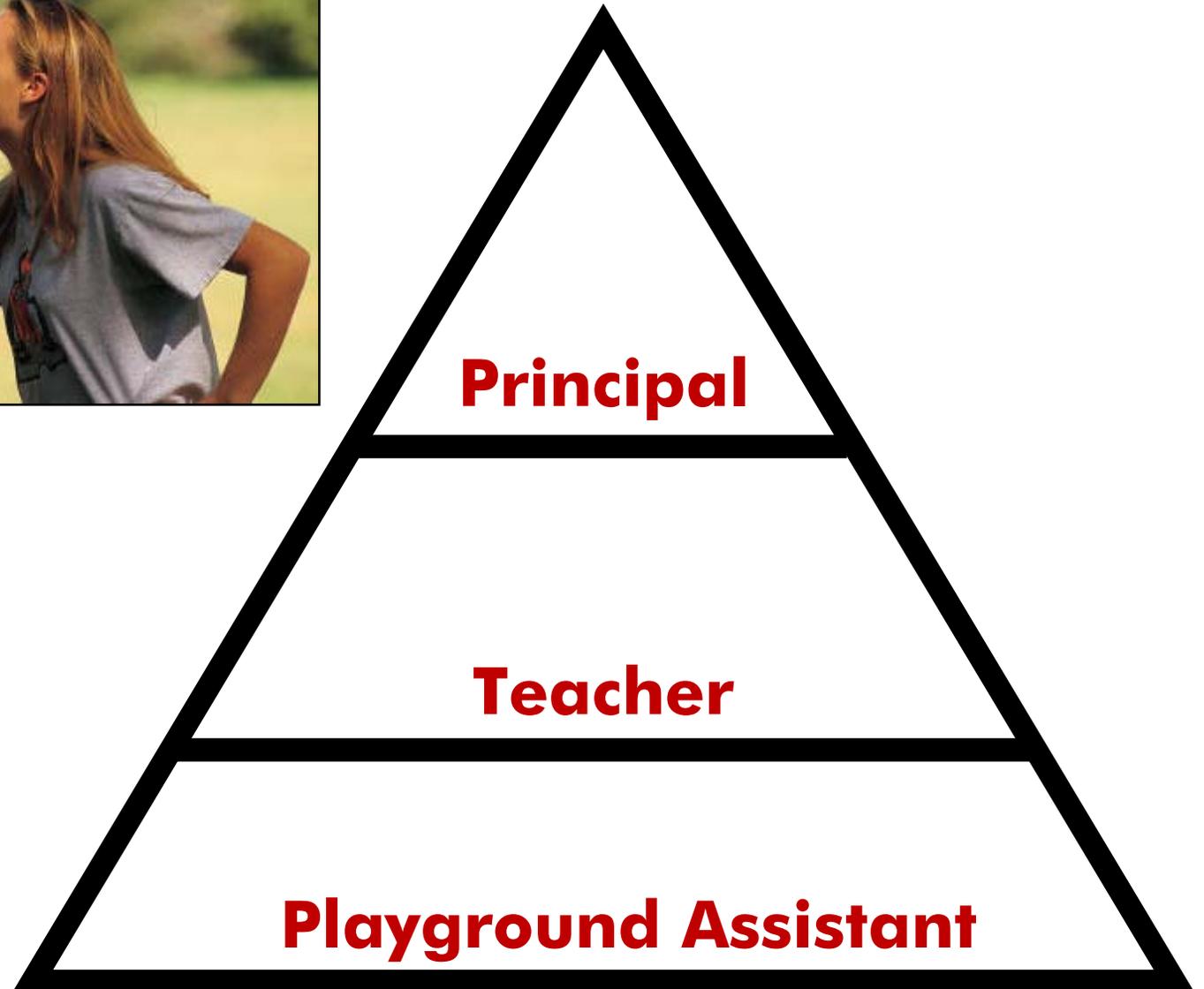
http://coa.courts.mi.gov/DOCUMENTS/OPINIONS/FINAL/SCT/20070726_S130150_88_goldstone2apr07-op.pdf





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Trial Court Courtroom – page 11





