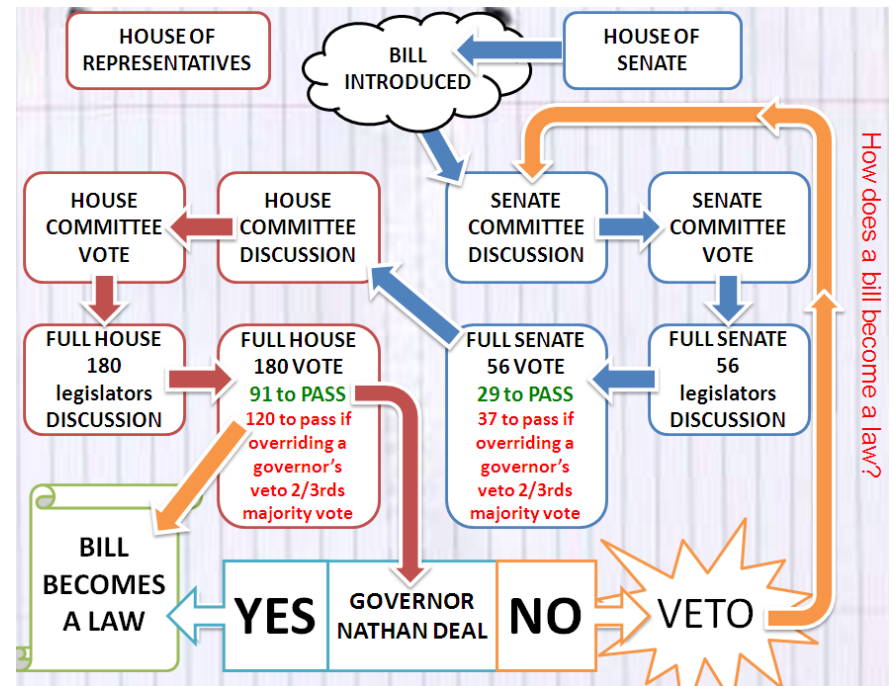


SS8CG2 (LEGISLATIVE) – SS8CG3 (EXECUTIVE) – SS8CG5 (LOCAL GOVERNMENT) STUDY SHEET

GEORGIA HOUSE OF REPRESENTATIVES 180 MEMBERS	LEGISLATIVE BRANCH THE GENERAL ASSEMBLY	GEORGIA SENATE 56 MEMBERS
<ul style="list-style-type: none"> MUST BE 21 YEARS OLD GEORGIA RESIDENT FOR 2 YEARS MUST LIVE IN DISTRICT FOR 1 YEAR 	QUALIFICATIONS	<ul style="list-style-type: none"> MUST BE 25 YEARS OLD GEORGIA RESIDENT FOR 2 YEARS MUST LIVE IN DISTRICT FOR 1 YEAR
<ul style="list-style-type: none"> SERVE 2 YEAR TERMS NO TERM LIMITS 	TERM	<ul style="list-style-type: none"> SERVE 2 YEAR TERMS NO TERM LIMITS
<ul style="list-style-type: none"> 180 DIFFERENT HOUSE DISTRICTS VOTE DURING GENERAL ELECTION EVERY EVEN NUMBERED YEARS 	ELECTION	<ul style="list-style-type: none"> 56 DIFFERENT SENATE DISTRICTS VOTE DURING GENERAL ELECTION EVERY EVEN NUMBERED YEARS
<ul style="list-style-type: none"> PROPOSING (MAKING) LAWS PASSING GEORGIA'S BUDGET AMENDING THE CONSTITUTION 	DUTIES	<ul style="list-style-type: none"> PROPOSING (MAKING) LAWS PASSING GEORGIA'S BUDGET AMENDING THE CONSTITUTION
<ul style="list-style-type: none"> SPEAKER OF THE HOUSE (3RD IN LINE TO SUCCEED THE GOVERNOR) MAJORITY PARTY LEADER MINORITY PARTY LEADER FLOOR LEADER (works with Governor) 	LEADERSHIP	<ul style="list-style-type: none"> LIEUTENANT GOVERNOR (2ND IN LINE TO SUCCEED THE GOVERNOR) MAJORITY PARTY LEADER = PRESIDENT PRO TEMP. MINORITY PARTY LEADER
<ul style="list-style-type: none"> 36 COMMITTEES groups of representatives who meet to pass bills / laws 	COMMITTEE SYSTEM	<ul style="list-style-type: none"> 26 COMMITTEES groups of senators who meet to pass bills / laws



