

## Understanding the Court Structure Charts

The court structure charts summarize in one-page diagrams the key features of each state's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationship, and (2) it describes the subject matter jurisdiction of the court systems, using a standard set of terminology and symbols. The court structure charts employ the common terminology developed by the National Center for State Courts' Court Statistics Project (CSP) for reporting caseload statistics.

The charts also provide basic descriptive information, such as the court's source of funding and routes of appeal. When available, links to the state's court system website as well as to the websites of specific courts, are included. Additional information on the number of courts, authorized judicial officers, and court staff are available thru State Court Organization, <http://www.ncsc.org/microsites/sco/home>.

### CSP Case Types

In addition to defining CSP case types, the [State Court Guide to Statistical Reporting](#) organizes cases into a three-level hierarchy. The first, and broadest, level is the case *category*, which, in the trial courts, consists of civil, domestic relations, criminal, juvenile, and traffic/other violations cases. The second level, the case *sub-category*, refers to classes of cases within the case category. For example, tort cases are a sub-category of civil cases and felony cases are a sub-category of criminal cases. The third level of the organizational hierarchy is the *case type*. The case type is the most precise descriptor of the case in question. Case types can further refine the cases within a sub-category (e.g., DWI/DUI is a case type within the sub-categories of both felony and misdemeanor cases) or they can describe a case within a case category (e.g., adoption is a case type within the domestic relations case category).

For the purpose of simplicity, the court structure charts use the term "case type" to refer to each court system's subject matter jurisdiction, even if the jurisdiction listed is actually a case category or a case sub-category. In most instances, the case category is listed when the court in question has jurisdiction over all of the case types within the category. In turn, the case sub-category is listed when the court has jurisdiction over all of the case types within the case sub-category. Case types are listed individually when (1) the case type does not fall under a case sub-category or (2) the court has jurisdiction only over that specific case type.

### Appellate Courts

The rectangle representing each appellate court lists the Court Statistics Project case types that are heard by the court and if the court assigns cases to another court (mainly from a court of last resort to an intermediate appellate court). The case types are shown separately for appeal by right, appeal by permission, death penalty, and original proceeding case categories. In some instances, the case type is prefaced by the word "limited," implying that the court has subject matter jurisdiction over some, but not all, of the case types within a case sub-category. For example, a court of last resort may have by right jurisdiction over only those appeals that challenge the constitutionality of a statute. If the appeal containing that challenge is from a criminal case, the court is said to have appeal by right limited criminal jurisdiction.

Appeal cases are most often filed following the final decision of the lower tribunal. However, some courts allow an appeal to be filed before the lower tribunal has reached a decision that disposes of the entire case. These appeals are "interlocutory" in that they are filed on a non-final decision (e.g., a decision on a pre-trial evidence motion) of the lower court. Subject matter jurisdiction for interlocutory appeals is specifically listed and is categorized as either by right or by permission.

If a case type is simply listed, the court shares jurisdiction over it with other courts. In other words, an appellate court can have both appeal by right and appeal by permission jurisdiction over the same Court Statistics Project case type. This arises, in part, because the Court Statistics Project case types are defined broadly to be applicable to every state's courts. For example, a court may have appeal by right jurisdiction over tort cases above a certain dollar amount, but appeal by permission jurisdiction over tort cases below that amount. The list of case types would include either "civil" or "tort, contract, and real property" for both appeal by right and appeal by permission jurisdiction. The duplication of a case type under both headings can also occur if appeals from one lower court for that case type are mandatory while appeals from another lower court are discretionary. Also, statutory provisions or court rules in some states automatically convert an appeal by right into an appeal by permission—for example, when an appeal is not filed within a specified time limit. The presence of exclusive jurisdiction, however, is always explicitly stated.

## **Trial Courts**

The rectangle representing each trial court also lists the applicable Court Statistics Project case types. These include civil, domestic relations, criminal, juvenile, and traffic/other violations. As described for the appellate court rectangles, if a case type is simply listed, the court system shares jurisdiction over it with other courts, and the presence of exclusive jurisdiction is always explicitly stated.

The absence of a case type from a list means that the court does not have that subject matter jurisdiction. The dollar amount jurisdiction is shown when there is an upper or a lower limit to the cases that can be filed in a court. A dollar limit is not listed if a court does not have a minimum or maximum dollar amount jurisdiction for general civil cases. In criminal cases, jurisdiction is distinguished between "felony," which means the court can try a felony case to verdict and sentencing, and "preliminary hearings," which applies to those limited jurisdiction courts that can conduct preliminary hearings that bind a defendant over for trial in a higher court.

Trial courts can have what is termed incidental appellate jurisdiction. The presence of such jurisdiction over the decisions of other courts is noted in the list of case types as either "civil appeals," "criminal appeals," or "administrative agency appeals."

Unlike appellate courts, which are solely state funded, some trial courts are totally funded from local sources while others receive some form of state funds. The type of funding a court receives is noted within that court's rectangle. Also unlike appellate court, some trial courts hear jury trials and this information is also noted within the court's rectangle.

## **Symbols and Abbreviations**

A legend is included with each state structure chart that defines the symbols and abbreviations used in the charts. Readers should be aware that, while the legend is the same for each state, not every state contains all of the elements shown in the legend. The legend consists of three symbols and eight abbreviations. The symbols indicate the court level (a thicker border on the rectangle of a court denotes an appellate level court while a thinner border denotes a trial level court) and the route of appeal (indicated by an arrow). The abbreviations are as follows: "COLR" for court of last resort, "IAC" for intermediate appellate court, "GJC" for general jurisdiction court, "LJC" for limited jurisdiction court, "A" for direct appeal from an administrative agency decision, "S" for state funded, "M" for mixed state and local funding, and "L" for locally funded.

As stated above, an "A" in the upper-right corner of a rectangle, representing either an appellate court or a trial court, indicates that the court receives appeals directly from the decision of an administrative agency. If "administrative agency appeals" is listed as a case type, the court hears appeals from decisions of another court on an administrative agency's actions. It is possible for a court to have both an "A" designation and to have

“administrative agency appeals” listed as a case type. Such a court hears appeals directly from an administrative agency (“A”) and has appellate jurisdiction over the decision of a lower court that has already reviewed the decision of the administrative agency.

“DWI/DUI” stands for “driving while intoxicated/driving under the influence.” The dollar amount jurisdiction for civil cases is indicated in parentheses with a dollar sign. Where the small claims dollar amount jurisdiction is different, it is noted.

The court structure charts are convenient summaries. They do not substitute for the state’s depiction of its court system, as found on some court websites, or for the detailed descriptive material contained in the tables of State Court Organization. Moreover, they are based on the Court Statistics Project’s terminology and categories. This means that a state may have established courts that are not included in these charts. Some states have courts of special jurisdiction to receive complaints on matters that are more typically directed to administrative boards and agencies. Since these courts adjudicate matters that do not fall within the Court Statistics Project case types, they are not included in the charts. The existence of such courts, however, is recognized in a footnote to the state’s court structure chart.