

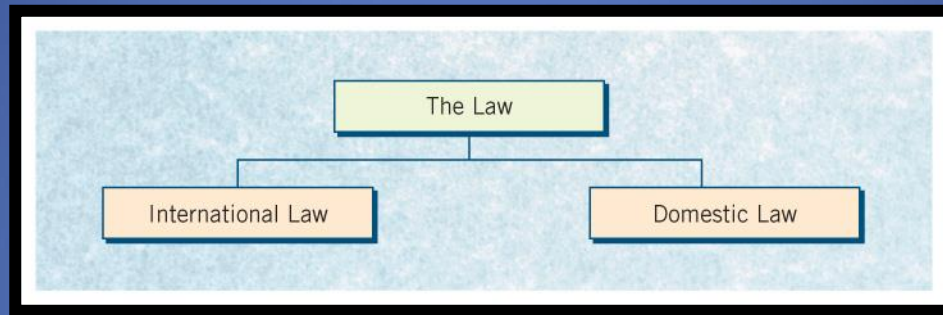
# Main Types of Law

David Ford Avon Ct

# **5 Things Laws Do**

- **Provide order**
- **Provide Penalties**
- **Settle Disputes**
- **Provide for Our General Safety**
- **Protect Rights of Citizens**

# The Law



**The broadest categories of law  
are International Law and  
Domestic Law**

# International Law

Includes laws that govern independent nations in their relationships with one another.

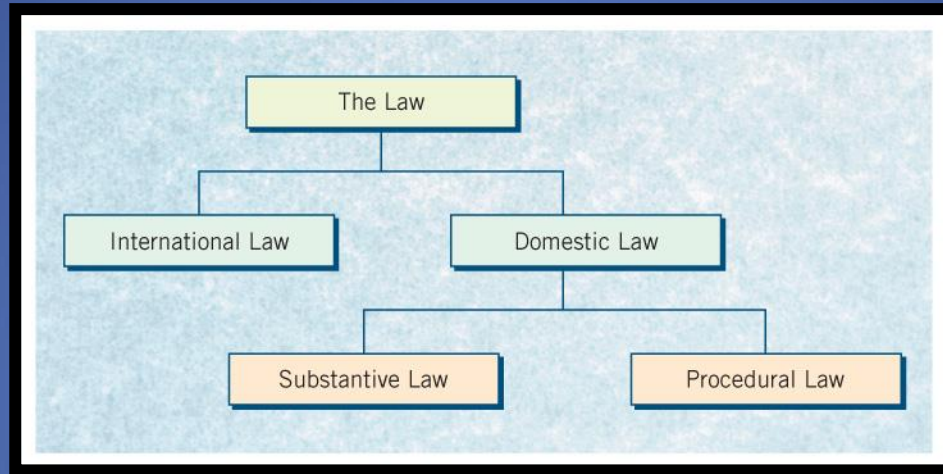
- Created by custom
- Nations sign treaties and are considered binding as law (Extradition, NATO, and NAFTA)
- Some organizations have international legal status (UN and International Courts)
- Difficult to enforce international law

# Domestic Law

Law that governs activity within a nation's borders.

- Nation's law making authority comes from the power to govern
- Power usually comes from a constitution or monarchy
- Includes both case law and statute law
- All within a country's borders are subject to that nation's laws

# Divisions of Domestic Law



**Domestic Law is divided into substantive and procedural law**

# Substantive Law

Law that defines the rights, duties, and obligations of citizens and government.

- Your conduct is governed by substantive law
- Examples include right to own and protect property, entering into contracts, and the rules of the road

# Procedural Law

Law that prescribes the methods of enforcing the rights and obligations of substantive law.