GOVERNOR	EXECUTIVE BRANCH	LIEUTENANT GOVERNOR
<ul style="list-style-type: none"> MUST BE 30 YEARS OLD CITIZEN OF U.S. FOR 15 YEARS RESIDENT OF STATE FOR 6 YRS 	QUALIFICATIONS	<ul style="list-style-type: none"> MUST BE 30 YEARS OLD CITIZEN OF U.S. FOR 15 YEARS RESIDENT OF STATE FOR 6 YEARS
<ul style="list-style-type: none"> SERVE 4 YEAR TERMS CAN RUN FOR A SECOND TERM 	TERM	<ul style="list-style-type: none"> SERVE 4 YEAR TERMS NO TERM LIMITS
<ul style="list-style-type: none"> MUST WIN THE PARTY PRIMARY ELECTED BY CITIZENS - POPULAR VOTE DURING GENERAL ELECTION 	ELECTION	<ul style="list-style-type: none"> ELECTED BY CITIZENS DOES NOT HAVE TO BE FROM THE SAME PARTY AS THE GOVERNOR
<ul style="list-style-type: none"> Oversees executive branch Chief law enforcement officer Commander-in-chief of military Proposes annual budget Recommends new laws "state of the state" address Fills government vacancies Can call special sessions of the General Assembly 	DUTIES	<ul style="list-style-type: none"> PRESIDENT OF THE SENATE DECIDES WHO SERVES ON THE DIFFERENT SENATE COMMITTEES 1ST PERSON TO SUCCEED (REPLACE) THE GOVERNOR

ORGANIZATION of the EXECUTIVE BRANCH STATE DEPARTMENTS

DEPARTMENT OF EDUCATION	DEPARTMENT OF HUMAN RESOURCES	DEPARTMENT OF NATURAL RESOURCES
<ul style="list-style-type: none"> State School Superintendent Curriculum, teacher certification, education programs, education funds, and approves textbooks 	<ul style="list-style-type: none"> Has been renamed the Department of Human Services Welfare programs for the unemployed Social services for children and the elderly 	<ul style="list-style-type: none"> Conservation and protection of state parks and historic sites Wildlife management Hunting and fishing license
DEPARTMENT OF PUBLIC SAFETY	DEPARTMENT OF TRANSPORTATION	DEPARTMENT OF ECONOMIC DEVELOPMENT
<ul style="list-style-type: none"> Georgia State Patrol polices state and interstate roads Capitol Police protects government buildings Motor Carrier Compliance inspect cargo shipments and hazardous materials 	<ul style="list-style-type: none"> Interstate and State road and bridge construction and maintenance Public transportation services (buses and rail system) Shipping ports in Savannah and Brunswick 	<ul style="list-style-type: none"> Showcase Georgia to attract out of state businesses Promotes tourism Helps improve the economy of Georgia by creating jobs

