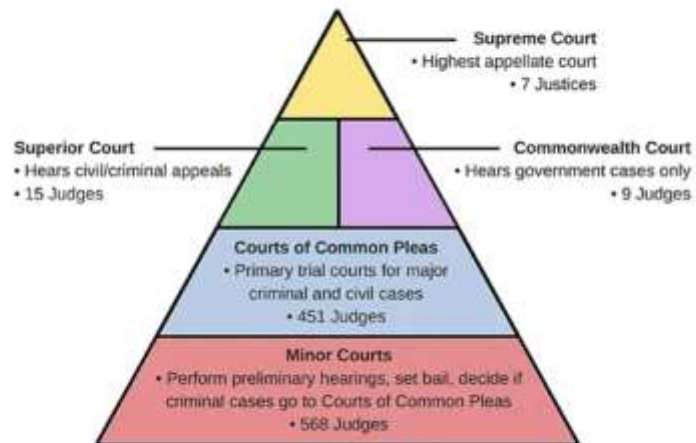


# THE INDEPENDENT COURT: WHAT IT IS AND WHY IT MATTERS

## OCTOBER 6, 2025

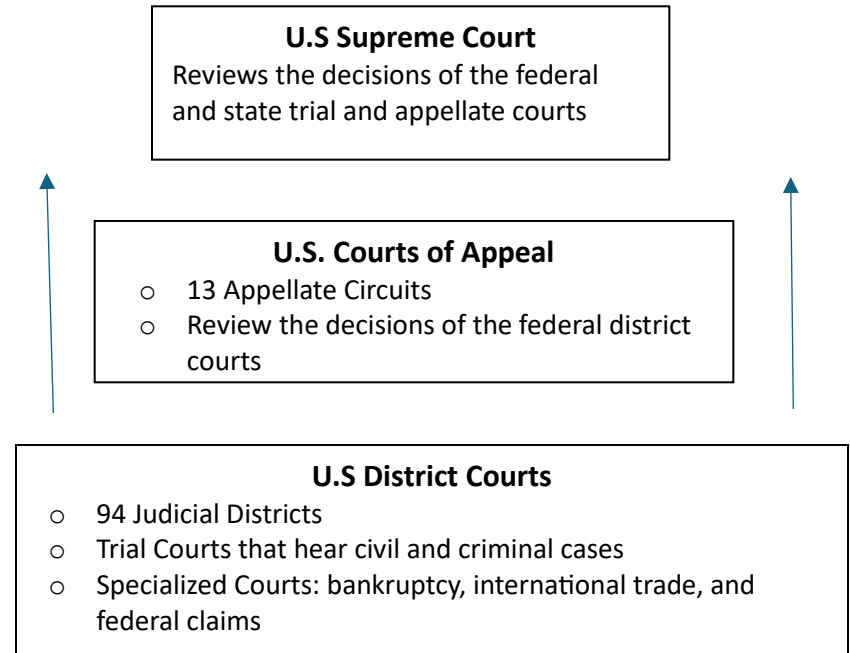
### BASIC OVERVIEW OF COURT SYSTEM

#### Pennsylvania Courts



Source: WHYY.org (public media organization for Greater Phila region)

#### Federal Courts



<https://www.uscourts.gov/about-federal-courts/court-role-and-structure>

## Civil vs. Criminal Law in Pennsylvania

### Basic Differences

|                            | CIVIL   | CRIMINAL   |
|----------------------------|---|--|
| <b>PARTIES TO THE CASE</b> | One private party (plaintiff) against another private party (defendant), including individuals, businesses, and organizations.  | The government, represented by a district attorney (or the Attorney General), against an individual or entity (defendant) for violation of a public law.   |
| <b>PURPOSE OF THE CASE</b> | To resolve private disputes and provide compensation for harm (e.g., monetary damages) or compel a specific action.   | To punish an offender for committing a crime, to protect society, and to deter future offenses.  |
| <b>PROVING THE CASE</b>    | The plaintiff must show that their claims are more likely than not (e.g., greater than 50 percent) to be true. This standard is called “preponderance of the evidence.”       | The prosecutor (government entity) must prove the defendant’s guilt beyond a reasonable doubt, which is the highest legal standard of proof.   |
| <b>RIGHT TO A LAWYER</b>   | There is no right to a lawyer in civil cases. The parties, including the defendant, must hire their own counsel or represent themselves. The state does not provide a lawyer. | The defendant has a constitutional right to a lawyer and legal representation. If they cannot afford a lawyer, the court will appoint a public defender at no cost.                                    |
| <b>POSSIBLE PENALTIES</b>  | Penalties can include paying monetary damages to the plaintiff, fines, and court-ordered action.  | Significant penalties can include fines, probation, and incarceration. Rarely, for severe cases, a penalty of death is possible.   |
| <b>JURY TRIAL</b>          | The jury does not necessarily have to be unanimous in a civil trial, but the specific rules may vary.   | A jury verdict in a criminal case must be unanimous.   |
| <b>BENCH TRIAL</b>         | Both parties must waive their rights to a jury trial, and the judge must approve it. The result of a bench trial is called a judgment.  | Defendant must proactively waive the right to a jury trial, and the district attorney must agree. If the request is refused, the case will go before a jury. The judge’s decision is called a verdict. |

Source: AI generated the information used for this table.