Individual Project

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# Branches of the Government

 The Federal Government of the United States consists of three branches: executive, legislative and the judicial branch. Each branch has its particular responsibilities and powers while working in tandem with other branches. The Executive Branch is administered by the U.S. President who enforces the laws enacted by the Legislative Branch. U.S. citizens who are above the age of 18 elect the president by voting after which the electoral college elects the president. The Congress is part of the legislative branch and is further divided into the House of Representatives and the Congress, whose task is to decide whether certain proposed bills or ideas should become part of the law. The Judicial branch comprises of the Supreme Court, the highest court, and has its specially appointed judges whose role is to interpret laws in light of the U.S. Constitution (Mount, 2010). The federal government is separated into three branches because of the idea of separation of powers, which is based on distributing power and authority among various branches to maintain check and balance, and to prevent one part from becoming too powerful, which in turn, helps prevent abuse of power and protect individual freedoms.

 Furthermore, the U.S. Constitution, through the doctrine of federalism, divides powers between the state governments and the Federal Government. Although certain powers are allotted to the federal government, states are free to form their own laws if they do not violate the U.S. Constitution. Due to federalism, the criminal justice system varies from state to state, with one system in place at the federal level. This leads to a decentralized form of justice system in which crime policies among individual states can differ according to what their own legislatures deem effective and appropriate (Baier, 2006). Moreover, there is significant variation, at times, between the federal and the state government with regards to the nature and severity of sanctions and punishments for criminals.

# Criminal Justice System

 There are several components to the U.S. criminal justice system. The law enforcement branch includes personnel who are primarily tasked with crime prevention along with emergency response, criminal investigations or traffic citations. They are responsible to enforce federal, local or state laws, thereby maintaining law and order. Another component of the criminal justice system is criminal courts that exist to hold a due process by which a criminal is sentenced for punishment after a careful examination of the facts. These punishments can include imprisonment, fine, probation or any other sanction as defined by law. These courts handle cases anywhere from business disputes and crime. Civil courts deal with lawsuits that people can file over another in violation of torts, rights violations, juvenile issues or family laws. For instance, they handle cases regarding guardianships or probate cases. Another component of the system are corrections that are responsible to manage those sentenced individuals who are serving their sentences. They are required to help these criminals becomes law-abiding citizens upon release in order to prevent them from committing further crimes.

 As a result of federalism, both the state and the federal governments have their own courts that have certain differences in the cases they hear, their structure, and their judicial selection. Federal courts are directly established by the U.S. Constitution while courts at the state level are ‘general jurisdiction’ courts. They are responsible to handle all cases that are not meant for federal courts, and they interpret state laws just as the federal courts are able to interpret federal laws. Most day-to-day cases are filed in state courts that have to do with crimes, civil lawsuits, and litigation, whereas federal courts hear cases on issues such as federal tax violations, social security claims, resolving inter-state disputes, or those that involve international trade or foreign governments (US Courts Gov, 2018). Consequently, it leads to a decentralized form of criminal justice system based on federalism.

# References

Baier, G. (2006). *Courts and Federalism: Judicial Doctrine in the United States, Australia, and Canada.* Vancouver, BC: UBC Press.

Mount, S. (2010, January 24). *Constitutional Topic: Separation of Powers*. Retrieved February 21, 2019, from U.S. Constitution: https://www.usconstitution.net/consttop\_sepp.html

US Courts Gov. (2018). *Comparing Federal & State Courts*. Retrieved February 21, 2019, from United States Courts: https://www.uscourts.gov/about-federal-courts/court-role-and-structure/comparing-federal-state-courts