LOCAL GOVERNMENT

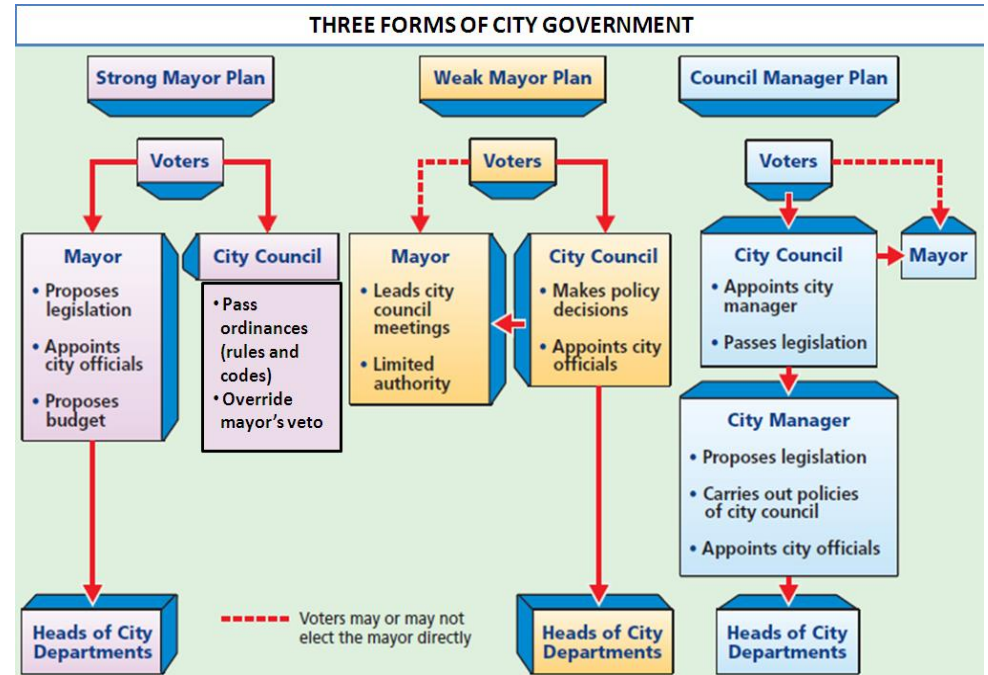
COUNTY GOVERNMENT

- 159 Counties – powers described in Georgia Constitution
- Power to tax, police/sheriff, construct roads, provide public health care, parks, libraries, and public education
- Board of commissioners elected by the people to help organize and provide services to residents
- Special-Purpose governments provide specific services (ex.- Paulding County School District, Parks and Recreation, Airport Authority, MARTA transportation in Atlanta)

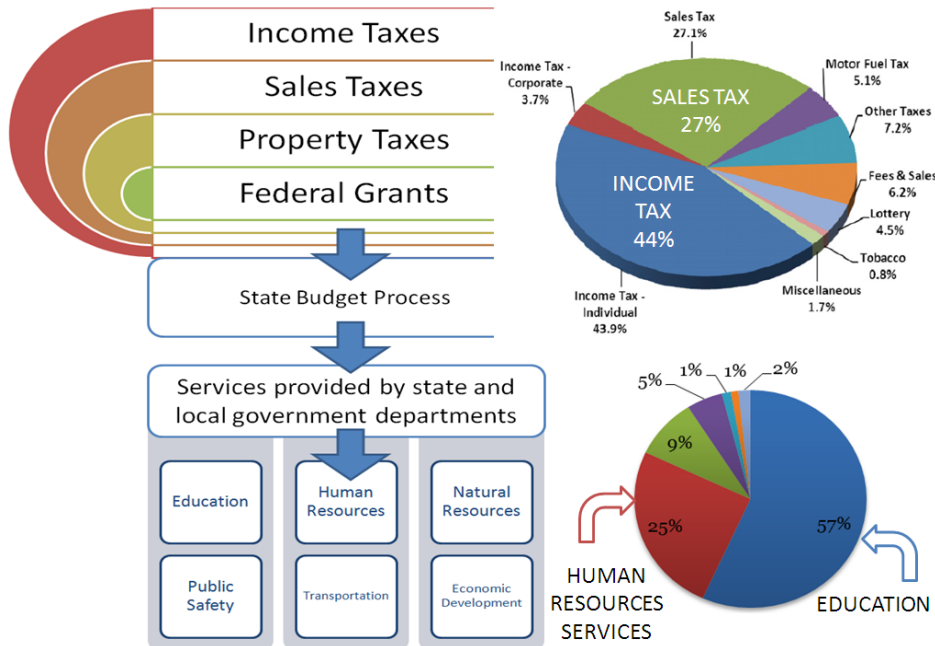
CITY GOVERNMENT

(MUNICIPALITY)

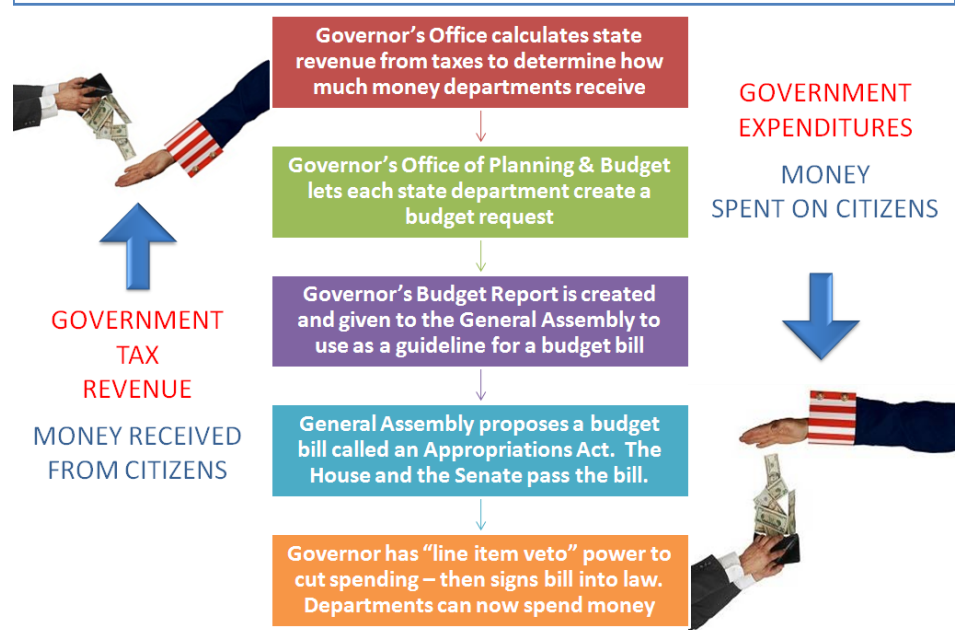
- 535 cities and towns in Georgia
- Must receive a charter from the state
 - 200 residents
 - 3 miles away from nearest town
 - 2/3 of land for residential & business
- Strong / Weak mayor council or council / city manager system
- Power to provide local fire/police, license businesses, maintain streets, provide water and sewage services



