

# Minnesota courts

The world of the courtroom is familiar to most people, if not by personal experience, then certainly from television or movies. Yet for most students there exists a gap between the judicial system portrayed on television and the actual workings of the court system. This lesson will introduce students to Minnesota courts - the types of courts that make up our state court system, their purpose, function and how the courts fit together. The goal is to bridge the gap so that students better understand the realities of the legal system.

## Students will:

1. Identify different levels of courts in the Minnesota state court system and the kinds of cases handled by each court.
2. Develop an understanding of the relationships of the various courts.
3. Understand how legal and judicial decisions are made.

**Materials needed:** Copies of **Student Reading: MINNESOTA COURT SYSTEM**,  
**Student Handout: SO YOU'RE GOING TO COURT - BUT WHICH ONE?**, and  
Overhead of **How the Minnesota Court System is Structured**

**Time needed:** 1 class period

**Grade level:** Grades 7-12

## Procedure:

1. Present students with the following hypotheticals asking them to consider what court in Minnesota would hear each case.
  - A. The stereo you just bought needs major repair. It is still covered under warranty, but the seller won't fix it. You take the seller to court. (*conciliation court*)
  - B. You've just been arrested and charged with stealing a car. Your trial is scheduled for next month. (*district court*)
  - C. You've been found guilty of car theft but you think there was a mistake at your trial. You never knew you had the right to an attorney. (*appellate court*)
2. Have students read handout on **MINNESOTA COURT SYSTEM**. Review the different levels of courts in Minnesota and the types of cases they hear. Refer to overhead on **How the Minnesota Court System is Structured** in the discussion.

## Procedure cont.

3. Students can complete individually or in small groups the exercise, **SO YOU'RE GOING TO COURT - BUT WHICH ONE?**
4. Label courts on chalk board or bulletin board. Ask students to identify the situations from their exercise that would be heard at each court. Students could put key words or descriptors of the case next to the court's label.
5. **Follow-up:** Throughout the unit, continue adding new types of cases to the chart. Students could look to newspapers, television and movies as sources. Tell students that the federal court system is different from the state court system. The types of cases heard by federal courts include cases involving a federal law, such as a federal kidnapping law, a question of interpreting the United States Constitution, such as free speech, and lawsuits between citizens of two states that involve more than \$50,000. Federal judges are appointed for life by the president and they sit in the federal district court (trial court), the Eighth Circuit Court of Appeals (Minnesota is part of the Eighth Circuit), and the United States Supreme Court.

## Student Reading: MINNESOTA COURT SYSTEM

### Introduction

The Minnesota Constitution establishes three divisions or branches of state government. The legislative branch (house of representatives, senate) is responsible for making new laws, while the executive branch (the governor) is responsible for enforcing laws. The judicial branch has a special role. It is responsible for interpreting the laws in cases that are brought before it.

Article Six of the Minnesota Constitution establishes the judiciary, another name for the courts. The judicial branch, as part of its function, serves as the final upholder of the Constitution. This means that the courts guarantee that challenged laws do not violate the Constitution.

The courts in Minnesota have changed quite a bit since the first judge started working in the Northwest Territory in 1838. Courts didn't even have courthouses then - the first was built in Stillwater in 1847. Instead, judges held court in stores, churches, offices - wherever a meeting room was available. Judges and lawyers traveled extensively to try cases. While judges today still "ride circuit" in rural areas to hear cases in various counties, they don't have to travel hundreds of miles by canoe, horseback, even by foot, as some of the pioneer judges did.

Today the Minnesota court system has evolved into a system of justice that is sophisticated and complex. It consists of different levels of courts serving different functions and over 250 judges who hear over 250,000 cases a year (excluding traffic offenses). Throughout the years our court system, and indeed the law itself, has been called upon to constantly adapt to meet ever-changing needs and conditions of society, while still adhering to the high ideals of the Constitution.

### Overview

Minnesota has two levels of state courts: *district court* and the *appellate courts*. District court is a trial court hearing civil and criminal cases in its own judicial district. It also includes special divisions such as juvenile court, family court, probate court, traffic court and conciliation court. At the appellate or "appeals" level, Minnesota has a Court of Appeals and the Supreme Court. Following are descriptions of each type of court found in the Minnesota court system.

### *District Court*

The district court, also known as *trial court*, is the court of general jurisdiction in Minnesota - the court that has the power to hear any civil or criminal case.

The "district" court gets its name from the ten judicial districts that divide the state. The districts range in size from districts with only one county in the Twin Cities to a district comprised of as many as 17 counties in the northwest area of the state. In large districts, the judges sometimes "ride circuit" and travel from county to county to hear cases. (See Judicial Districts Map.)

