

Law Day 2012

Civil Courts

Civil law deals with duties owed by one party to another. Civil law encompasses issues relating to business, contracts, estates, domestic (family) relations, accidents or intentional wrongful acts. In New York state, civil law is established through both state and federal statutes and through court decisions. Examples of civil matters are court actions (or lawsuits) regarding contracts between two parties, suits to recover money for personal injuries, and actions in domestic relations (family issues, like divorce and child custody).

Civ-il [siv-uhl]
adjective 1) of, pertaining to, or consisting of citizens: civil life; civil society; 2) of citizens in their ordinary capacity, or of the ordinary life and affairs of citizens

In a civil case, either party may be a government entity, a business or an individual. Also, the defendant cannot be imprisoned, even if he or she cannot pay the damages awarded.

The burden of proof in a civil trial is “preponderance of the evidence,” which means that a party has shown that its version of facts is *more likely than not* the correct version.

Using the visual of a scale, the evidence that weighs more should prevail.

Federal civil courts require jury verdicts to be unanimous. In civil cases tried in New York state courts, a verdict does not have to be unanimous; agreement by five of the six jurors is sufficient.

In a civil case, the defendant may be found liable, not liable or partially liable. Either party may appeal the verdict in a civil case.



Newspaper Activity:
Looking through today's newspaper, see if you can find news stories of incidences that may result in civil court cases. What examples did you find? Select one and briefly explain the conflict, the parties involved and why you think it could lead to a civil lawsuit.

Student Assessment:
What one new thing did you learn from this activity?