



Double Take: Dual Court System

C. Who's Who? See if you can match the party involved in a case to the correct definition. Read the sentence following the term if you need a hint. Then circle the terms that would be used in trial court and box those used in appellate court.

1. **Plaintiff**

Plaintiff Blair Boyer filed a lawsuit against Skylar Celler for breach of contract.

2. **Defendant**

Defendant Skylar Celler alleges he did everything by the book and shouldn't have to deal with the suit.

3. **Petitioner**

Unhappy with the trial court's decision, petitioner Hector Diaz has appealed to a higher court.

4. **Respondent**

As the respondent, Jennifer Garcia is upset that a case she has already won is going back to a court of law.

5. **Prosecution**

The prosecution aims to prove that the defendant is guilty of credit card theft as prohibited by Maryland state law.

A. The person who is being sued or accused of a crime

B. The losing party who asks a higher court to review their case and the decision made by the lower court

C. In a civil case, this is the person who sues another

D. In a criminal case, this is the government attorney who argues that a person accused of a crime is guilty

E. The party against whom a petition for appeal is filed

D. The Original Of. Read and answer the questions about original jurisdiction that follow.

1. **Original jurisdiction** is the authority of a court to hear and decide a case before any other court does. Which courts in the federal and state court systems have original jurisdiction? (Hint: Use the reading to help you.)

2. While the U.S. Supreme Court mostly reviews cases and decisions appealed from lower courts, it does have original jurisdiction in very specific types of cases. Read the excerpt from the Constitution and underline which cases these are.

Article III, Section 2

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

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