

3.1: NEW YORK STATE AND FEDERAL COURT STRUCTURE AND SOURCES OF LAW

INTRODUCTION

Generally, there are two types of courts – trial courts and appellate courts.

Trial Courts hear testimony from witnesses, and the judge or jury decides the outcome of a case.

Appellate Courts determine appeals from lower courts when one of the parties does not feel they received justice in the court below. No witnesses are presented in an appellate court. There is no jury. Appellate courts consist of a panel of judges that reach a decision based upon a review of the trial transcript and evidence presented during the earlier trial, as well as written and oral argument presented by attorneys for the parties.

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