

Constitution Day 2014

HOW LAWS AFFECT ME



Far more than we realize, the work of the courts affects every aspect of our lives – from birth to death and in conflict resolution regarding business, criminal activity, and individual rights. The courts are where marriages are dissolved, adoptions and custody issues are handled, and wills are settled.

Even if we never enter a courtroom, the court system affects our lives. At the state level, the Judicial Branch is a separate, but co-equal branch of government with the Executive Branch (Governor) and the Legislative Branch (state senators and representatives). The courts interpret and apply the laws written by the Legislature and signed into law by the Governor. In this way, the three branches make up the balance of power that protects citizens from unchecked government authority and protects our rights guaranteed by the Constitution.

What is a law?

- Laws are rules that have been established by a society or government, which apply to all people in that society.
- Laws can be written in the form of legislation, they can be recognized customs, or they can be policies recognized and enforced by judicial decisions.

Why do we need laws?

- Laws promote and preserve order
- Laws help protect our general safety
- Laws help ensure our rights as citizens as guaranteed by the Constitution
- Laws protect citizens from unchecked government authority
- Laws help protect our freedoms as outlined in the Bill of Rights

What is the role of the Judicial Branch with regard to laws?

- The Minnesota Constitution establishes the judiciary.
- The judiciary is one of three branches of our government and is responsible for assuring justice in our society by resolving disputes peacefully.
- The Judicial Branch balances the other two branches of government and protect people's rights and liberties under the Constitution and the law.
- The Judicial Branch is responsible for interpreting and applying the laws and peacefully resolving conflicts between laws and people.
- Sometimes, people do not follow laws. At other times, laws may be unclear or conflict with other laws or our Constitution. When these things happen, the Judicial Branch gets involved when a case is filed.
- The courts interpret and apply the laws written by the Legislature and signed into law by the Governor.
- There is a district courthouse in each of Minnesota's 87 counties. More than 280 judges work in these courthouses and hear more 1.4 million cases a year.
- If someone is unhappy with the result of the district court case, they may appeal to the Minnesota Court of Appeals. If they are still unhappy, they may ask the Minnesota Supreme Court to hear their case.

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Where do laws come from?

Constitutional Law: The United States Constitution is often referred to as the “supreme law of the land.” It provides for the organization of our government, granting certain powers to each branch. It also outlines the rights and responsibilities as citizens.

States also have Constitutions which only apply to cases arising out of that particular state. In Minnesota, the state Constitution also provides for our three branches of government. The state Constitution limits government powers, and outlines our rights and responsibilities. The state Constitution may grant more rights than the U.S. Constitution, but not fewer rights.

Statutory Law: These laws typically come from the legislative branch of government at both the state and federal levels. At the state level, statutes are typically passed by the Legislature and signed into law by the governor. State laws only apply inside the state. At the federal level, Congress passes statutes and the President signs them into law.

Common Law: These laws come from the Judicial Branch of government. They are created over time through judicial decisions. Judicial decisions are based on interpretations of statutes, the state and federal Constitutions, and previous rulings in similar cases. Many of our common laws trace their roots to English common law.

Other types of laws:

Regulations: These are typically rules of an agency of the executive branch, like the Department of Agriculture or the Department of Natural Resources, that are promulgated by the agency through a grant of authority by the legislature to do so. They may set the standard for milk production or lay out the rules for hunting and fishing.

Ordinances: These are typically local laws that apply only within a certain area, like a city, township, or county.

Exercise: Now that you know a little more about laws, use the table on the following page to decide if the listed activity has a legal impact and why.

When you’ve completed the table, please visit the website of the Office of the Revisor of Statutes at www.revisor.mn.gov. There, you can use the activity’s corresponding keywords in the “Search Law by Keyword” feature on the website (see the menu at the top of the page) to see if the activity has a legal impact.

Is There a Legal Impact?

Activity and Keywords	Legal Impact?		Why?
	Yes	No	
Wake up, turn on light (electricity)			
Wash Face (water)			
Get dressed (clothing)			
Eat breakfast: cereal, bacon, eggs, orange juice (oats, pork, eggs, juice)			
Read paper (newspaper)			
Get in car (vehicle)			
Drive to school (driving)			
Buy lunch in café (restaurant)			
Buy a pair of jeans on credit (credit card)			
Pick up paycheck, deposit in bank (banking)			
Go home and discover you have no heat, call landlord (tenant, landlord)			
Watch TV (television)			
Take bath (bath)			
Go to bed (sleep)			