

Jurisdiction

Legal Research Center Video Series

Jurisdiction

Today's topics:

1. Defining jurisdiction
2. Federal hierarchy
3. State hierarchy (California)

1. Defining jurisdiction

For this lesson,

- Jurisdiction means which court system (federal or state) you're operating in, and therefore whose decisions you are bound to follow.

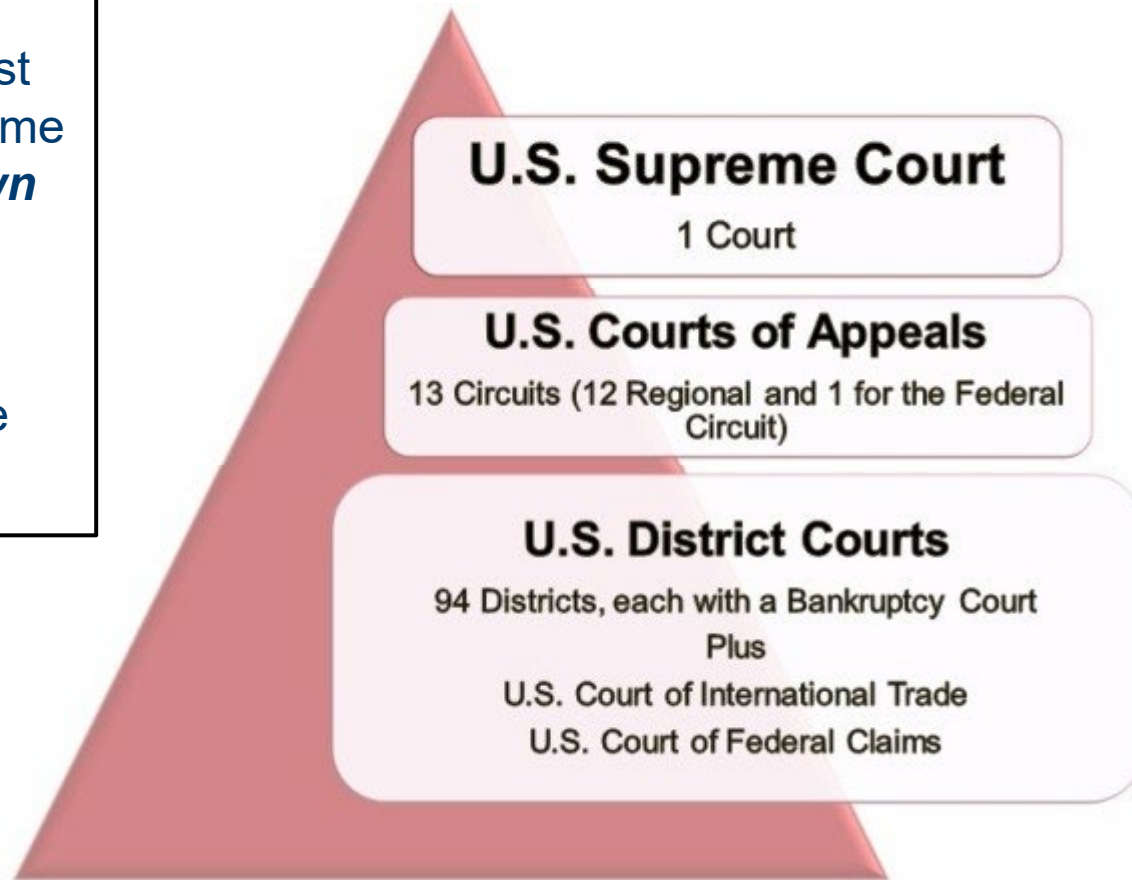
For your LWR research assignments, understanding jurisdiction will help you decide whether a case you found is one a court must obey (mandatory), or merely one it might find helpful (persuasive).

We are not talking about

- subject-matter jurisdiction – a court's power to hear a type of case
- personal jurisdiction – power over the parties
- original vs. appellate jurisdiction – whether a court hears a case first or on review.

