

CIVIL

CRIMINAL

Definition:	Civil law deals with the disputes between individuals, organizations, or between the two. Civil law deals with behavior that constitutes an injury to an individual or other private party, such as a corporation.	Criminal law deals with behavior that is or can be construed as an offense against the public, society, or the state—even if the immediate victim is an individual.
Parties	Private individuals, corporations, govt	Govt must be a party.
Titles	Plaintiff v Defendant	Prosecutor (State or Fed) vs Defendant (Arizona v Miranda, US v Leon, People v Jones)
Burden of proof:	“Preponderance of evidence” - burden of proof falls on the plaintiff. One must produce evidence beyond the balance of probabilities.	“Beyond a reasonable doubt”: Burden of proof is always on the state/government.
Examples:	Landlord/tenant disputes, divorce proceedings, child custody proceedings, property disputes, personal injury, etc.	Theft, assault, robbery, trafficking in controlled substances, murder, etc.
Type of outcome:	Civil litigation usually involves some type of compensation for injuries or damages or a disposition of property or an injunction. Is the defendant <u>liable</u> ?	A guilty defendant is punished by incarceration and/or fines, or in exceptional cases, the death penalty. Is the defendant <u>guilty</u> ?
Case filed by:	Private party or Govt.	Government/State
Appeal:	Either Party	Only Defendant

Adapted from Lawshelf.com.