

Legal system in the USA

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Constitution

Judicial branch

Legislative branch

Executive branch

Precedents

Statutes

Executive orders

**Those who are governed
(people,
corporations)**

The US Constitution

- The Supreme law
- Came to force in 1789
- Has been amended 27 times



Sources of law

- **Constitutional law**
 - US Constitution
 - State constitutions
 - may grant more rights than the US Constitution, but not fewer (mer)
 - Judicial review

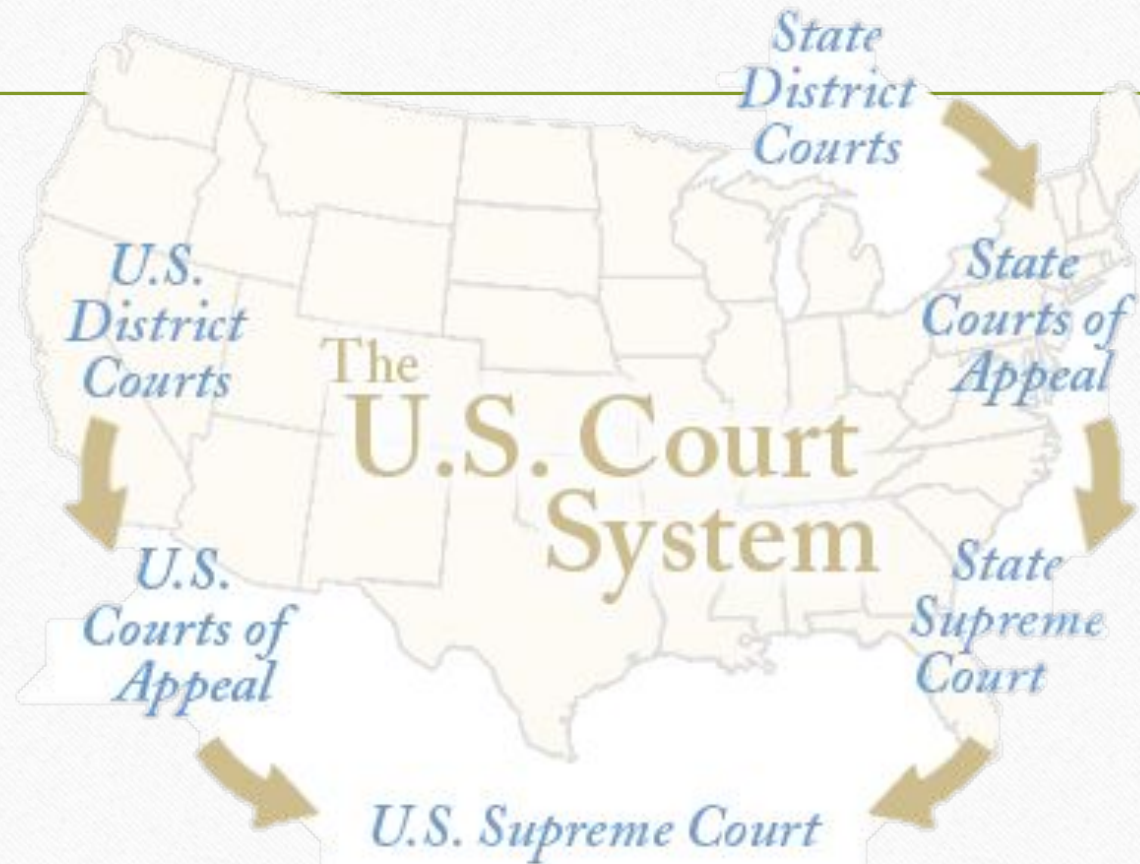
Sources of law

- **Constitutional law**
- **Statutory law**
 - Congress
 - State legislatures
 - Local authorities

Sources of law

- **Constitutional law**
- **Statutory law**
- **Administrative law**
 - Federal Communications Commission

