

Allied Health Medical Law & Ethics



7/26/2016

Module A.1 The Legal System



1

Two Fundamental Processes

- **Federalism**
 - Federal System
 - State System
- **Checks and Balances**
 - Designed so that no one single branch of government could control the entire government.

2

Branches of Government

- **Legislative Branch**
 - Senate and House of Representatives
- **Executive Branch**
 - President, cabinet, and advisors
- **Judicial Branch**
 - Judges and federal courts

3

Sources of Law

- **Constitutional Law**
 - U.S. Constitution and State constitutions
- **Statutory and Regulatory Law**
 - Passed by Federal or State legislative bodies
- **Common (Case) Law**
 - Made by judges when applying previous court decisions

4

Classification of Laws: Civil & Contract

- **Civil (Private)**
 - Tort (Intentional)
 - Assault
 - Battery
 - False imprisonment
 - Defamation of character
 - Fraud
 - Invasion of privacy
 - **Contract law**

5

Classification of Laws: Public & Administrative

- **Public**
 - Criminal
 - Felony
 - Misdemeanor
- **Administrative**
 - Administrative
 - Constitutional
 - International

6

The Court System

- State
- Federal
- Responsibilities may be:
 - Exclusive (only that particular court can hear the case)
 - Concurrent (both courts have power to hear the case)
- Function of offense committed

7

Types of Courts

- **Federal**
 - District (municipal)
 - Court of Appeals (circuit court)
 - U.S. Supreme Court
- **State**
 - District or municipal trial courts
 - Court of Appeals
 - State Supreme Court

8

Suggested Reference

Fremgen, B.F., Medical Law and Ethics, 5th edition (2016). Pearson Education, Inc. ISBN 978-0-13-399898-6

9

Credits

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