Each judicial district has three or more judges, with the greatest number in Hennepin County. There are more than 200 district court judges in the state. District court judges are elected to six year terms, vacancies are filled by governor's appointment. Each district has a chief judge and an assistant chief judge as well as a district administrator who oversees the management of the courts.

There are more than 40,000 cases filed in Minnesota district courts each year. These cases include civil, criminal, family, probate, juvenile, and traffic matters.

Student Reading: MINNESOTA COURT SYSTEM cont.

## Specialized Divisions in District Court

### *Juvenile Court*

The juvenile division handles proceedings concerning people under the age of eighteen who are alleged to be delinquent, neglected, dependent, or traffic offenders. The court also has authority to terminate a parent's custody or rights to a child and appoint a legal guardian for a child. A person under eighteen who is brought before any other court for an alleged violation of a state or local law must be immediately transferred to a juvenile court.

The goal of juvenile court is to help treat or rehabilitate minors rather than punish them. Therefore, juvenile court proceedings are informal and in most cases, private. Juveniles facing a delinquency hearing have certain rights; notice of the hearing, right to an attorney, proof "beyond a reasonable doubt," but have no rights to bail or a jury trial.

If found to be delinquent, the juvenile can be sent to a state institution for juvenile offenders, put on probation or sent to a halfway home or other program. In certain unusual cases, the juvenile court judge could, after a hearing on the matter, "*certify*" a youth to a regular adult court for trial there. The judge would have to find that the juvenile system has no facilities to treat the minor, there is a threat to public safety if the juvenile is kept in the juvenile system, or the juvenile is unlikely to be helped by the juvenile system.

### *Probate Court*

The probate division in a district court hears matters concerning the administration of the estates of deceased persons (with or without a will), guardianships, and mental commitment hearings.

### *Family Court*

Family court is where some of the most difficult problems facing a family can be heard. This might be a dissolution of marriage, a separation, a marriage annulment, or an action for child support or visitation rights.

### *Conciliation Court*

Conciliation court is sometimes called "*the people's court*" or in other states a "*small claims*" court. It is a division of district court that is limited to certain types of cases. A conciliation court only hears civil cases where the amount of damages is no greater than \$5,000. Lawyers are not needed because the parties themselves explain their case to the judge.

A person who loses in conciliation court can appeal to the district court for a completely new trial as if no earlier action had taken place.

Student Reading: MINNESOTA COURT SYSTEM cont.

## Appellate Courts in Minnesota

### *Court of Appeals*

The Minnesota Court of Appeals is the state's newest court, having been created by the Legislature in 1982. The purpose of the new court is to relieve the Supreme Court of an overwhelming caseload.

The Court of Appeals is concerned primarily with correcting errors made by trial judges, not in making new law. Its task is to find the law, to state it and apply it to cases presented to it by the parties involved in the appeal from the lower court.

A person who loses a trial at the district court level may appeal. Reasons for appeal would be include a party's claim that an error was committed by the judge or jury during the trial; a constitutional question was decided improperly; the law was interpreted incorrectly by the judge; or the decision was inconsistent with the evidence presented.

Most cases being appealed will be handled by the Court of Appeals. It can hear all appeals from trial courts and administrative agencies, except those few matters that the Legislature has expressly reserved for the Supreme Court.

The Court of Appeals and the Supreme Court operate differently from the district courts in Minnesota. There are no trials in these two appellate courts, which means that there are no jurors, no presentations of evidence and no testimony from witnesses.

The Court of Appeals has sixteen judges (1990), who normally sit in panels of three judges. The composition of the panels rotates, so that from time to time different judges hear arguments and decide cases. While the court has its headquarters in St. Paul, the judges often travel around the state to hear arguments in the area where the trials were held. Each Court of Appeals judge is elected to a six-year term; vacancies are appointed by the Governor.

The process for an appeal begins with the filing of a **notice of appeal** with the clerk of the appellate courts in St. Paul. The parties must then submit **legal briefs**, which set out the legal basis for their argument.

After the briefs are completed, attorneys may present **oral arguments** to the appellate courts. Each lawyer is given a limited amount of time to express his or her position. The judges frequently question the attorneys about factual or legal matters, but the debate is restricted to the facts and records that were developed during the trial in the lower courts.

After oral arguments, the Court of Appeals panel hearing the case meets to discuss the merits of the case. A judge who represents the apparent majority viewpoint of the three judges is assigned to write the **opinion**.

The opinions will either **uphold the decision** of the lower court, or modify or **reverse** the lower court's determination. If reversed, the case often has to go back to the lower court for a new trial. By statute, the court must release its opinion within 90 days after oral argument or final submission of briefs.

Student Reading: MINNESOTA COURT SYSTEM cont.

