

STATE AND LOCAL GOVERNMENT

SS8CG1 The student will describe the role of citizens under Georgia's constitution.

- Explain the basic structure of the Georgia state constitution.
- Explain the concepts of separation of powers and checks and balances.
- Describe the rights and responsibilities of citizens.
- Explain voting qualifications and elections in Georgia.
- Explain the role of political parties in government.

IT'S NOT A TREE, BUT IT HAS BRANCHES!

Georgia's government is set up through a **constitution or a written plan of government**. The US has a constitution, and what is not covered in that constitution is covered by Georgia's constitution.

Georgia's constitution is set up with a preamble, or a beginning. After that, it has several articles. These articles address voting, create the three branches of Georgia's government (see right), deal with taxes, education, and outlines the functions of local governments.



Legislative Branch - Georgia General Assembly



Executive Branch - Georgia's governor and Lt. governor



Judicial Branch - Georgia's Supreme Court and other state courts

Georgia's three branches are the legislative branch, which makes the laws, the executive branch, which enforces the laws, and the judicial branch, which interprets the law. These branches have **separation of powers, which means that they each have a list of responsibilities that they need to perform.**

These also have **checks and balances. Each branch has a limit, or a check, on the other one that keeps one branch from taking over the other two.** Giving the branches of government responsibilities through separation of powers and giving each branch of government a check over the other ensures that the branches are equal.

Georgia's citizens are given many **rights and responsibilities**. Some of these rights given to Georgians are basic American rights - the right to bear arms, the right to freedom of speech, the right to life, liberty and property. In Georgia, you have these rights - but you also have responsibilities. You cannot violate (or break) the law without punishment. You are expected (though not required) to vote. You need to pay taxes and you might even be required to serve in the military.

Georgia's two political parties are the Republican and Democratic parties. Most of Georgia's representatives TODAY are Republicans, although Georgia was mostly a Democratic state from after the Civil War up until the 1980s.

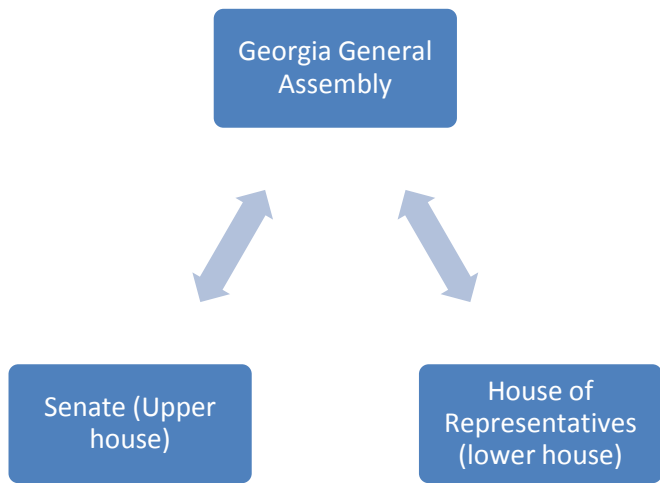
To vote in Georgia, you need to be 18 years old. You have to vote in the same county you live in. Convicted felons are not allowed to vote in the state of Georgia.



THE LEGISLATIVE BRANCH

S8CG2 The student will analyze the role of the legislative branch in Georgia state government.

- Explain the qualifications, term, election, and duties of members of the General Assembly.
- Describe the organization of the General Assembly, with emphasis on leadership and the committee system.
- Evaluate how the legislative branch fulfills its role as the lawmaking body for the state of Georgia.