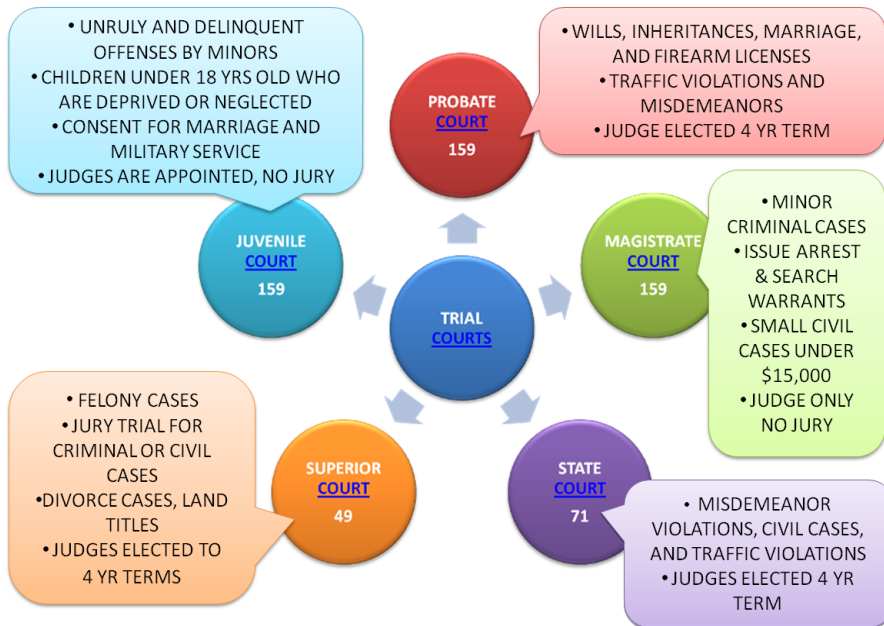
How do taxes pay for government services?



HOW IS THE STATE BUDGET CREATED?



WHAT ARE THE DIFFERENT TYPES OF TRIAL COURTS IN GEORGIA?



CRIMINAL LAW

- **misdemeanors** - less than one year in jail... **felonies** - more than one year in jail
- Federal, state, or local government (prosecutor) claims a person (defendant) committed a crime.
- The defendant goes through the criminal justice process to determine a guilty or not guilty verdict
- If found guilty by a judge or jury the defendant is sentenced to either jail, probation, community service, and/or a fine

CIVIL LAW

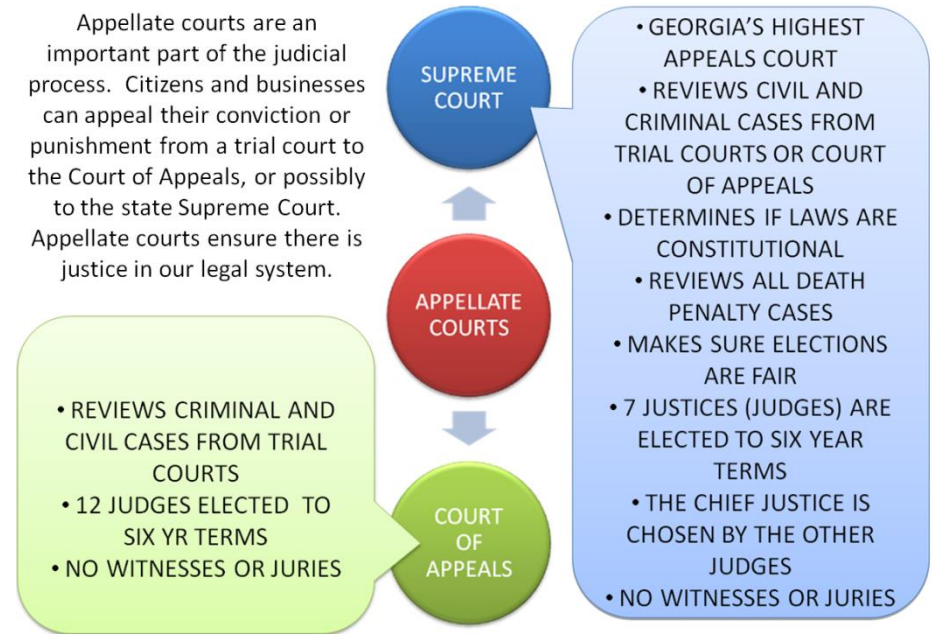
- A person, group, or business that has a complaint against another person, group, or business
- plaintiff sues a defendant and a judge and / or jury must determine guilt based on facts, evidence, and testimony
- If plaintiff wins the case the defendant must pay money (damages) or stop doing what they were charged with
- The defendant never goes to jail if found guilty in a Civil case

