Georgia's Government JUDICIAL

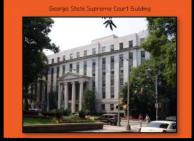
BRANCH

Presentation, Graphic Organizers, & Activities

Appellate Courts

- 1. Supreme Court: Highest court in the state and is made up of 7 justices elected to six-year terms.
- Georgia's Supreme Court may hear cases involving the constitutionality of a law, disputes over elections, death penalty convictions (all), titles to land, etc.

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STANDARDS:

SS8CG4 The student will analyze the role of the judicial branch in Georgia state government.

- a. Explain the structure of the court system in Georgia including trial and appellate procedures and how judges are selected.
- b. Explain the difference between criminal law and civil law.
- c. Describe the adult justice system, emphasizing the different jurisdictions, terminology, and steps in the criminal justice process.
- d. Describe ways to avoid trouble and settle disputes peacefully.
- e. Evaluate how the judicial branch fulfills its role in interpreting the laws of Georgia and ensuring justice in our legal system.

TEACHER INFO: CLOZE Notes

- The next pages are handouts for the students to use for note-taking during the presentation. (Print front to back to save paper and ink.)
- Check the answers as a class after the presentation.

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Judicial Branch • This branch and makes sure that they are
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 Georgia has two main kinds of courts: Georgia's court system is organized into with 2 appellate-level courts and 5 trial-level courts.
Appellate Courts
 The appellate courts look over judgements made by lower courts and
They from lower courts rather than trying
 Appellate courts make sure that and do not go against Georgia's Constitution.
There are in Georgia: the Supreme Court
• 1 Supreme Court:
six-year terms.
reme Court may hear cases involving the cons
• 2. : Second highest court in the state and is
made up of 12 judges who work in panels of three to hear cases.
Trial Courts
 In trial courts, peoples' actions are
 The actions can be judged in one of two ways: by a
Trial courts hear and try cases for the
• The are: superior, state, juvenile, probate,
and magistrate courts.
a judge and jury
2. State Courts: Have jurisdiction over and
civil cases; have a judge and jury
and deprived children under 18; no jury
administration of estates; may have a jury
 5. Magistrate Courts: Handle small civil claims of \$15,000 or less,

, arrest warrants, etc.; no jury

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 Jurisdiction is the power, right, or authority to Georgia's adult justice system consists of courts of
appellate.
General Jurisdiction • Georgia's general jurisdiction trial court is the
handled by the superior court.
 Limited Jurisdiction The three limited jurisdiction courts are state trial courts, and magistrate courts.
 State trial courts exercise limited jurisdiction over misdemeanor criminal cases, such as, and civil cases. Probate trial courts exercise limited jurisdiction over
These courts also supervise election ballot printing and
 Magistrate courts exercise limited jurisdiction over minor civil claims, bad checks, arrest and search warrants, and
• These courts
 Appellate Jurisdiction The two appellate jurisdiction courts are the and the Supreme Court.
 Neither court holds jury trials or hears new material as all cases have been
• The Court of Appeals has jurisdiction over courts in the adult justice system.
 It hears appeals for civil claims for
cases where a was or may be

