**How Courts Work  
Steps in a Trial**

**Appeals and Appeal Procedures**

Answer the following questions after completing the readings:

Vocabulary

**misconception:** misjudged  
***alleged material error***: something clearly wrong with the trial  
***double jeopardy***: being put on trial for the same crime more than once  
**safeguard:** protect/protection  
***writ***: court order  
***Habeus Corpus***: latin term which forces a court to do something  
**imposes:** tells someone to do something  
**appellant/petitioner**: the person who is appealing the case  
***appellee/respondent***: the person on the other side of the appeal  
**instituted:** begun, started  
**brief:** legal paper stating the facts  
***allotted***: allowed  
***bearing***: impact or effect  
**reversible error:** a mistake that cases a court decision to be changed  
***per curium***: suggest  
***affirms***: prove wrong  
**judgment reversed:** telling on oneself  
***modified***: suggest  
***Supersedeas bond***: prove wrong  
**stay:** pause or delay

1.  Are all cases automatically appealed?

2.  What must be the LEGAL basis for an appeal?

3.  Can the person who doesn't like the verdict simply appeal?

4.  In a civil case, who has the right to appeal?

5.  In a criminal case, who has the right to appeal?

6.  Why can't the prosecution simply appeal a case if they we unable to convict someone the first time?

7.  If a defendant convicted of a crime is denied an appeal in a state court, what can they do next?  (Explain)

8.  How do Federal courts safeguard (protect) people's Constitutional rights?

9.  Appeals are not retrials.  On what then, are they based?

10.  The party who appeals is the \_\_\_\_\_\_\_\_\_\_\_\_\_ (also called the \_\_\_\_\_\_\_\_\_\_\_\_.)

11.  How does an appeal start?

12.  What does a "brief" contain?

13.  Can a court make an appeal decision on a brief or do they have to have oral arguments?

14.  What do lawyers do at an oral argument?

15.  How much time is given in the Supreme Court for an oral argument?

16.  How much time is given in the Federal Courts for an oral argument?

17.  Under what circumstances will a appeal (appellate) court find there was an error of law, but NOT reverse the decision?

18.  What is the term used to describe why higher courts change the decision of the lower court?  (What must they find?)

19.  How does the court announce its decision?

20.  What happens if a judge does not agree with the majority opinion of the court?

21.  Why might a judge file a "concurring" opinion?

22.  If a court decision is reversed, what happens next? (one of three things)

1.

2.

3.

23.  In a civil case, after damages are awarded, how can the losing party stop from paying damages while their case is being appealed?