

TEXT SUMMARY

The law is the code of conduct governing society. It is made up of several forms. One of them, **common law**, is unwritten law that courts have developed over centuries from generally accepted ideas of right and wrong. Once a judge makes a decision in court, it becomes a **precedent**, or a guide to be used in similar cases.

The law can also be classified as criminal or civil. **Criminal law** involves cases brought against people accused of committing crimes, which are of two types. A **felony** is the greater crime, punishable by a heavy fine, imprisonment, or death. A **misdemeanor** is a lesser offense, punishable by a small fine or a short jail term. **Civil law** relates to disputes between private parties and between private parties

and government. It usually punishes people with fines.

A **jury** is a group of people selected to hear evidence and decide questions of fact in a court case. A grand jury is used only in criminal cases. It decides if the State has enough evidence to try someone. For minor cases, instead of a grand jury many States now use an **information**, which is a formal charge filed by the prosecutor. A petit, or trial, jury hears the evidence in a case and decides the disputed facts. In a **bench trial**, which is used in minor misdemeanor cases and civil proceedings, a judge decides the case without a jury.

THE BIG IDEA

State courts apply the forms of law that make up the code of conduct by which our society is governed.

GRAPHIC SUMMARY: *The Role of State Courts*

State Courts
<ul style="list-style-type: none"> • govern based on the several forms of law, such as common law. • set precedents with their rulings. • divide court cases into two types: those of civil law and those of criminal law. • use petit juries to hear evidence and decide questions of fact. • may use grand juries in criminal cases or may, instead, use an information in minor criminal cases. • may use bench trials to allow judges to hear minor misdemeanor and civil cases without a jury.

State courts decide disputes between private persons and between private persons and government.

REVIEW QUESTIONS

1. What is the difference between a felony and a misdemeanor?

2. **Chart Skills** What kinds of cases may be heard in bench trials?