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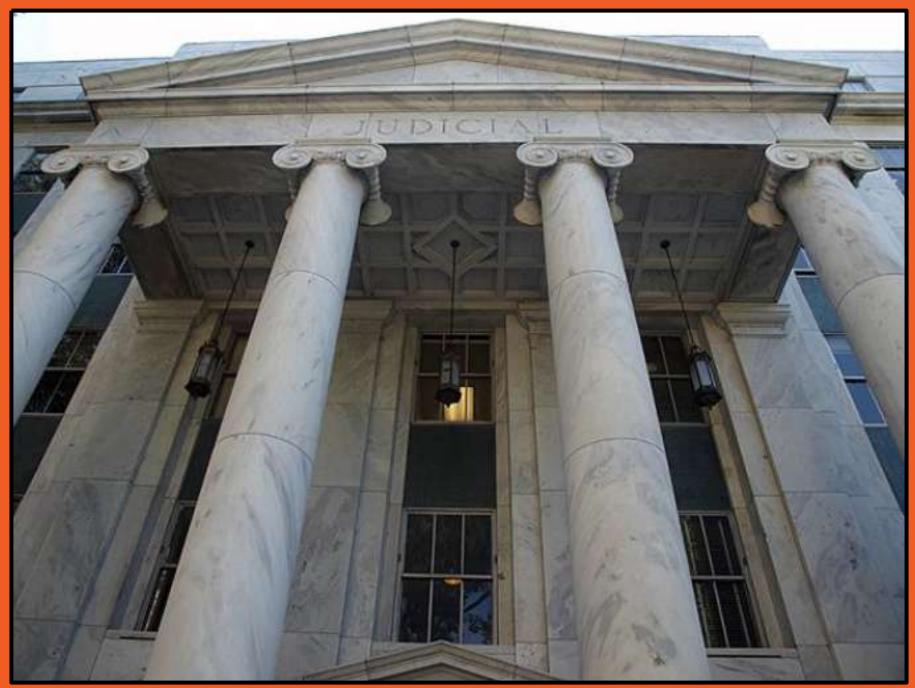
under the law for all of Georgia's citizens, and for of the law. It is responsible for ensuring justice in our legal system by making sure that , deciding guilt or innocence in a fair manner, and designating punishment that fits the crime.	branches of government. ustice al branch is charged with	preme Court ha	 One way that the judicial branch fulfills its role is that the Supreme Court may rule that a law passed by the legislative branch is	Interpreting Law It is the role of Georgia's judges to interpret and	 else (a mediator) to help resolve the conflict. Try to see the person's point of view and be 	 Respect other and their opin Never let a disagreement as 	es	• Can you think of other ways to avoid trouble?	• and alcohol.	 justice system: Choose friends with similar t 	 There are and stay out of the
ng sure that innocence in a fair		as the . hv the judiciary branch on the	and circumstances. me Court may rule that			and their opinions. ask someone	, there are many things that	and in the community.		_ similar to your own.	and stay out of the criminal

Georgia's Government JUDICIAL BRANCH



Judicial Branch

- This branch interprets the state's laws and makes sure that they are applied properly and uphold the constitution.
- The state's courts make up the judicial branch of Georgia's government.
- Georgia has two main kinds of courts: trial courts and appellate courts.
- Georgia's court system is organized into seven levels with 2 appellate-level courts and 5 trial-level courts.



Appellate Courts

- The appellate courts look over judgements made by lower courts and handles their appeals.
- They only hear cases appealed from lower courts rather than trying cases for the first time.
- Appellate courts make sure that trials are fair and do not go against Georgia's Constitution.
- There are two types of appellate courts in Georgia: the Supreme Court and the Court of

Appellate Courts

- **1. Supreme Court**: Highest court in the state and is made up of 7 justices elected to six-year terms.
- Georgia's Supreme Court may hear cases involving the constitutionality of a law, disputes over elections, death penalty convictions (all), titles to land, etc.
- 2. Court of Appeals: Second highest court in the state and is made up of 12 judges who work in panels of three to hear cases.