- Ensures that all citizens are treated fairly
- Ensures that neither the police nor courts act arbitrarily
- Examples include proper procedures to gather evidence, requirements for lawful arrest, and trial procedures

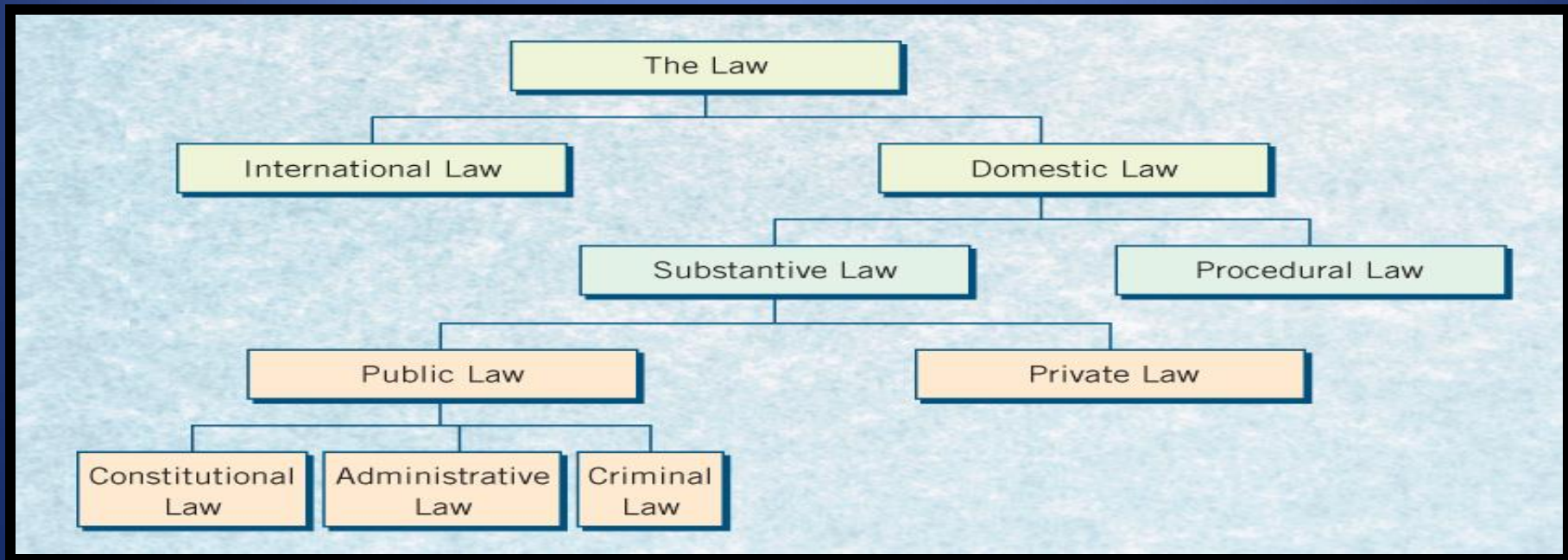


# **Divisions of Substantive Law**

**Substantive law is divided into  
Public and Private law**

# Divisions of Substantive Law

## Public Law



# Public Law

Regulates the relationship between government and its citizens

**Three categories of public law:**

- 1) Administrative Law
- 2) Criminal Law
- 3) Constitutional Law

# Types of Public Law

**Administrative Law** – Law related to the relationship between people and government departments, boards, and agencies

**Examples:** Worker's Compensation, Social Assistance, and Health and Safety

# Types of Public Law

**Criminal Law** – Law that identifies crimes and punishments as described in the United States Code (federal law) & North Carolina General Statutes (state law)

- Federal laws prohibit behavior such as bank robbery, kidnapping and tax evasion.
- NC law prohibits behavior that causes harm to others, such as murder, assault, and robbery
- Crimes are against society

# Types of Public Law

**Constitutional Law** – Body of law dealing with the distribution and exercise of government powers

- Overrides all other laws
- Limits the powers of government
- Divides power between the federal government and the states
- Courts interpret these laws to ensure all others are 'constitutional'