Settling disputes peacefully

Conflicts that occur between individuals, groups, or businesses are quite common in society. However, resolving these difference through acts of violence only increase future conflicts. Examples of conflict resolution include actions of non-violence; mediation (having a 3rd party listen to both sides and providing a solution to the problem; compromise (both parties creating a settlement that is helpful for everyone); lawsuit (if both sides can't resolve the conflict then it is best to allow the courts to decide in a civil case).

WHAT ARE THE DIFFERENT TYPES OF APPELLATE COURTS IN GEORGIA?

Appellate courts are an important part of the judicial process. Citizens and businesses can appeal their conviction or punishment from a trial court to the Court of Appeals, or possibly to the state Supreme Court. Appellate courts ensure there is justice in our legal system.

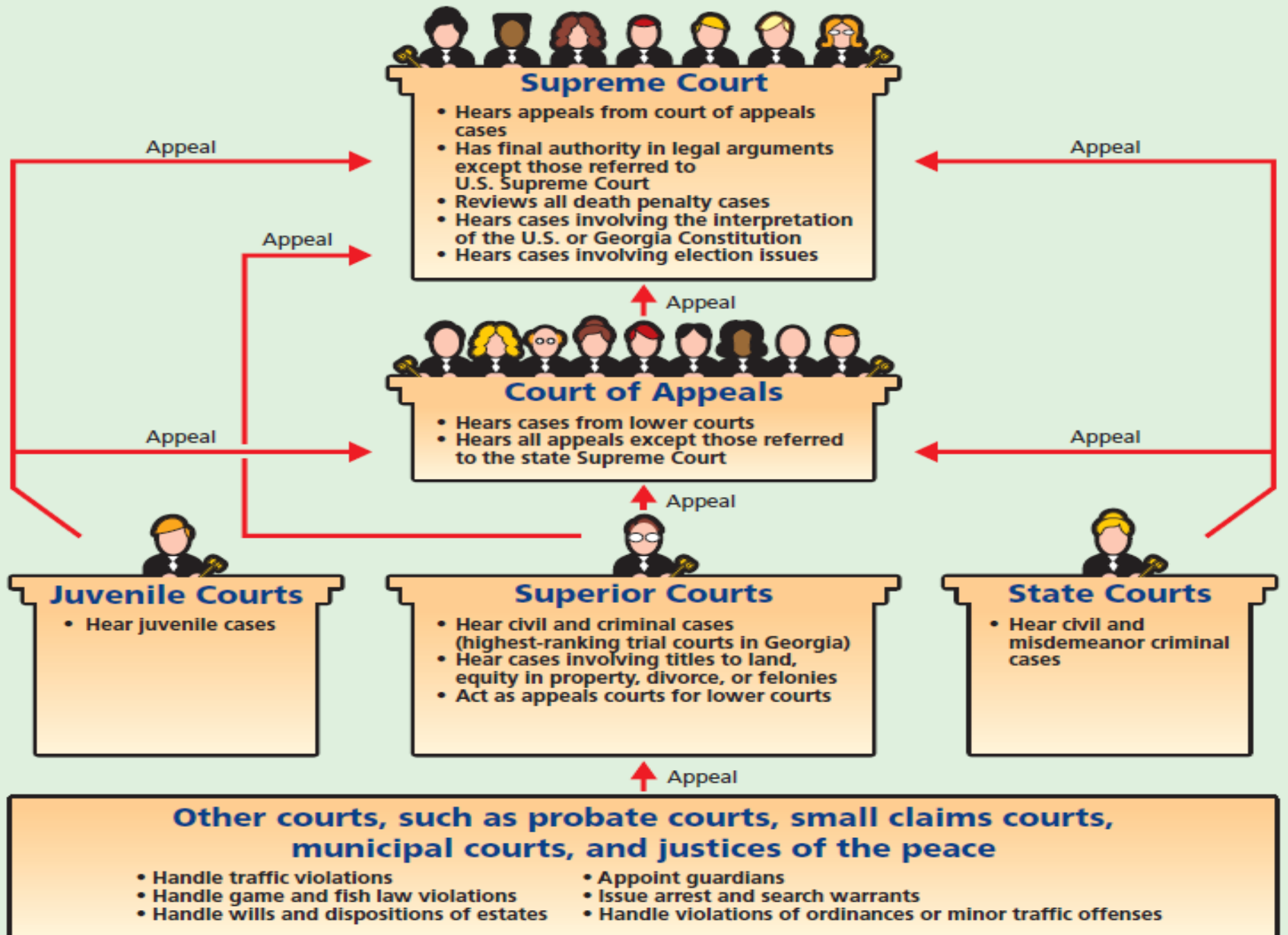


The Georgia Supreme Court is the state's highest court and holds certain powers that no other court in Georgia has. These include interpreting laws passed by the Georgia General Assembly, resolving challenges to elections results, and reviewing cases where the death penalty was sentenced. Unlike the U.S. Supreme Court where justices are appointed by the president, the seven justices on the Georgia State Supreme Court are elected to 6 year terms by Georgia's voters.

While all courts in the judicial branch play a part in ensuring justice in our legal system, the Supreme Court plays the most important role by interpreting laws enacted by the legislative branch. The Supreme Court accomplishes this by reviewing court cases that challenge the laws. If the Georgia Supreme Court rules that the law is unconstitutional (not supported by the Georgia or U.S. Constitution) then the law is struck down. Though the Georgia Supreme Court is the highest court in Georgia, any decision can be brought to the U.S. Supreme Court for appeal. The power to interpret laws is one of the checks that the judicial branch has over executive and legislative branches and is a way to protect against "bad" laws and ensure justice for all of Georgia's citizens.