Georgia State Supreme Court



Trial Courts

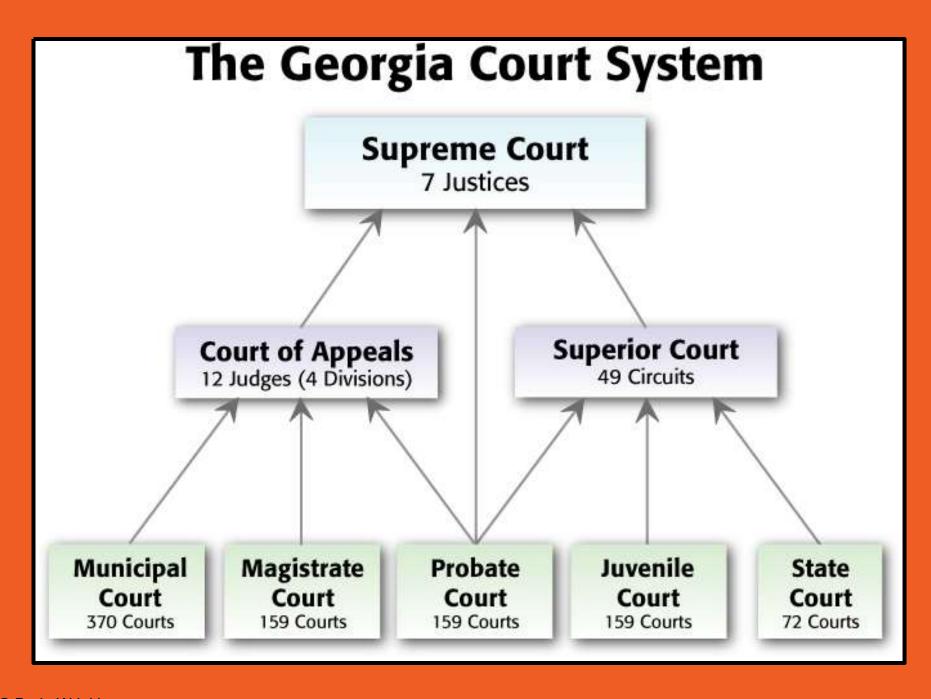
- In trial courts, peoples' actions are measured against the law.
- The actions can be judged in one of two ways: by a group of citizens called a jury, or simply by a judge.
- Trial courts hear and try cases for the first time.
- The five trial-level courts are: superior, state, juvenile, probate, and magistrate courts.

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Trial Courts

- 1. Superior Courts: Can hear almost any civil or criminal case; have a judge and jury
- 2. State Courts: Have jurisdiction over misdemeanor violations and civil cases; have a judge and jury
- 3. Juvenile Courts: Have jurisdiction over delinquent children under 17 and deprived children under 18; no jury
- 4. Probate Courts: Handle administrative matters such as wills and administration of estates; may have a jury
- 5. Magistrate Courts: Handle small civil claims of

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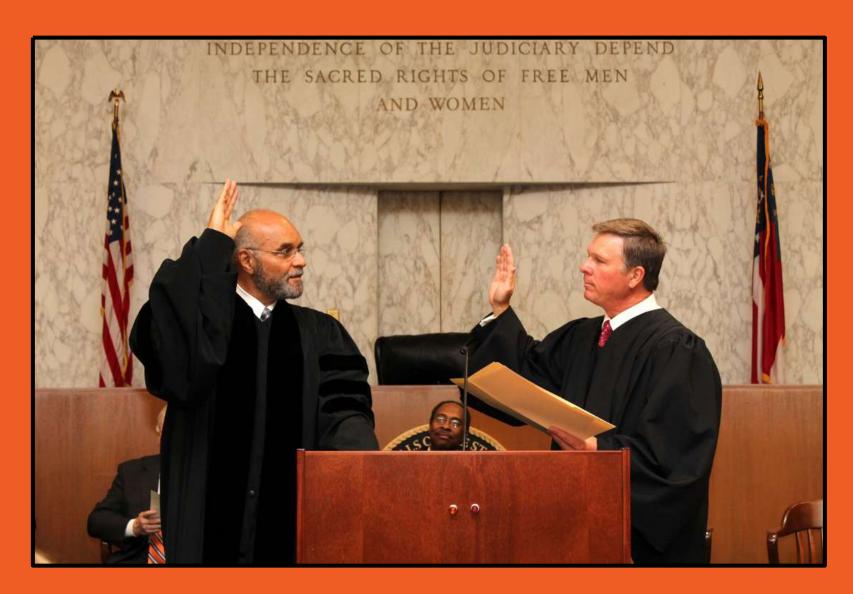


Judges

- Georgia's judges are either elected or appointed.
- Judges in the Supreme Court, Court of Appeals, superior, state, and probate courts are elected to their positions at the state, local, and county level.
- Most magistrate judges are elected, but some are appointed by local legislators.
- Juvenile court judges are appointed by