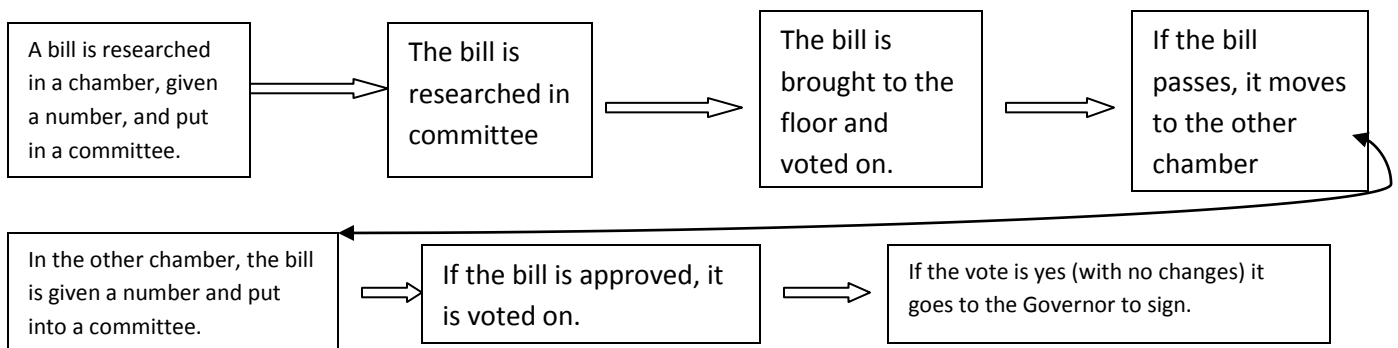
Qualifications:	Senate:	House:
Age:	Must be 25	Must be 21
Citizenship:	GA – 2 years Must be US citizen	GA – 2 years Must be US citizen
Terms:	2 years	2 years
Election:	Elected in November	Elected in November
Duties:	Write legislation (laws)	Write legislation (laws)

Organization in the House:

The house leader is the **Speaker of the House**. This person comes from the majority party (the political party with the most representatives). The speaker assigns members of the House to committees. Committees are groups that research issues to determine if laws need to be written. Usually most House members are on three committees.

Organization in the Senate:

The leader of the Senate is the Lt. Governor, who serves as the president of the Senate. Because the Lt. Governor is elected, he/she may not be of the majority party. The president pro tempore is the majority leader of the Senate. The Lt. Governor assigns members of the Senate to committees to research bills.



The Senate and the House of Representatives are both responsible for creating bills (or wannabe laws). These bills are researched in committees that senators and house members have been assigned to. Sometimes, the bills die before they reach the Senate/House floor. If the bill "lives" for the vote, however, it is voted on in the chamber that has been researching it (House or Senate). Sometimes changes are made to the bills on the floor. Then, the bill moves to the other chamber, where the process begins again. The Senate and House have to both agree on the same version of a bill before it is sent to the governor.

THE EXECUTIVE BRANCH

SS8CG3 The student will analyze the role of the executive branch in Georgia state government.

- a. Explain the qualifications, term, election, and duties of the governor and lieutenant governor.
- b. Describe the organization of the executive branch, with emphasis on major policy areas of state programs; include education, human resources, public safety, transportation, economic development, and natural resources.
- c. Evaluate how the executive branch fulfills its role through state agencies that administer programs and enforce laws.

The executive branch of Georgia's government consists of the **governor and lieutenant governor**. The executive branch also consists of state agencies. **The executive branch enforces the law in the state through the state agencies. These agencies make sure that Georgia's constitution is followed (for example, the Georgia State Patrol is under the executive branch and makes sure that people follow the law). Our governor is Nathan Deal. Our Lt. governor is Casey Cagle.**

Qualifications, Term and Election

	Governor	Lt. Governor
Age:	30 or older	30 or older
Time in state:	6 years (citizen)	6 years (citizen)
Time in US:	15 years (citizen)	15 years (citizen)
Term:	4 years (can serve two back to back terms) – after that, has to take a break.	4 years (there are no term limits for the Lt. governor)
Duties:	Signs/vetoes bills, appoints people to state agencies, head of state's executive branch, represents our state, sends out Georgia National Guard, etc.	Is the head of the Georgia State Senate. Becomes governor if the governor is too sick to serve or if the governor dies.

The governor and Lt. governor both have the same qualifications - because the Lt. governor may have to become the governor. Both are elected every four years (on even-numbered years in November). The governor can only serve two back-to-back terms, but the Lt. governor can serve unlimited terms (as long as he/she is re-elected).