2. Federal hierarchy

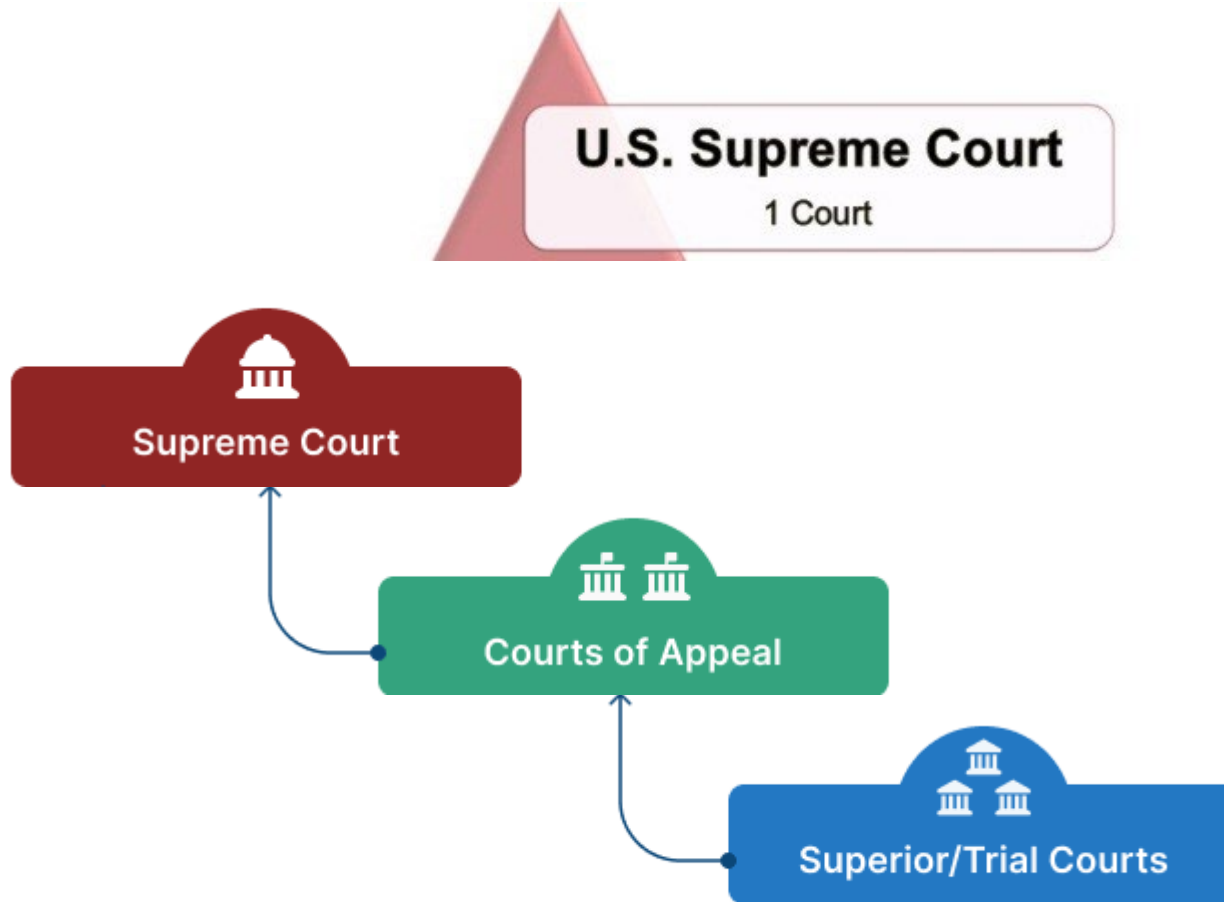
Rule: A federal district court must follow the Supreme Court and its **own** circuit's Court of Appeals, while decisions from other circuits are only persuasive.



Example

- United States District Court for the Southern District of California → Ninth Circuit → Supreme Court.
- If the Ninth Circuit and Supreme Court have been silent on the issue, the United States District Court for the Southern District of California *could* look to persuasive precedent (i.e. any other circuit) but those decisions are not binding.

3. State hierarchy (California)



Rule: A California Superior court is bound by every *published Court of Appeal opinion statewide*, not just the one from its own district.

Example

- Superior Court of California for the County of San Diego → Court of Appeal, 4th Appellate District → California Supreme Court.
- The Superior Court of California for the County of San Diego *must follow all California Court of Appeal decisions*. In the case of conflicting precedent, e.g. the 4th App. Dist. says one way and the 3rd App. Dist. says another, the Superior Court for the County of San Diego may choose either precedent. However, if they choose the 3rd they run the risk of getting overturned on appeal.

Wrap Up

- Jurisdiction is important because it determines what cases you must abide by (mandatory precedent)
- Three levels in the federal Courts (U.S. Supreme Court, Circuit Courts, U.S. District Courts)
- Three levels in the California Courts (California Supreme Court, California Courts of Appeal, and the California Superior Courts)

Jurisdiction questions

Students should ask these questions for of any case they pull:

- What court decided it?
- Does that court sit above the court I'm writing for, in the same system?
 - If yes, it's mandatory precedent and you should consider keeping this high in your list of sources.
 - If no, it's persuasive precedent and does not control.

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