### *Supreme Court*

The Supreme Court is the highest court in Minnesota. Like the Court of Appeals, the Supreme Court does not hold trials. Instead, it handles appeals from the Court of Appeals, the Workers' Compensation Court of Appeals and the Tax Court; first degree murder cases; and legislative election contests.

The Supreme Court is composed of seven justices, who hear oral arguments in the Judicial Center in St. Paul. After the arguments, the Court confers about the merits of the case and one of the justices writes the opinion. The opinion circulates among all the justices, who may choose to agree with the decision (which is called "*concurring*") or disagree (which is called "*dissenting*"). A majority of the justices must concur with the opinion before it is released.

The opinions of the appellate courts are carefully written, since the decisions guide all of the state's courts in the future. Once released, the opinions are bound in a book for future reference.

The Supreme Court's decision is the final decision in Minnesota. If someone disagrees with the Minnesota high court, he or she may appeal only to the United States Supreme Court and then only if a question of the United States Constitution is involved. Chances of the United States Supreme Court reviewing a case are slight, since that court hears only about two percent of all the cases that are appealed to it. Each year there are less than half a dozen cases from the Minnesota Supreme Court that are reviewed by the U.S. Supreme Court.

The Minnesota Supreme Court is also responsible for overseeing the operations of the entire state court system, making plans to improve the judicial system, and monitoring the conduct of judges and lawyers. To complete these tasks, there is a state court administrator who is responsible for the management of the state courts.

Minnesota Supreme Court justices are elected on a statewide basis and serve six-year terms; vacancies are filled by appointments made by the Governor.

## Special Courts Not in the Judicial Branch

There are special courts that are created by state law to deal with only one technical area of the law. Rather than seen as part of the judicial branch, they are seen as *executive branch agencies*. These courts are the Tax Court and the Workers' Compensation Court of Appeals.

### *Tax Court*

Three judges, appointed by the governor to six-year terms with approval by the Minnesota Senate, serve on the Tax Court. They must be knowledgeable about taxes, but they do not have to be lawyers. The Tax Court hears non-criminal tax cases from all over the state. The Tax Court is located in St. Paul but hears cases in the locality where the taxpayer lives.

### *Workers' Compensation Court of Appeals*

Five judges, appointed by the governor to six-year terms with the approval of the Minnesota Senate, hear workers' compensation cases that are appealed from compensation hearings or that are transferred from district court. Judges must be lawyers. They have offices in St. Paul and hear cases there or elsewhere in the state. Workers' compensation cases include issues that arise when workers are injured while on the job.

## Student Handout: SO YOU'RE GOING TO COURT - BUT WHICH ONE?

For each of the following situations, identify the Minnesota state court where the case would be heard. If the case is in district court include any specialized division likely to hear the case.

**A. District Court**

1. *Juvenile court*
2. *Probate court*
3. *Family court*
4. *Conciliation court*

**B. Minnesota  
Court of Appeals**

**C. Minnesota  
Supreme Court**

1. Susie, a twelve-year old, has been caught shoplifting.
2. A district court decision was upheld (agreed with) by the Court of Appeals. The defendant wants the case to be reviewed again.
3. Marilyn says the jury would not have found her guilty of robbery if the first witness had been allowed to answer all the questions; therefore, her verdict should be changed to not guilty.
4. Dan is being sued by a local retailer for not paying his \$400.00 charge account bill.
5. A man convicted of first-degree murder is appealing his case.
6. Two high school seniors were arrested for throwing eggs at the local police department.
7. Mrs. Green is suing Mr. Green for divorce.
8. Three people have been charged with possession of cocaine.
9. A woman is contesting her father's will because she believes that he did not mean what he said.
10. A person represents himself or herself in this court.
11. An elderly woman wishes to have her son take over her financial affairs.
12. One person is suing another person for damages received in an automobile accident.
13. Mrs. Smith thinks her ex-husband should have to increase his child support payments.
14. These cases may be heard anywhere in the state.

Student Handout: SO YOU'RE GOING TO COURT - BUT WHICH ONE? cont.

