

Rules of General Jurisdiction in the USA

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Abstract

This article will analyze the main rules of jurisdiction in the US. First, let's take a look at the American legal system. As in the federal states, also for international jurisdiction must be taken into account that each individual state within the central state must be analyzed separately. For this reason, it is important to understand the relationship between the US and individual states. Governing authority is shared between the federation and the states. Each of them has its own system of government, which consists of the legislature, the executive and the judiciary.

State legislation adopts state laws, while the federal legislature (Congress) passes federal laws.¹

Specific areas of law are regulated by federal statutes (eg patents), but many general areas, including contracts, damages and property are governed by the laws of States, although federal legislation may intervene in specific cases.

Every state has a complete judicial system. As in any judicial system, there are three instances, that of the First Instance, that of the Court of Appeal and a High (supreme) Court of the state. In addition to this first, there is also a complete federal system. The courts are known as federal district courts. The US consists of a number of federal judicial districts, each with its own federal district court. Federal legal districts may consist of a full state or part of a state. Each state, therefore, has at least one federal court as well as state courts. The U.S. Court of Appeals has jurisdiction over the district courts for different counties (each county consists of federal judicial districts) and on top of them stands the US Supreme Court.

The federal judicial system and judicial systems in every US state are created to complement each other, an issue is adjudicated either through one or through the other. However, the US Supreme Court may review the decisions of higher courts where a federal case is involved.²

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