© Brain Workles Orior Court judge

Chief Judge of the Georgia Court of Appeals in the court's Atlanta courtroom





2 Types of Law

- Trial courts oversee cases dealing with the two types of law—criminal law and civil law.
- Criminal law deals with actions that harm people and society. Ex: murder, robbery, DUI
- Civil law handles private disputes where one person or group says that another person or group has somehow done them wrong. Ex: divorce, contracts, property

 Prain Weenership injuries



Criminal Law

- A criminal case is introduced by the government, who claims that a person or group has committed a crime.
- The government's prosecuting attorney seeks to convince the judge or jury that the defendant (person accused) both committed a crime and wanted to commit the crime.
- The defendant has a right to testify to defend himself.
- If the defendant is found guilty of breaking the law, he can be punished by being put in jail or made to

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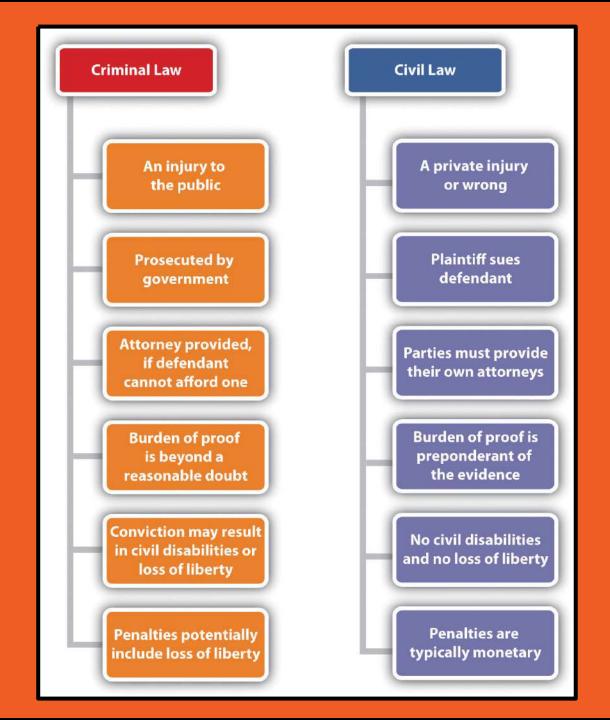
Criminal Law

- Criminal law defines two classes of crimes.
- Crimes for which the punishment is less than a year in jail are called misdemeanors.
- Crimes with punishments of one year or more in jail are more serious and are called felonies.
- Guilt is harder to prove in a criminal case because the prosecutor must prove that the defendant is guilty "beyond a reasonable doubt".

Civil Law

- A civil case is introduced by a private party (plaintiff) seeking monetary damages.
- The plaintiff brings their complaint to the court's attention and tries to convince either a judge or a jury that their complaint has a real basis.
- The defendant may be forced to testify.
- If the plaintiff proves guilt of the other party by a "preponderance of evidence", then the defendant may have to pay money to the plaintiff.
- Most civil cases are resolved out of court, and people found guilty in civil cases never have to go to

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Jurisdiction

- Jurisdiction is the power, right, or authority to interpret and apply the law.
- Georgia's adult justice system consists of courts of three different types of jurisdiction: general, limited, and appellate.

General Jurisdiction

- Georgia's general jurisdiction trial court is the superior court.
- Land disputes, felony cases, and divorce are all handled by the superior court.

Limited Jurisdiction

- The three limited jurisdiction courts are state trial courts, probate trial courts, and magistrate courts.
- State trial courts exercise limited jurisdiction over misdemeanor criminal cases, such as traffic violations, and civil cases.

Limited Jurisdiction

- Probate trial courts exercise limited jurisdiction over marriage licenses, wills, guardianships, and estates.
 - These courts also supervise election ballot printing and vote counting.
- Magistrate courts exercise limited jurisdiction over minor civil claims, bad checks, arrest and search warrants, and ordinance violations.
 - These courts do not have jury trials.

Appellate Jurisdiction

 The two appellate jurisdiction courts are the Court of Appeals and the Supreme Court.

 Neither court holds jury trials or hears new material as all cases have been heard in lower courts.

