

# What is the Difference Between Criminal and Civil Law?

## Worksheet

Criminal law is brought by the state to punish crimes (like theft or assault) with penalties such as fines or prison, while civil law lets private parties sue each other for compensation over disputes like contracts or injuries.

## Questions

1. In a criminal case, who is opposing the defendant?
  - A) The state/prosecution
  - B) Another private citizen only
  - C) A company only
  - D) No one - it happens automatically
2. What is the burden of proof in a typical civil case?
  - A) Preponderance of the evidence
  - B) Beyond a reasonable doubt
  - C) No burden of proof is required
  - D) Absolute certainty
3. A lawsuit for breach of contract is typically
  - A) A civil matter
  - B) A criminal matter
  - C) Neither civil nor criminal
  - D) Always treated as a felony
4. Which outcome is possible **ONLY** under criminal law, not civil law?
  - A) Imprisonment
  - B) Monetary damages
  - C) An injunction
  - D) Specific performance
5. Someone steals a car. What type of case follows, and what could happen?
6. A driver crashes into another car and damages it. The car owner wants repair costs paid. What type of case is this?
7. Can the same act, such as an assault, lead to both a criminal case and a civil case?
8. Define: Who brings a criminal case?
9. Define: Who brings a civil case?
10. Define: What is the burden of proof in criminal law?

## Answer Key

1. A) The state/prosecution - Criminal cases are brought by the state, on behalf of society, against the accused.
2. A) Preponderance of the evidence - Civil cases use the lower 'more likely than not' standard, unlike the strict criminal standard.
3. A) A civil matter - Contract disputes between private parties are civil, not criminal, matters.
4. A) Imprisonment - Only criminal law can result in imprisonment; civil law's remedies are damages, injunctions, and specific performance.
5. The state prosecutes the theft as a crime against society, not just against the owner. Burden of proof: guilt must be shown beyond a reasonable doubt. Possible outcome: a fine, probation, or imprisonment - this is a criminal case.
6. The car owner (plaintiff) sues the driver (defendant) directly for the loss. Burden of proof: preponderance of the evidence - more likely than not. Possible outcome: the driver pays damages - this is a civil case.
7. Yes - the state can prosecute the assault criminally to punish the offender. Separately, the victim can file a civil lawsuit for damages such as medical bills and pain and suffering. The two cases use different standards of proof and can reach different outcomes.
8. The state or government, through a public prosecutor, on behalf of society.
9. A private party (the plaintiff) suing another party (the defendant).
10. Beyond a reasonable doubt - the highest legal standard, meant to protect the accused.

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