**A. District Court**

1. *Juvenile court*
2. *Probate court*
3. *Family court*
4. *Conciliation court*

**B. Minnesota  
Court of Appeals**

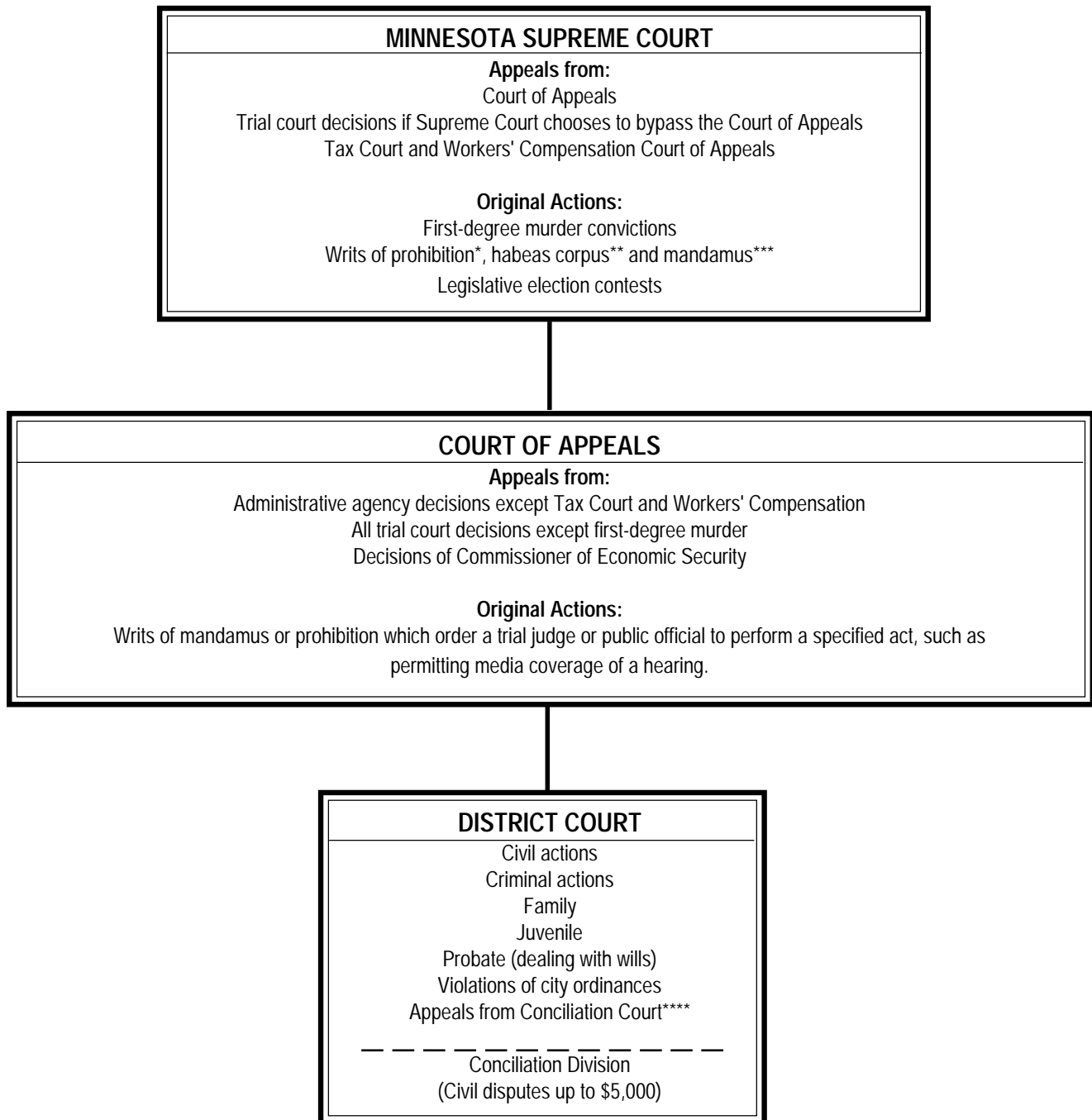
**C. Minnesota  
Supreme Court**

15. A person has been charged with a felony (serious crime).
16. Seven people hear each case.
17. Appeals from this court go to the district court.
18. This court reviews the law as applied in a jury trial.
19. This court holds jury trials.
20. Small claims cases are heard here.
21. A person wants to contest a speeding ticket.
22. Two recently-divorced parents are arguing about custody of their children.
23. A woman was charged with stealing \$500.00 from her employer.
24. The people who hear cases in this court are called justices.
25. Two children have been abandoned by their parents.
26. A panel of three persons may hear cases in this court.
27. This court reviews selected cases from the Court of Appeals.
28. Only lawyers present arguments before these courts.
29. There are witnesses in this court.
30. This court will appoint an attorney if you cannot afford to hire one.

## Answers: SO YOU'RE GOING TO COURT - BUT WHICH ONE?

1. A-1
2. C
3. B
4. A or A-4
5. C
6. A or A-1
7. A-3
8. A
9. B
10. A-4
11. A-2
12. A
13. A-3
14. B
15. A
16. C
17. A-4
18. B
19. A
20. A-4
21. A

## How the Minnesota Court System is Structured



\*Writ of prohibition - asks that a governmental body or official be prevented from doing something that might cause harm.

\*\*Habeas corpus - a complaint alleging that someone has been unlawfully confined and is asking for release.

\*\*\*Mandamus - asks that a governmental body or official be prevented from doing something that might cause harm.

\*\*\*\*Called trial de novo - actually a new trial, not just a review of the conciliation court