The US Judiciary



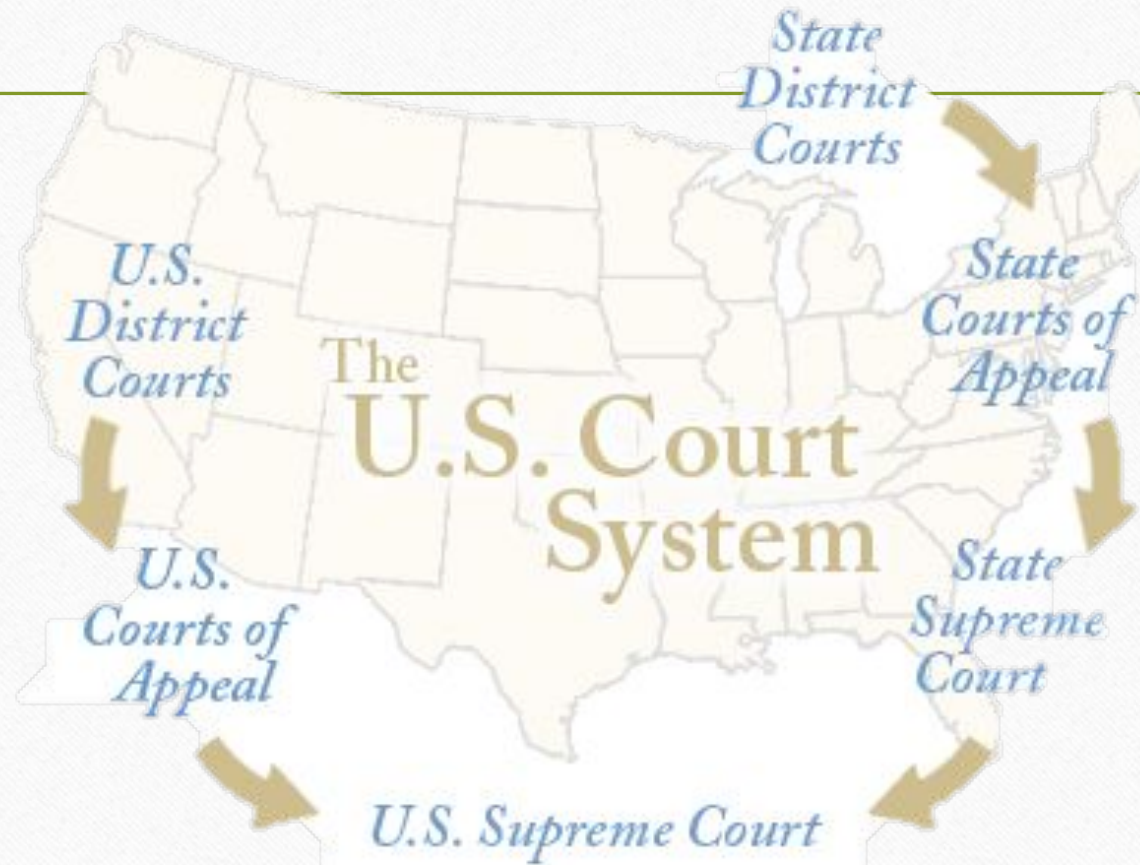
US Supreme Court

- Final word on US Constitution
- Takes cases through *a writ of certiorari* – “granting cert”
- Only four of the nine justices are needed to grant cert
- Chief justice is also administrative head of federal court system

US Supreme Court



The US Judiciary

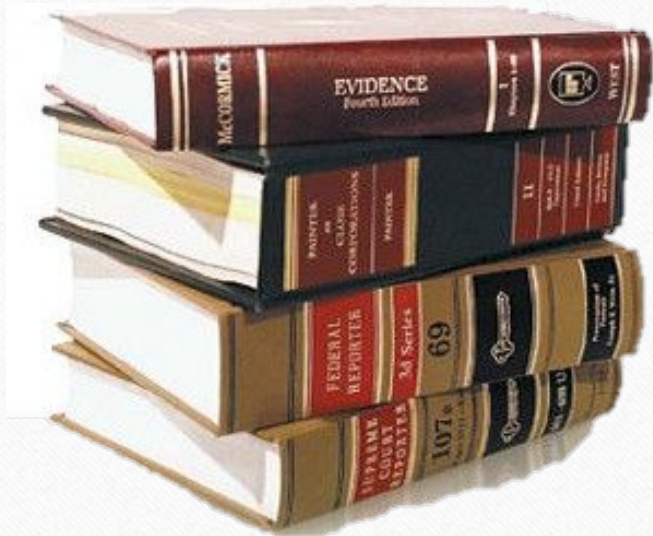


The appeals process

- Justiciable controversy
 - Courts cannot rule on cases that are not before them
- Appeals courts do not retry cases
 - Rulings are decided on narrow grounds, and cases are usually sent back to lower court
- Judges must follow precedent
 - Relevant higher-court ruling prevails
 - Ruling from another district can be a guide
 - State and federal judges must consider each other's rulings