Appellate Jurisdiction

- The Court of Appeals has jurisdiction over appeals from superior and state courts in the adult justice system.
 - It hears appeals for civil claims for child custody cases, damages, and criminal cases (except felonies).
- The Supreme Court has jurisdiction over appeals related to wills, divorce, and cases where a sentence of death was or may be

Steps in the CRIMINAL JUSTICE PROCESS

1. Arraignment

- A suspect has his first court appearance between 24 and 48 hours after an arrest.
- The judge reviews circumstances involved and decides whether or not there is probable cause for the arrest.
- The suspect is read his rights under Georgia law.
- During the arraignment, the suspect can have a lawyer, but no evidence is presented on his

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2. Bail

- Bail is set if the crime is non-violent in nature or if the suspect is not likely to run away.
- The suspect can go about his daily business until his court date.
- If the suspect is out on bail, but does not return when scheduled, a warrant is issued for his arrest and he will be put in jail.
- If bail is not set, or he is unable to pay the bail, the suspect is held in jail until the court date.

3. Commitment Hearing

- If the suspect pleads "not guilty" to the charges when asked by the judge, it is the state prosecutor's job to show that there is "probable cause" that a crime was committed.
- If the judge decides that there isn't enough evidence, the case may be dropped.
- If there is enough evidence, the judge will set a trial date.

4. Preparing for Trial

- During this step, both sides, the defense (for the suspect) and the prosecution (for the state), gather evidence.
- The jurors are also chosen during this time.
- Continuances, or postponements, might be filed during this time, and a new trial date can be set.

5. Plea Bargaining

- The prosecution sometimes offers a plea bargain to the suspect.
- If the defense accepts the plea bargain, the suspect agrees to plead "guilty" in exchange for a lighter sentence and there would be no trial.
- If the defense feels they have a strong case, they do not accept the plea and the trial date stands as is.

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6. The Trial

- Both the prosecution and defense argue their cases at the trial.
- It is up to the prosecution to prove to the jury beyond a reasonable doubt that a crime was committed.
- The defense tries to make the jury doubt the guilt of the accused.
- The defendant may be found guilty of all, some, or none of the charges.

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Ways to Avoid Trouble and Settle Disputes Peacefully

Avoid Trouble

- There are many ways to avoid trouble and stay out of the criminal justice system:
- Choose friends with morals and values similar to your own.
- Avoid drugs and alcohol.
- Obey rules at home, school, and in the community.
- Can you think of other ways to avoid trouble?

Settle Disputes

- In order to settle disputes peacefully, there are many things that you can do:
- Respect other people's differences and their opinions.
- Never let a disagreement grow into violence ask someone else (a mediator) to help resolve the conflict.
- Try to see the person's point of view and be willing to compromise.

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Judicial Branch: Interpreting Laws & Ensuring Justice

Interpreting Law

- It is the role of Georgia's judges to interpret and apply state laws to individual cases and circumstances.
- One way that the judicial branch fulfills its role is that the Supreme Court may rule that a law passed by the legislative branch is unconstitutional.
- Also, when a state law is unclear, the Supreme Court has the final say about the meaning of the law.
- This is an important check by the judiciary branch

Ensuring Justice

- The judicial branch is charged with ensuring equal protection under the law for all of Georgia's citizens, and for enforcing the rule of the law.
- It is responsible for ensuring justice in our legal system by making sure that laws are constitutional, deciding guilt or innocence in a fair manner, and designating punishment that fits the crime.

TEACHER INFO:

 Print off the Judicial Branch charts for each student. (Print front-to-back so that the charts "stay together".)

- They should complete the charts after discussing the presentation.
- Check answers as a class when finished.

Georgia's Judicial Branch: Appellate Courts

Directions: Complete the chart below with information that you learned during the presentation.

	Jurisdiction	Jury	Judges	Symbol
Supreme Court				
Court of Appeals				

Georgia's Judicial Branch: Trial Courts

Directions: Complete the chart below with information that you learned during the presentation.

	Jurisdiction	Jury	Judges	Symbol
Superior Courts				
State				
Probate Courts				
Magistrat e Courts				
Juvenile Courts				

Georgia's Judicial Branch: Appellate Courts

Directions: Complete the chart below with information that you learned during the presentation.

