

Chapter 1 – The Law and the Courts

I-Study

In this chapter you learned about the relationship between ethics and the law, and about the structure of the court system in the United States. Ethics are the rules we use to distinguish right from wrong and guide our behavior. Because people do not always behave ethically, we need laws to set objective standards of behavior. The five main sources of U.S. law are common law, the Constitution, statutes, court decisions, and administrative regulations.

The United States has two main court systems: federal and state. Federal courts consist of U.S. district courts, U.S. courts of appeals, and the Supreme Court of the United States. State court systems consist of local trial courts, courts of general jurisdiction, appellate courts, and supreme courts. Mediation, arbitration, conciliation, and negotiation are examples of reactive Alternative Dispute Resolution (ADR). In civil court, the plaintiff sues the defendant for a remedy. In a criminal proceeding, the district attorney prosecutes on behalf of the government. The steps in a civil trial are: jury selection, opening statements, evidence, closing arguments, instructions to the jury, the jury verdict, and the court's judgment.

I-Quiz

1. Which of the following statements is true?
 - A. The greatest good principle requires a person to “do unto others as you would have them do unto you.”
 - B. Ethics and the law are always in agreement.
 - C. Laws are defined and provide an objective standard of behavior.
2. Which of the following is the highest court in the U.S.?
 - A. The Supreme Court
 - B. The U.S. Court of Appeals
 - C. The Court of Appeals for the Federal Circuit
3. Which of the following ADR techniques involves a third party and does not require the parties to meet face to face?
 - A. Negotiation
 - B. Mediation
 - C. Conciliation
4. The party filing a civil lawsuit is called the
 - A. plaintiff.
 - B. defendant.
 - C. state.

Answer Key

1. C
2. A
3. C
4. A