

Brazilian Judicial System

How does the Brazilian judicial system work on the federal level?



Federal Court

Preserves the constitution and rules on issues related to the union, constitutionality, and foreign disputes.

Labor Court

Responsible for judging individual and collective conflicts that arise between workers and employers.

Electoral Court

Regulates electoral procedures, guarantees the right to direct, confidential voting, and carries out elections.

Military Court

Decides on military officials' crimes, except for those committed against civilians, which go to state justice.

State Court

Prosecutes and adjudicates any case not under the jurisdiction of another court (e.g. federal, labor), which encompasses the largest portion of litigation in Brazil.

Higher Courts

- Supreme Federal Court
- Superior Labor Court
- Superior Electoral Court
- Superior Military Court
- Superior Court of Justice

Instances

- 1 1st Instance: a court in which legal proceedings are begun or first heard.
- 2 2nd Instance: courts dedicated to the judgment of appeals.
- 3 3rd Instance: higher courts and the STF, appeals of the second

Foro Privilegiado

In Brazil, high-level officials (e.g., president, members of the cabinet and congress) have the right to what is known as a "privileged forum."

They are entitled to have their cases heard in the first instance by the Supreme Court, instead of starting in a lower court and appealing upwards. This entitlement is highly contested, especially by critics who claim it promotes impunity.

Supreme Federal Court (STF)

- Composed of 11 ministers appointed by the President
- Ability to challenge the constitutionality of a federal or state law or act
- Considers extradition requests from foreign countries and habeas corpus requests from any Brazilian citizen

Federal Court



Total Expenses

R\$ 9,977,720,623

Average time in 1st instance litigation

3 years and 11 months

Note that in Brazil, the word "tribunal" is used in lieu of "court" (e.g. Federal Supreme Court is Supremo Tribunal Federal)