		Jurisdiction	Jury	Judges	Symbol
Supreme	Court	Highest court in GA; reviews civil and criminal cases in trial courts and in Court of Appeals; handles appeals involving death penalty; makes sure elections are fair APPELLATE JURISDICTION	No jury	7 judges; called justices; have been lawyers for 7+ years	Will vary
Court of	Appeals	Handles appeals concerning civil and trial cases from superior, state, and juvenile courts APPELLATE JURISDICTION	No jury	12 judges; each have been lawyers for 7+ years	Will vary

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Georgia's Judicial Branch: Trial Courts

Directions: Complete the chart below with information that you learned during the presentation.

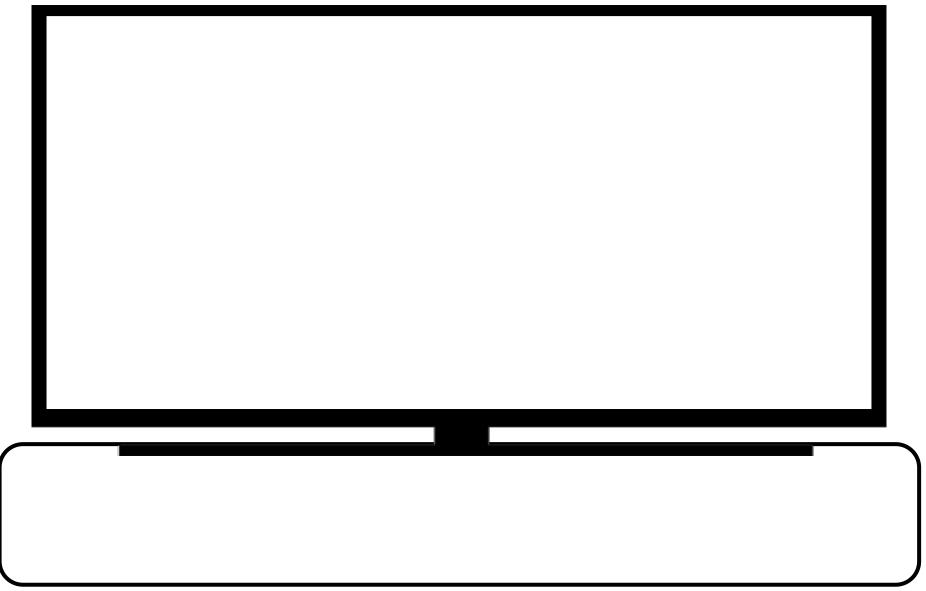
	Jurisdiction	Jury	Judges	Symbol
Superior Courts	Can hear almost any civil or criminal case GENERAL JURISDICTION	Jury trials	Yes—elected to position	Will vary
State Courts	Misdemeanor violations (like traffic violations) and civil cases LIMITED JURISDICTION	Jury trials	Yes—elected to position	Will vary
Probate Courts	Administrative matters likes wills and estates, marriage licenses, guardianships, etc. LIMITED JURISDICTION	Jury trials (sometimes)	Yes – elected to position	Will vary
Magistrat e Courts	Handle small civil claims of \$15,000 or less, bad checks, arrest warrants, etc. LIMITED JURISDICTION	No jury trials	Most "magistrates" chosen by people at county level, some appointed by local legislators	Will vary
Juvenile Courts	Delinquent children under 17 and deprived children under 18	No jury trials	Yes-appointed by superior court judges	Will vary

TEACHER INFO: Instant Replay

- Print off the Court System Instant Replay handout for each student.
- The students will draw a scene depicting ONE of the courts in action. (They should use information that they learned during the presentation when creating their scene: jurisdiction, jury?, judge, etc.)
- In the textbox, they will write a play-by-play (short summary) of what is happening in the scene.

Court System Instant Replay

Directions: Review Georgia's court system by drawing a scene depicting ONE of the courts in action on the TV below. Next, write a play-by-play breakdown of the scene in the textbox.