The Litigation



Criminal and civil law

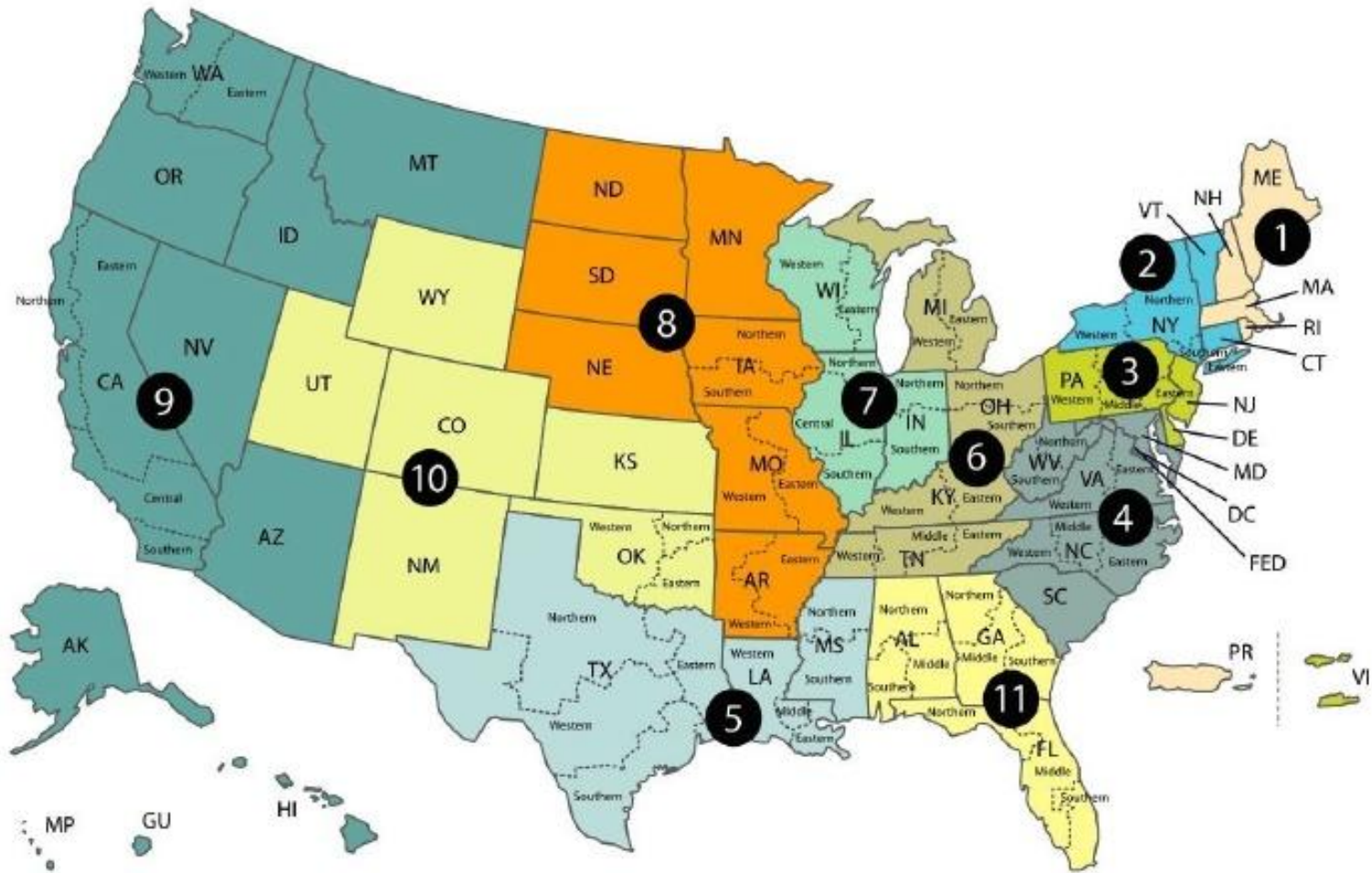
- Criminal = offence against society
- Civil = offense against individual(s)
- How would you categorize:
 - Obscenity?
 - Copyright infringement?
 - Reporting on the movement of troops in time of war?
 - Invasion of privacy?

Types of civil law

- Contracts
- Torts
 - Common media torts:
 - Libel
 - Invasion of privacy
 - Copyright infringement

Geographic Boundaries

of United States Courts of Appeals and United States District Courts



State law

- All states are separate sovereigns, with their own state constitutions, state governments, and state courts.



Alabama

- Incestuous marriages are legal.
- You may not have an ice cream cone in your back pocket at any time.
- It is illegal to sell peanuts in Lee County after sundown on Wednesday.
- It is illegal to wear a fake moustache that causes laughter in church.
- Bear wrestling matches are prohibited.
- You may not wear blue jeans down Noble Street.

Alaska

- It is considered an offense to push a live moose out of a moving airplane.
- No one may tie their pet dog to the roof of a car.
- Owners of flamingos may not let their pet into barber shops.
- Huskies are not allowed in school buildings.
- No child may build a snowman taller than himself on school property.

Arizona

- It's illegal to play cards in the street with a Native American
- In Maricopa County no more than 6 girls may live in any house.



Georgia

- Chickens are not allowed to cross the road
- It's illegal to tie a giraffe to a telephone pole.
- It's illegal to change the cloths on a store storfront maniquin unless the shades are drawn.
- A school girl must offer to carry a school boy's books if they are walking together.
- In Johnsboro it's illegal to say "Oh,boy".

