

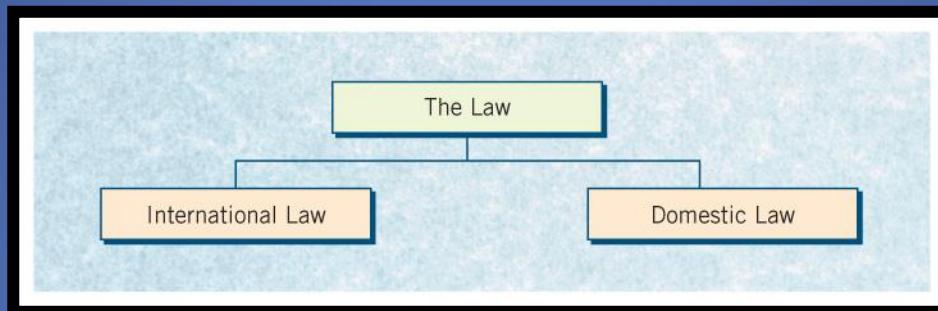
Main Types of Law

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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.

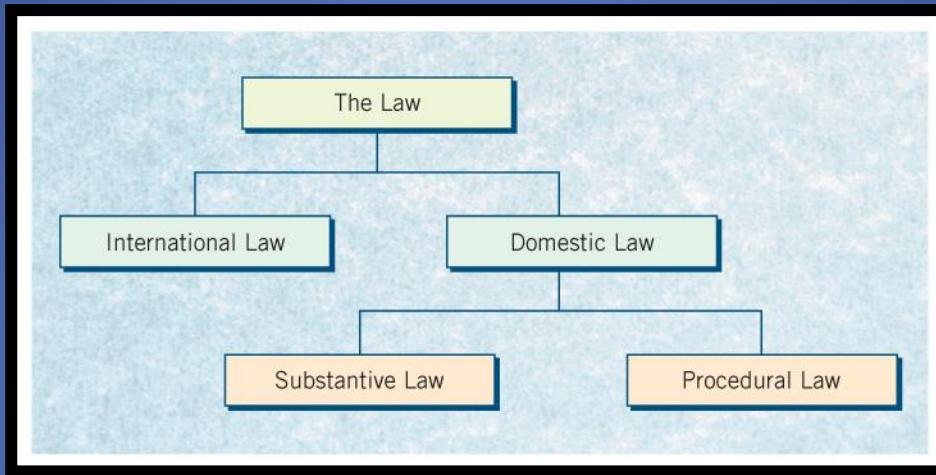
- Created by custom
- Nations sign treaties and are considered binding as law (Extradition, NATO, and NAFTA)
- Some organizations have international legal status (UN and International Courts)
- Difficult to enforce international law

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.

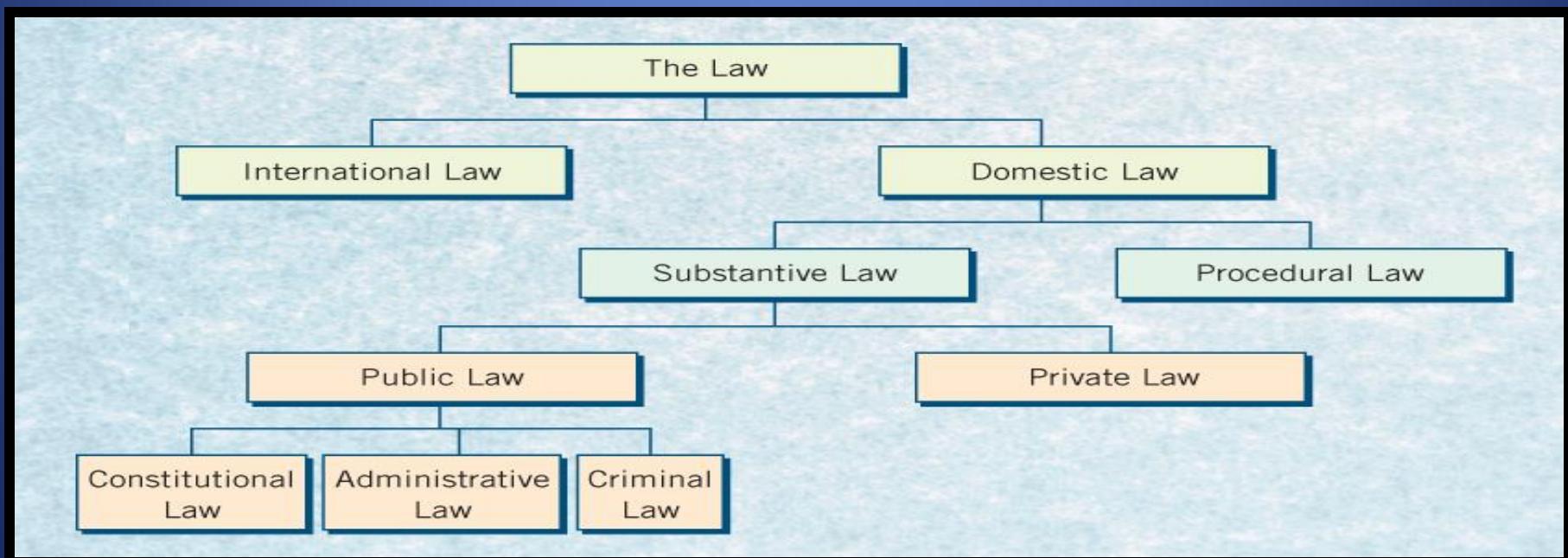
- Ensures that all citizens are treated fairly
- Ensures that neither the police nor courts act arbitrarily
- Examples include proper procedures to gather evidence, requirements for lawful arrest, and trial procedures