The governor is the head of many state agencies. Sometimes, he appoints the heads to these agencies, sometimes these people are elected. Some of these major areas are –

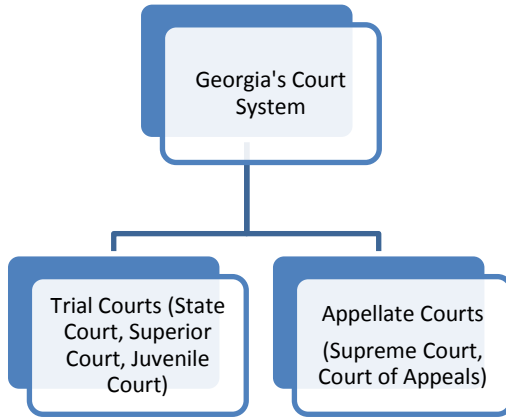
1. Education – The governor oversees education in the state of Georgia and funding for public schools.
2. Human resources – This consists of the Department of Labor and also deals with the Office of the Commissioner of Insurance. The human resources department handles state employee payments/benefits.
3. Public Safety – The governor is the head of the Georgia State Patrol, an organization that ensures the public's safety.
4. Transportation – The governor can oversee highway/railroad development projects, and is in charge of the Georgia Department of Transportation.
5. Economic development – The governor works to bring in new business to Georgia. He/she meets with business leaders and promotes industries (such as the film industry) in our state.
6. Natural resources – through Georgia's Department of Natural Resources, the governor ensures that the state's wildlife, forests, and state parks are protected.

The governor appoints some of the heads of these agencies, other heads are elected. However, since these agencies fall within the executive branch, it makes this branch the largest in our state and gives Georgia's governor a wide range of power.

THE JUDICIAL BRANCH

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.



Georgia's court system has two different types of courts.

Trial Courts deal with trials – where the law is examined according to the actions of a person. Some trial courts have juries. Trial Courts are state court, superior court, probate court, magistrate court, and juvenile courts.

Appellate courts deal with appeals – appeals are cases that are looked over to determine if they followed the law correctly (if they are constitutional). There are only two appellate courts in Georgia – the Supreme Court and Court of Appeals.

Judges in Georgia are chosen in different ways. Most of them are elected (in non-partisan elections – meaning they do not run as a Republican or Democrat), although other judges choose juvenile court judges.



Civil Law

You broke my tanning bed! I'm suing you for ten million dollars!



Criminal Law

Um...when can I GTL?!



Snooki, you're sentenced to jail for 30 days!

In the adult justice system, all adults are given the right to a fair trial under the law and due process of law. The crime you commit (felony or misdemeanor) can depend on the court you are sent to and sentenced in. Superior Court is the highest trial court in the state of Georgia, while regular state courts deal with more minor crimes.

Jurisdiction also applies. Jurisdiction is the area the law can cover. For example, the Georgia Supreme Court does not have South Carolina in its jurisdiction. Some courts cover certain counties and districts.

In Georgia, our standards want you to know how to avoid trouble and settle disputes peacefully. Some disputes can be settled out of court with a mediator – someone who resolves disputes out of court. Other ways to avoid trouble – well, should be applied using common sense. 😊

The job of the court system in Georgia is to make sure that the laws are interpreted correctly. All court cases can be appealed, although the Supreme Court and Court of Appeals may or may not choose to listen to the appeal.

LOCAL GOVERNMENT

SS8CG5 The student will analyze the role of local governments in the state of Georgia.

- a. Explain the origins, functions, purposes, and differences of county and city governments in Georgia.
- b. Compare and contrast the weak mayor-council, the strong mayor-council, and the council-manager forms of city government.
- c. Describe the functions of special-purpose governments.
- d. Evaluate the role of local government working with state agencies to administer state programs.

While local government may be as fun as a big cup of hot chocolate on a 100 degree day, let's be honest - local government has a say-so and plays a part in our everyday lives.