California

- Sunshine is guaranteed to the masses.
- Women may not drive in a house coat.
- It's illegal to eat an orange while in the bathtub.
- In Pasadena it's illegal for a secretary to be alone in a room with her boss

Colorado

- In Logan County, it is illegal for a man to kiss a woman while she is asleep.



Florida

- A special law prohibits unmarried women from parachuting on Sunday or she shall risk arrest, fine, and/or jailing.
- If an elephant is left tied to a parking meter, the parking fee has to be paid just as it would for a vehicle.
- It is illegal to sing in a public place while attired in a swimsuit.
- Men may not be seen publicly in any kind of strapless gown.

Idaho

- It's illegal for a man to give his fiancé a box of candy that weighs more than 22.5 kg
- In Tamarack it's illegal to purchase onions after dark except with a special permit from the sheriff.



Iowa

- **Kisses can't last for more than 5 minutes**
- **Within Ottumwa city limits a man**
- **can't wink to any woman he doesn't know.**



Indiana

- It's illegal to attend a public event or use public transport within 4 hours of eating an onions or garlic



Louisiana

- It's illegal to wear an alligator costume.
- Catching lizards at night is prohibited.
- In Sulphur it's illegal to be an alcoholic.



Massachusetts

- Mourners at a wake can't eat more than 3 sandwiches.
- Snoring is illegal unless all bedroom windows are shut and securly locked.
- It's illegal to wear a goatee with out a license.
- It's illegal to go to bed without first having a full bath.
- It's illegal to have a water gun fight/duel.
- In Boston a citizen may not own more than 3 dogs.
- In Salem even a married couple can't sleep together in the nude in rented rooms.

Minnesota

- It's illegal to sleep naked.
- All men riding motorcycles must wear shirts.
- In International Falls dogs can't chase cats up a telegraph pole, owners can be finned.

New-Mexico

- It's forbidden for a female to appear unshaven in public

North Carolina

- It's against the law to sing off-key
- It's illegal for a bingo game to last longer than 5 hrs (unless this game is being played at a fair).



New York

- A fine of \$25 can be levied for flirting. This old law specifically prohibits men from turning around on any city street and looking "at a woman in that way."
- It is against the law to throw a ball at someone's head for fun.
- The penalty for jumping off a building is death.
- In NYC a woman is permitted to go topless in public provided it's not being used as a business. They can also ride the subway topless (since it's okay for the men to do it too).

Nebraska

- It is illegal for bar owners to sell beer unless they are simultaneously brewing a kettle of soup.
- In Lehigh it's illegal to sell donut holes.



Ohio

- Policemen are allowed to bite a dog if they think it will calm the dog down
- It is illegal to fish for whales on Sunday.
- It is illegal to get a fish drunk.



Oregon

- It's illegal to be seen in public with the number 69 on any of one's clothing.
- In Portland people are banned from whistling underwater.
- In Stanfield no more than two people
- can share a single drink.



Texas

- It's illegal to sell your eyeballs
- In San Antonio, flirting is against the law



Utah

- Marriage between cousins is against the law only if they are younger than 65



Wisconsin

- It is illegal to cut a woman's hair.
- It is illegal to kiss on a train.
- Racine women may not walk down a public street at night unless accompanied by a man.
- In St. Croix, women are not allowed to wear anything red in public.
- Sun Prairie cats are forbidden from entering cemeteries.

Wyoming

- You may not take a picture of a rabbit from January to April without an official permit



- It's illegal to remarry the same man four times. (Kentucky)
- After Jan 14th a person can be fined for having Christmas decorations still up. (Maine)
- It's Illegal to mistreat oysters. (Maryland)
- It's against the law to serenade your girlfriend in Kalamazoo. (Michigan)
- In Helena a woman's cloths must weigh more than 3lb 2oz before she can legaly dance on a saloon table. (Montana)
- In Dyersburg, it is illegal for a woman to call a man for a date.
- It is illegal to use a lasso to catch a fish. (Tennessee)
- A woman must obtain written permission from their husband to wear false teeth. (Vermont)

- In Lebanon it's illegal to kick your wife out of bed. (Virginia)
- All lollipops are banned. (Washington)
- If you are found stealing soap, you must wash yourself until the bar of soap has been completely used up (Arizona)
- If you have mustaches, it's illegal for you to kiss a woman (Nevada)
- It's against the law for a woman to drive a car in Main Street unless her husband is walking in front of the car waving a red flag (Virginia)
- Twins can't work for the same company. (Hawaii)
- In Hartford it's illegal to educate a dog. (Connecticut)
- It's illegal to fall asleep in a cheese factory. (South Dakota)