TEACHER INFO: Law Foldable

- Print off the Law foldable for each student.
- The students will cut the template out along the thick, outside lines.
- Next, they will cut along the thin lines that divide each word, stopping at the gray rectangle.
- They should attach the side of the template (gray rectangle) to their notebooks.
- They will now be able to open up each flap and write information about each type of law underneath.
- In the box on the front, they should draw an illustration or symbol to represent each type of law.

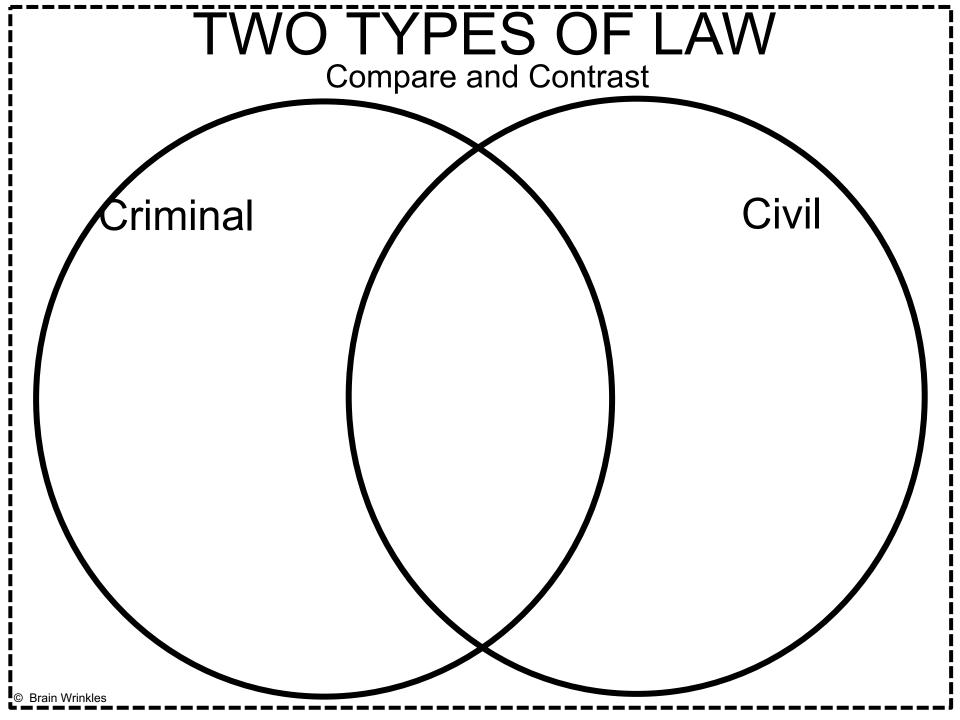
2 Types of Law CRIMINAL CIVIL LAW LAW

TEACHER INFO: Law Venn Diagram

 Print out the Venn diagram page for each student.

 Have students work with partners to compare & contrast civil law and criminal law.

Check answers as a class when finished.



TEACHER INFO: Criminal Justice Process Foldable

- Print off the Criminal Justice foldable for each student.
- The students will cut the template out along the thick, outside lines.
- Next, they will cut along the thin lines that divide each word, stopping at the gray rectangle.
- They should attach the side of the template (gray rectangle) to their notebooks.
- They will now be able to open up each flap and write information about each step underneath.

Criminal Justice Process

Arraignment

2. Bail

ယ Commitment Hearing

Preparing for

5. Plea

Trial

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TEACHER INFO: Criminal Justice Process Storyboard

- Print off the Criminal Justice handout for each student.
- The students will create a storyboard that shows each step in action.
- They will create a suspect who has committed a crime and take the suspect through each step on their storyboard.

Criminal Justice Process Storyboard

Directions: Create a storyboard that shows each step in the criminal justice process in action. Create your own suspect and describe the step-by-step process. Be sure to include factual information about how each step works in your storyboard!

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TEACHER INFO: FLIPPED

- Print off the FLIPPED handout for each student.
- The students will write questions for the answers inside of the 6 circles.
- When they are finished, have the students trade papers with an elbow buddy and check each other's questions to make sure that they are correct.

FLIPPED

Directions: Create accurate review questions for the six answers below.

The answer is:

APPELLATE COURTS

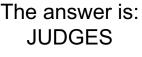
What is the question?