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

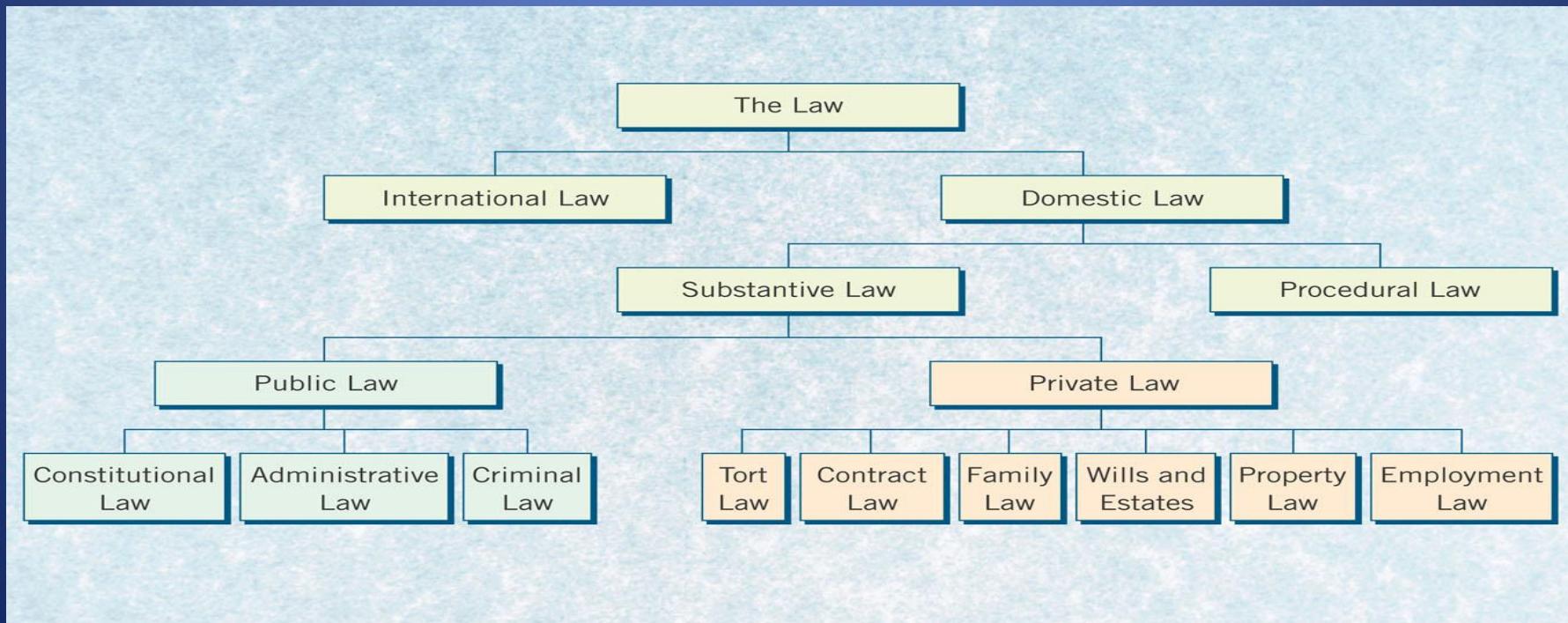
- Overrides all other laws
- Limits the powers of government
- Divides power between the federal government and the states
- Courts interpret these laws to ensure all others are ‘constitutional’

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