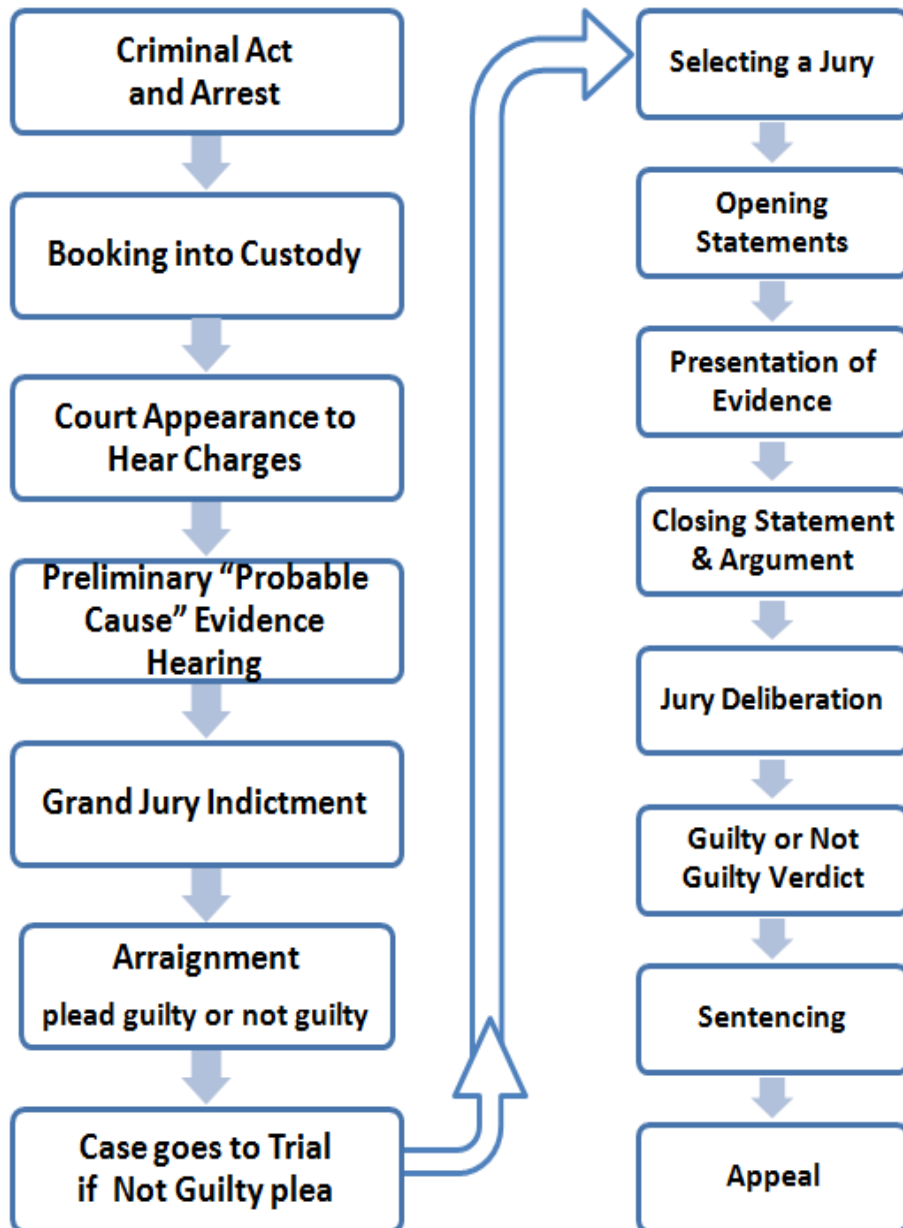
- gadoe.org

Georgia's Court System



ADULT JUSTICE PROCESS

ADULT PRETRIAL and TRIAL



ADULT COURT PROCESS - THE PRE-TRIAL

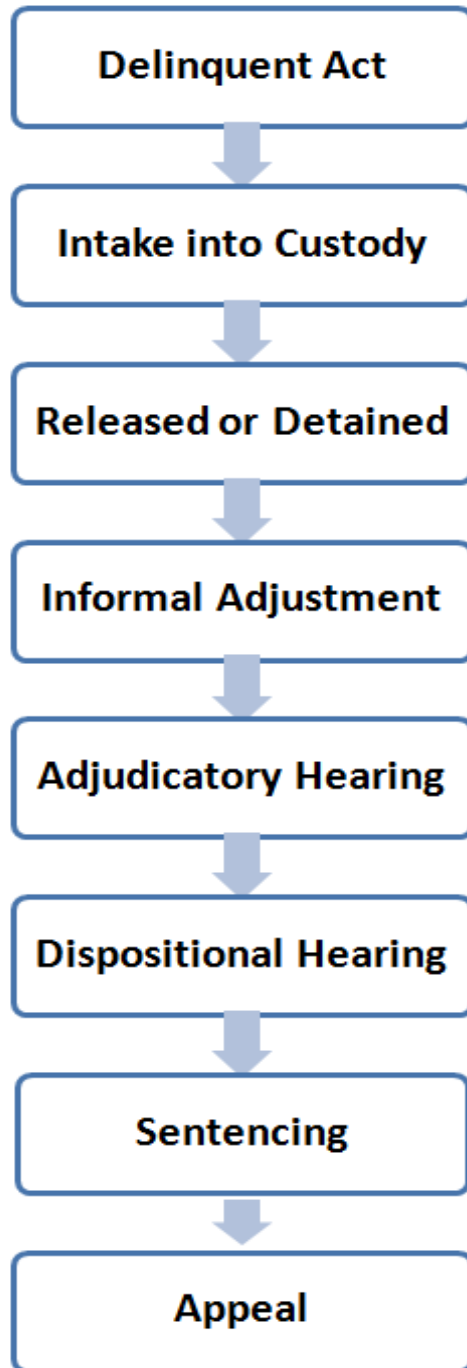
- **Arrest:** there is enough evidence that someone has committed a crime serious enough to warrant being taken in to custody.
- **Booking:** law enforcement officers make an official arrest report and hold the suspect in the local jail.
- **Initial appearance:** The suspect appears before a magistrate court where he or she goes before a judge to have the charges brought against them explained and to determine if they are to be released on bail.
- **Preliminary hearing:** the magistrate judge determines if there was a crime committed and if there is probable cause that the suspect was involved with the crime.
- **Grand Jury indictment:** a group of citizens, called a grand jury, examines the evidence in order to determine if the suspect should be charged with a crime. If they do decide there is enough evidence, they issue what is called an indictment.
- **Assignment before Superior Court:** upon receiving an indictment, the suspect is then arraigned and brought before a superior court judge. During the arraignment, the suspect officially states that they are guilty or not guilty of the offense. If the suspect claims that they are not guilty, the case moves on to trial.
- **Admitting Guilt/Plea Bargaining:** The suspect also has the opportunity to plead guilty. If they plead guilty to the charge, the judge will sentence the individual and the case does not go to trial. The suspect also has the choice of plea bargaining and admitting guilt to a lesser offence. If the prosecutor agrees to the plea bargain, the suspect is sentenced for the lesser offense and the case will also not go to trial. - gadoe.org

