Assignment

Your Name (First M. Last)

School or Institution Name (University at Place or Town, State)

**Assignment**

**Court System:**

The division of courts into two separate systems, i.e. state and federal is known as the dual court system. In America, there is a dual court system with all states having its separate court. America has a dual court system to provide immediate justice at the state level, but the main reason for the dual court system is to limit the power of the federal court. Another reason for the dual court system is that some cases may be eligible for both court's review, but each level has its own different rule.

America is the nation with culturally and linguistically diverse. Culture and norms vary state to state. The diversity in the state level allows them to make their own laws and regulations. In the court system also every state has differences. Therefore it is important to limit the power of the federal court. The federal court is divided into Supreme Court, circuit court, and district trial courts. Federal district courts hear both the criminal and civil cases through same judges. A large single court system at the state level cannot be effective because about 98% of cases solve in district courts of states. If one large system has to hear all the cases from the whole state it will lower the speed of case hearing. Cases will take more time to be solved. Large number courts allow hearing more cases in less time. In my state criminal cases and civil cases courts and judges are separate, therefore the system is efficient and effective but in case of one large court credibility of judges for both types of cases will be decreased (“U.S. Criminal Justice System Overview | CorrectionalOfficer.org,” n.d.).

**Judges:**

In the judicial system, judges follow particular judicial philosophies which are activist, living constitution, judicial restraint, textualism, originalism and strict constructionism. If I become a judge, my sentencing goals would be providing justice without any biasedness and discrimination and also in less time. To avoid any discrimination and biasedness, the philosophical rationale that I will choose will be judicial restraint. Judicial restraint uses to oppose the activism. It eliminates the factor of personal choice and point of view from the decision. It allows the judge to decide cases by differentiating the legislative and show unwillingness to strike down acts. I would be lean towards rehabilitation so that people can restore their normal life after proper training and guidance of betterment.

During the decision for a sentence, the factor that I will focus on will be ethics principle of justice and fairness. Justice and fairness are not only the ethical principle but also the moral obligation. It allows judges to take a decision on the basis of equality. Goals cannot be changed if I follow the same code of ethics. Negativity like biasedness and favouritism etc. are the only cases that can change my circumstances and positive steps to enhance my ability and passion towards justice can only improve my guidelines and goals (“Choose Your Judges » Glossary of Judicial Philosophies,” n.d.).

**Example:**

A situation that can create difficulties to take a decision and can change my sentence goals and philosophical rationale can be the case of someone whom I know. When you personally know someone, you can decide whether he/she can bad act or not, but as a judge, you have to decide punishment on the basis of evidence. If I have to judge someone I know and evidence came against him/ her, then it is possible that I lean towards the favouritism or biasedness, but it totally depends on my credibility that I choose law and ethics or my own point of view for the person.

References

Choose Your Judges » Glossary of Judicial Philosophies. (n.d.). Retrieved from http://chooseyourjudges.org/facts-2/glossary-of-judicial-philosophies/

U.S. Criminal Justice System Overview | CorrectionalOfficer.org. (n.d.). Retrieved from https://www.correctionalofficer.org/us-criminal-justice-system