The answer is: CIVIL LAW

What is the question?

The answer is: JURISDICTION

What is the question?



What is the question?

The answer is: TRIAL COURTS

What is the question?

The answer is: CRIMINAL LAW

What is the question?



TEACHER INFO: Comprehension Check

Print off the Comprehension Check for each student.

 After the lesson, have the students answer the questions. *This could also be used as a quiz.

Georgia's Judicial Branch Comprehension Check

- What are the two appellate courts in Georgia?
- 2. What are the five trial courts in Georgia?
- 3. What is the highest court in Georgia?
- 4. Which court can hear almost any civil or criminal case?
- 5. If you got a bad check from someone, which court would help you?
- 6. Which court handles misdemeanors like trespassing?
- 7. If you commit a crime at the age of 14, which court handles your case?
- 8. Which type of law deals with actions that harm people and society?
- husband Which type of case is described: A wife files for divorce against her
- someone in a highway accident 10. Which type of case is described: A drunk driver is accused of killing
- 11. What is Georgia's general jurisdiction trial court?
- 12. The three limited jurisdiction courts are:
- The two appellate jurisdiction courts are:
- 14. What is the basic role of Georgia's judges?
- unconstitutional? 15. Can the Georgia Supreme Court rule that a Georgia law is

Georgia's Judicial Comprehension Check Branch

1. What are the two appellate courts in Georgia?

Supreme Court and Court of Appeals

2. What are the five trial courts in Georgia?

Superior, state, juvenile, probate, magistrate

3. What is the highest court in Georgia?

Supreme Court

4. Which court can hear almost any civil or criminal case?

Superior courts

Magistrate courts 5. If you got a bad check from someone, which court would help you?

6. Which court handles misdemeanors like trespassing?

State courts

- Juvenile courts 7. If you commit a crime at the age of 14, which court handles your case?
- Criminal law 8. Which type of law deals with actions that harm people and society?
- husband. 9. Which type of case is described: A wife files for divorce against her

Civil case

someone in a highway accident. 10. Which type of case is described: A drunk driver is accused of killing

Criminal case

11. What is Georgia's general jurisdiction trial court?

Superior court

12. The three limited jurisdiction courts are:

State trial courts, probate courts, magistrate courts

13. The two appellate jurisdiction courts are

Court of Appeals and Supreme Court

14. What is the basic role of Georgia's judges?

Interpret and apply state laws

unconstitutional? 15. Can the Georgia Supreme Court rule that a Georgia law is

yes

TEACHER INFO: TICKET OUT THE DOOR

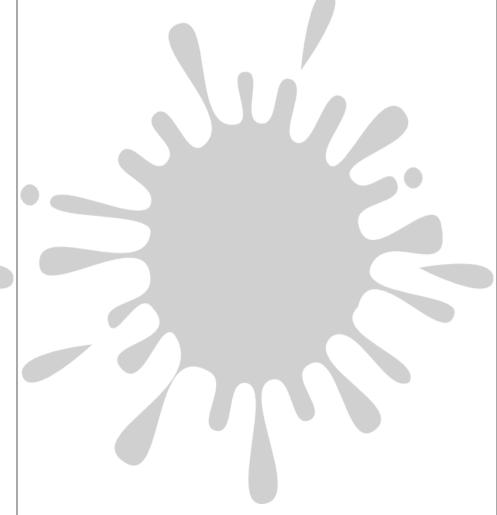
- Print out the exit slip page for each student (twoper-page).
- Have the students write down what the most confusing part of today's lesson was for them.
- After class, read over the slips and address the "muddiest points" the next day. This is a helpful slip to use to see what needs to be taught again.

Muddiest Point

What is the most confusing part of the topic that we're studying. Write something that you don't understand below.

Muddiest Point

What is the most confusing part of the topic that we're studying. Write something that you don't understand below.



Thank You!

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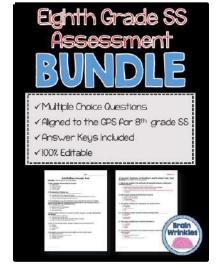
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Ansley at Brain Wrink





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