	County Government	City Government
Origins	Created by Georgia's constitution to be identical.	Cities are created by the state and have to meet certain requirements.
Functions	Provide services and protection – like police/fire, school districts, transportation, public utilities, parks and rec department, etc.	Provide services and protection – cities MAY provide services like police/fire, school districts, public transportation, etc. Services depend on city's charter and size.
Purposes	To protect and serve people	To protect and serve people
Differences	Led by a group of elected commissioners	Led by a mayor, city council, or a city manager (depending on the form of government)

City and county governments are very similar. Both provide services to the people within their jurisdiction (the area they cover). However, both the city and county governments function differently. Counties are headed up by commissioners, and cities are governed by either a mayor, a city council, or a city manager.

There are three different forms of city governments. They are –

1. **The weak mayor council** – in this form of city government, the mayor is a figurehead (no real power – just looks pretty). He/she has very limited power. The city council (the people in cities that make laws) has most of the power in this form of government.
2. **The strong mayor council** – in this form of government, the mayor is, well, strong. He/she has executive powers. He/she can veto (deny) or approve bills (wannabe laws). Atlanta has a strong mayor.
3. **The council-manager form** – in this form of government, the city council has legislative powers. The city council chooses a city manager to handle the budget and other city functions.

A special purpose government (also known as a special-purpose district) is a part of the government that is self-sufficient and performs a certain, special purpose. For example MARTA is an Atlanta special-purpose district. School systems are special purpose districts, too. They perform special purposes!



Local governments ALWAYS have to work with the state to make sure laws are enforced. For example, the school systems have to work with the state to make sure that they meet state guidelines. Police departments have to make sure that state laws are followed/updated. The local government follows state/national rules at all times!

JUVENILE JUSTICE

SS8CG6 The student will explain how the Georgia court system treats juvenile offenders.

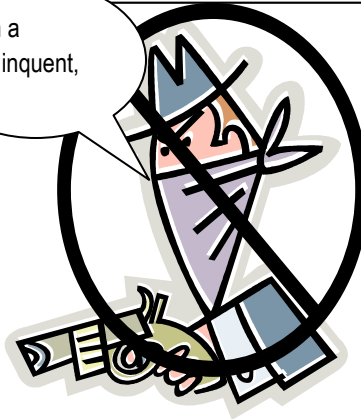
- Explain the difference between delinquent behavior and unruly behavior and the consequences of each
- Describe the rights of juveniles when taken into custody.
- Describe the juvenile justice system, emphasizing the different jurisdictions, terminology, and steps in the juvenile justice process.
- Explain the seven delinquent behaviors that can subject juvenile offenders to the adult criminal process, how the decision to transfer to adult court is made, and the possible consequences.

A juvenile in the state of Georgia is someone who is under the age of 17. Juveniles in Georgia are protected under the law, but there is still a process to deal with juvenile crime.

In Georgia, there is a difference between unruly behavior and delinquent behavior. Unruly behavior is a behavior that a juvenile should not participate in (but an adult can). For example, drinking alcohol is an unruly behavior. But delinquent behavior is a crime for adults and juveniles. Juveniles and adults cannot commit murder - this is an example of a delinquent behavior.

As a juvenile, you have many rights. Some of these rights include the right to a lawyer, to provide witnesses, to remain silent (your Miranda Warning rights), the right to appeal, and the right to have a transcript of your trial. These rights are pretty much the same as adult rights. You do not have a jury trial and are more protected under the law because you are a ward of the state.

I'm a delinquent, vo!



There are steps in the juvenile justice process. If you are arrested as a juvenile, you have a **1) probable cause hearing to determine if you will be detained or not, 2) next, you have an adjudicatory hearing, where a judge hears your case. Then, you have a 3) dispositional hearing, where the judge decides innocence or guilt in your case (no jury).** The courts can also determine if you have been deprived – this means that they can decide if your parents took good care of you or not and they can take you away from your parents if you are being neglected.

The Seven Delinquent behaviors, often called the “seven deadly sins,” are seven crimes that are considered very bad in Georgia. If you are juvenile and you commit one of these crimes (no matter the age) you are TRIED as an adult. These crimes are:

- 1. Aggravated child molestation**
- 2. Aggravated sexual battery**
- 3. Aggravated sodomy**
- 4. Murder**
- 5. Rape**
- 6. Voluntary manslaughter**
- 7. Armed robbery with a firearm**

For a more detailed definition, please ask your teacher. ☺