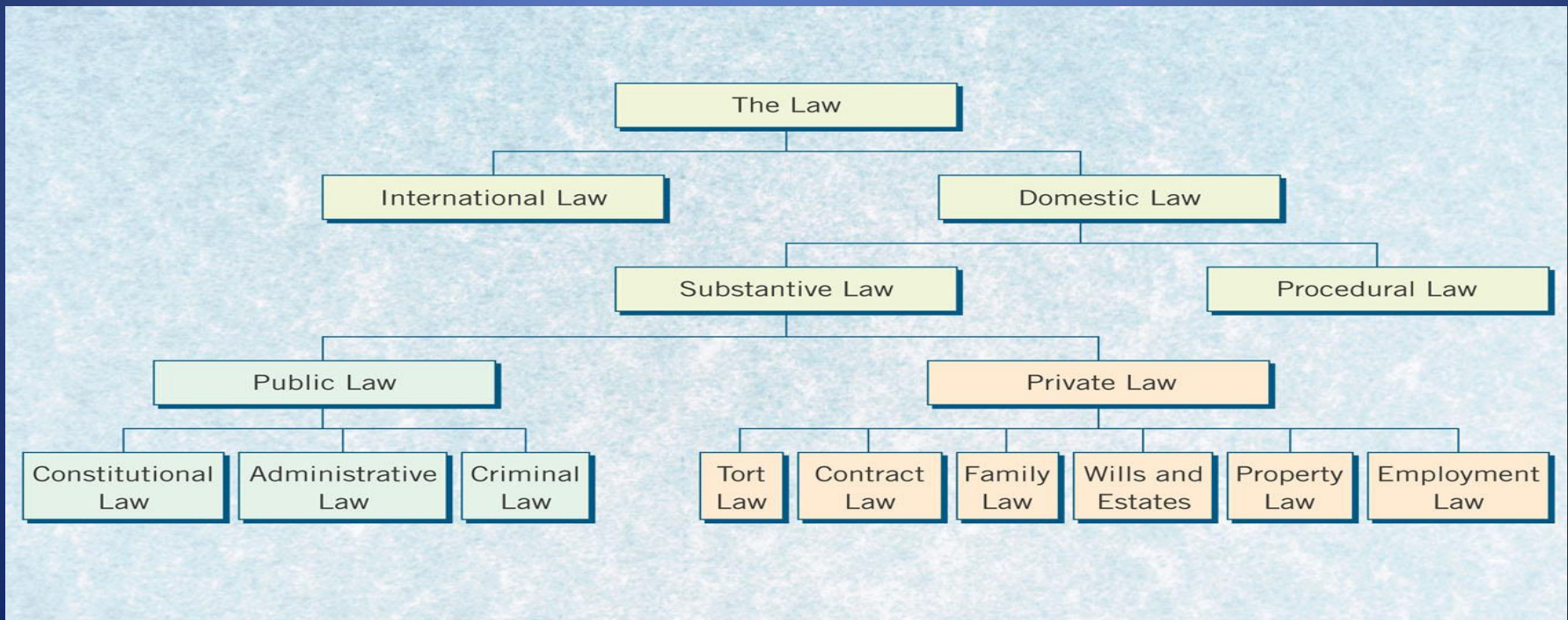
# Types of Public Law

An **unenforced law (also symbolic law)** is a crime which is illegal, but is usually not penalized by a jurisdiction. It is a law which is usually ignored by law enforcement, therefore such laws have no consequences.



# Divisions of Substantive Law

## Private Law





# Private Law (Civil Law)

Law governing the relationships between private individuals and between individuals and organizations

- Also known as civil or case law
- Excludes government organizations
- Regulates conduct and compensates who have been harmed by the wrongful actions of others
- Refers to torts (civil injuries), contracts, property law, and family law

# Types of Private Law

**Tort Law** – Branch of civil law that holds persons or private organizations responsible for damage they cause another person as a result of an accident or deliberate action

# Types of Private Law

**Contract Law** – Branch of civil law that provides rules regarding agreements between people and businesses

**Family Law** – Deals with various aspects of family life including marriage, property division upon separation, and child custody

# Types of Private Law

**Wills and Estates (Estate Law)** – Deals with the division of property after death including if a person dies without having a will

**Property Law** – Governs ownership rights in property including the buying and selling of real estate

# Types of Private Law

**Employment Law** – Governs employer/employee relations including minimum age a person can work, restricting the number of hours required to work, and specifying the minimum wage

Thank You