

# How the courts operate

## Types of cases: Civil vs. Criminal

Civil matters include every type of legal action except criminal actions - usually involving private disputes.

- Examples include:
  - personal injuries
  - contract and custody disputes
  - adoptions.

The Commonwealth brings criminal charges against an individual for a violation of criminal law.

- Defendants can be charged with felony (most severe penalties), misdemeanor and summary offenses (lesser penalties).

## The role of a Jury

- In **criminal** cases, a jury decides whether a defendant is guilty or not guilty, whereas in **civil** cases, the jury decides whether a defendant is liable or not liable.
- Juries are primarily available in Common Pleas Courts. There are no juries in Supreme, Superior and Magisterial District Courts, and rarely in Commonwealth Court.
- Even when a jury is permitted, both sides in a case can agree to have the case tried before a judge instead.

# Court resources

Modern times and technology, coupled with a steadfast commitment to protecting the Commonwealth's most vulnerable populations, have expanded accessibility to Pennsylvania's courts.

Visit [pacourts.us](http://pacourts.us) to learn how PA Courts:

- Provide justice for Pennsylvania's elders
- Facilitate language access
- Recruit and certify court interpreters
- Protect children and families under court supervision
- Educate jurists.

## Need Legal Help?

PA Legal Aid Network: [palegalaid.net](http://palegalaid.net)

PA Bar Association Lawyer Referral Service:  
(800) 629-7375

## Need to Pay?

Go to our website to pay any court-ordered fines and fees.

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*The Administrative Office of Pennsylvania Courts (AOPC) is the administrative arm of the Pennsylvania Supreme Court and executes the Court's policy and management directives to all courts on a statewide level.*

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# More than 300 years ago, the Pennsylvania Constitution set up our state government in three separate branches: executive, legislative and **JUDICIAL**.

Think of Pennsylvania's judicial branch as a pyramid.

## 1. At the base are Magisterial District Courts and Philadelphia Municipal Court.

- These courts handle preliminary arraignments and hearings, set bail, issue arrest and search warrants and issue emergency protection from abuse orders.
- Examples of cases include: traffic tickets, landlord-tenant disputes and underage drinking.

## 2. The next level is the trial level, called the Court of Common Pleas.

- These courts hear criminal and civil cases, including those involving families and children, such as divorce, property division, alimony, child custody and support, paternity and protection orders.
- They also hear appeals from the **lower-level courts**.

Additionally at this level are **problem-solving courts**, which offer rehabilitation programs for defendants struggling with behavioral problems, like drug addiction and severe mental illness.

Pennsylvania has two intermediate appellate courts: **Superior** and **Commonwealth**. Both determine if errors were made in cases heard at the **trial court level**.

## 3. The Superior Court is the appeals court for most citizens and businesses.

- It is one of the busiest intermediate appellate courts in the country.
- This Court's decisions have a significant impact on Pennsylvania's economy and the quality of life of our citizens.

## 4. The Commonwealth Court hears civil cases involving state or local government.

- It is the only court like it in the country.
- It not only hears appeals, but sometimes sits as a trial court in certain cases brought by or against the Commonwealth, such as a constitutional challenge to a state law or a tax dispute.

## 5. At the top of the pyramid is the Supreme Court, the highest court in the Commonwealth and the oldest appellate court in the nation.

- Seven justices serve on the Court and their job is to make the final judgment in interpreting Pennsylvania's laws and Constitution.
- The Court has **administrative authority over all aspects of Pennsylvania's judicial system**.