ADULT JUSTICE PROCESS - THE TRIAL

If the suspect (now the defendant) pleads not guilty in the arraignment then their case will go to trial. Below are the steps of the trial process.

- **Selecting a Jury:** In order to begin the trial, 12 citizens are selected as jurors for the case. In this process, the prosecuting and defending lawyers, along with the judge, can ask the juror questions to determine if they should serve on the trial.
- **Opening Statements:** once the trial begins, both attorneys are given the opportunity to speak directly to the jury to explain what they hope to prove in the case.
- **Presentation of evidence:** during the case, witnesses are called to the stand to give testimony. The process starts with the prosecuting attorney calling a witness who he or she hopes will prove the guilt of the defendant. The defendant's attorney is given the opportunity to cross-examine the witnesses.
- **Closing statements:** after all of the witnesses have had a chance to speak, both attorneys present their final arguments in the case.
- **Jury deliberation and verdict:** after the final arguments, the jury is asked to discuss amongst themselves if they think the defendant is guilty or not. Once they make their decision, they notify the judge. If the verdict is not guilty, the defendant is released.
- **Sentencing:** If the jury finds the defendant guilty, the judge sentences the defendant, telling him/her the amount of time he/she will spend in prison and how much they owe in damages (if applicable).
- **Appeal:** if the defendant maintains his or her innocence or if there were mistakes made in the case, the defendant can make an appeal where an appellate court will review the case. If they overturn the ruling, the case goes back to the superior court for a new trial.

JUVENILE JUSTICE PROCESS



DELINQUENT BEHAVIOR	UNRULY BEHAVIOR
<ul style="list-style-type: none"> • an act committed by a juvenile that would be a criminal offense according to adult law. • These actions can include theft, assault, possession of drugs, and murder. • If the act is serious enough, the juvenile may be charged as an adult and be subject for adult penalties. 	<ul style="list-style-type: none"> • an act committed by a juvenile that would NOT be a criminal offense according to adult law. • examples include the possession of alcohol or cigarettes, leaving home without permission, breaking curfew, skipping or not attending school – truancy, or not obeying reasonable commands of parents or other adults.
RIGHTS OF JUVENILES <ul style="list-style-type: none"> • The right to have a parent, guardian, or lawyer present before they can be questioned by authorities • The right to have two phone calls (parent and attorney) • The right to not have their names or photographs made public • The right to not self-incriminate and to be counseled on what self-incrimination is (Miranda Rights – “you have the right to remain silent,...” • The right not to be placed with adult offenders (separate detention facilities) 	

SEVEN SERIOUS DELINQUENT BEHAVIORS

There are seven specific offenses that if a child between the ages of 13-17 commits, will not be under the protection of the juvenile court. **These offenses are under the jurisdiction of the state Superior Court, and the juvenile will be charged as an adult!!!** If sentenced the child may go to a juvenile detention center until they are old enough to be placed in an adult prison.

-gadoe.org

JUVENILE JUSTICE SYSTEM

There are several steps in the juvenile justice process after a minor commits a delinquent act and is detained by police.

- **Intake Officer-** juvenile is brought to an intake officer who decides if there is enough evidence to make a charge against them.
- **Release or Detained-** if there is not enough evidence, the juvenile is released to their parents or guardian; if there is enough evidence against the juvenile they are held in a youth detention center or adult prison depending on the crime.
- **Informal Adjustment-** for minor offenses; if the juvenile pleads guilty the judge will sentence the juvenile to probation, community service
- **Adjudicatory Hearing-** the trial for juveniles; the judge determines the juvenile’s guilt or innocence after evaluating evidence and witnesses. No jury in juvenile cases.
- **Disposition Hearing-** the judge determines the punishment for the juvenile.
- **Sentencing-** the judge rules on the juvenile’s punishment, which can include boot camp, probation, youth detention center, fines, restitution, and/or mandatory counseling and school attendance.
- **Appeal-** the juvenile can appeal the ruling if there is enough evidence to prove that they were innocent.