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## Differences between the civil and criminal cases

A Civil and Criminal case is very different, yet many individuals have a tendency to overlook that. The word litigation means resolving disputes within the court. The first difference between filing a case whether it is civil or criminal depends on who can file a case in the first place. In a criminal case, the state is the one who is represented by a district attorney or by a lawyer called a prosecutor and is the one who is the one that files the court case. If the state claims that a person has broken a law, the state asks for a punishment that is given to them by the court. The punishment can be jail time, probation, fines or another form of punishment. In a civil case, the punishment can be fined, and minimal jail time. In a Civil case, the plaintiff or litigant only needs to convince the judge or jury that what they are pleading is true. In a Criminal case, the state must convince the judge or jury that the crime that was committed was committed beyond a reasonable doubt.

A civil case begins when a person called the plaintiff, claims that another person or the defendant has failed to carry out a legal duty owed to the plaintiff. Both the plaintiff and the defendant are also called "parties" or "litigants." The plaintiff may ask the court to tell the defendant to fulfill the duty, or to pay for the harm done or sometimes even both. Civil cases are brought in both state and federal courts. An example of a civil case in a state court would be if a citizen sued another citizen for not living up to a contract. For example, if Apple enters into a contract to sell a specific amount of phones to a Verizon store for an agreed-upon price and then fails to deliver the phones, forcing Verizon to buy it elsewhere at a higher price, Verizon might sue Apple to pay the extra costs incurred because of the Apple's failure to deliver; these costs are called damages. If these parties were from different states, however, then that suit could be brought in federal court under diversity jurisdiction if the amount in question exceeded the minimum required by statute \$75,000.

A criminal case begins when a person is accused of a crime and is generally charged in a formal accusation which is called an indictment for felonies, serious crimes or information for misdemeanors. The government, on behalf of the people of the United States, will prosecute the case through the United States Attorney's Office. If the person is charged with a federal crime, a state's attorney's office will prosecute state crimes. In cases, there may not be a specific victim of the crime that was committed. For example, the State Government arrest and prosecute people violating laws against driving while intoxicated because society regards that as a serious offense that can result in harm to others. Many people wonder if destruction of property is a misdemeanor or a felony.

Destruction of property can be a misdemeanor and or a felony, depending on the value or kind

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of the property that was destructed. In my case the property that I “destructed” was a motor vehicle, and was worth more than \$250, so therefore, I committed a felony. If the property involved was not worth more than \$250 or was not a motor vehicle, the offense is considered a misdemeanor.

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