

Who's @ the Courthouse

The complex nature of the state's judicial system requires the expertise of many professionals whose roles are essential for the judiciary to function efficiently and properly. Here are a few of those professionals you are likely to encounter at your county courthouse.



Court Administrator

manages the business and daily operations of the court



Sheriff's Deputy

provides security for courthouse and maintains order in courtroom.

Attorney

represents the interest of a client in a case.

PROSECUTORS
(District Attorney or Solicitor)
Acts on behalf of the state in prosecuting those believed to have broken the law.

PLAINTIFF'S ATTORNEY
Advocates for a person who brings a case to civil court.

DEFENSE ATTORNEY
Advocates for persons accused of committing a crime or respondent in a civil case. Indigent defendants, those with limited financial resources, may be eligible for a **PUBLIC DEFENDER**.



Court Clerk

preserves and maintains the records of the court.

The Jury

Citizens are sometimes called upon to serve on juries on both criminal and civil trials. The jury's responsibility is to listen to testimony and arguments made by each side in a case. The jury must determine guilt (criminal trial) or liability (civil trial) and pass sentence, if appropriate.



Welcome to Georgia's Court System

Through its roles of interpreting law, administering justice, and regulating disputes, Georgia's Judicial Branch serves the state daily.

Everyday our lives are affected by the business that is conducted throughout the judicial branch. The



decisions that are made, both at the trial court and appellate levels, impact the citizens of Georgia.

Yet few citizens are familiar with the basic functions and responsibilities of the state's courts, the



judges who preside in them, and the various

professionals who work to ensure the business of the judiciary is fairly and efficiently carried out.

Did You Know?

There are two levels of court in Georgia: **TRIAL COURTS** and **APPELLATE COURTS**. Each court's jurisdiction — the power to hear and determine a case — is outlined in the state's constitution.



Georgia's courts hear both criminal and civil cases. Criminal proceedings are brought against those who are believed to have broken the law; while civil matters involve disputes between individuals or corporations.



Find out more about your court system inside!!

Georgia's Court System

Just like the United States government, Georgia has three branches of government – Legislative, Executive, and Judicial. “The Third Branch,” as the judiciary is often called, is an equal participant in the checks-and-balances system of government.

Judicial Circuits

For purposes of administration in the Superior and Juvenile courts, the state of Georgia is divided into 49 Judicial Circuits. Each circuit is made up of at least one county. Some circuits are made up of many counties.

About Your Circuit

Use the state map at right to answer these questions:



- I live in the _____ Circuit.
- There are _____ counties in my Circuit.
- How many Circuits have only one county? _____
- Which Circuit has the most counties? _____

Why are there Judicial Circuits?

Originally judges would “ride the circuit” – a wide area made up of many counties – visiting each county seat hearing cases.

How are Circuits Named?

Circuit names come from many sources: many are named for a county within the circuit while others are named for rivers or other landmarks. Many have names derived from Native American place names.



Morgan County Courthouse



Greene County Courthouse



Hancock County Courthouse



Stewart County Courthouse

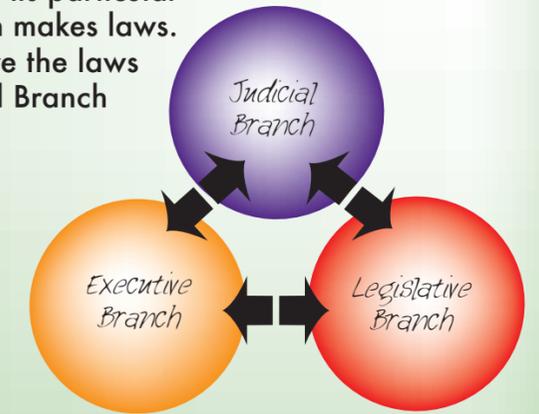


Webster County Courthouse



Lee County Courthouse

Each branch of government has its particular function. The Legislative Branch makes laws. The Executive Branch makes sure the laws are being followed. The Judicial Branch interprets the laws.



Courthouses

Each of Georgia's 159 counties has a courthouse located in the city that serves as its county seat. While many counties have built new facilities in recent years, some of the courthouses around the state were built in the 1800's and are still being used.

About Your Courthouse

The courthouse for my county is located in: _____

It was built in this year: _____

Its architectural style is: _____



Need help answering these questions? Take a look at the Carl Vinson Institute's Historical Atlas of Georgia Counties webpage: <http://georgiainfo.galileo.usg.edu/histcountymaps/index.htm>

Who Are Georgia's Judges?

There are approximately 1,500 judges that serve the state of Georgia. From municipal court judges to Supreme Court justices, Georgia's judges come from all walks of life. Many of the men and women who serve on the bench are native Georgians. Others have moved here from different states or from other countries. The judges of the Superior Court bench of the Eastern Judicial Circuit (below) illustrate how diverse Georgia's judges are.

Chief Judge Michael L. Karpf

Born in Savannah, GA.

Has served on superior court bench for 20+ years.

Judge James F. Bass, Jr.

Earned law degree from Cornell University.
Presides over the Savannah/Chatham Co. Drug Court.

Judge John E. Morse

Speaks Spanish.
Enjoys Bowling and Grilling.



Photograph by Jim Holmes

Judge Penny Haas Freeseaman

Traveled the world as an Air Force brat.
Presides over the Savannah/Chatham Co. Mental Health and Veterans Courts.

Judge Timothy Walmsley

Born in Durban, South Africa.
Earned law degree from Tulane University.

Judge Louisa Abbot

Fifth Generation Lawyer.
Enjoys visiting Ossabaw Island.

Judicial Selection

A person can become a judge in one of two ways: APPOINTMENT or ELECTION.

APPOINTMENT – The Governor may appoint a qualified candidate to fill a vacancy on the appellate courts, superior court, or state court. To remain on the bench, an appointed judge must run for the office in future elections.

ELECTION – A sitting judge must run for re-election at the end of each term of office. Challengers may run against the incumbent for the seat. If a judge is retiring at the end of a term, the seat is considered "open," and a new judge will be elected from the announced candidates.

Judicial Elections

Most judges in Georgia run for office in elections which are nonpartisan, meaning candidates are not affiliated with any political party.

Justices of the Supreme Court and judges of the Court of Appeals are elected to six-year terms. Judges of the Superior, State, Probate, and Magistrate courts serve four-year terms.

What Do Judges Do?

Newly appointed gubernatorial appointees are sworn-in by the Governor.



The judge's role in a TRIAL COURT is to review and determine relevance of evidence as it is presented. During a BENCH TRIAL, the judge hears evidence then determines guilt and sentencing.

APPELLATE JUDGES must review materials from cases that have been tried in the trial courts and determine if procedural errors have occurred and if a new trial is warranted.

Who Are Your Judges?

Superior Court:

State Court:

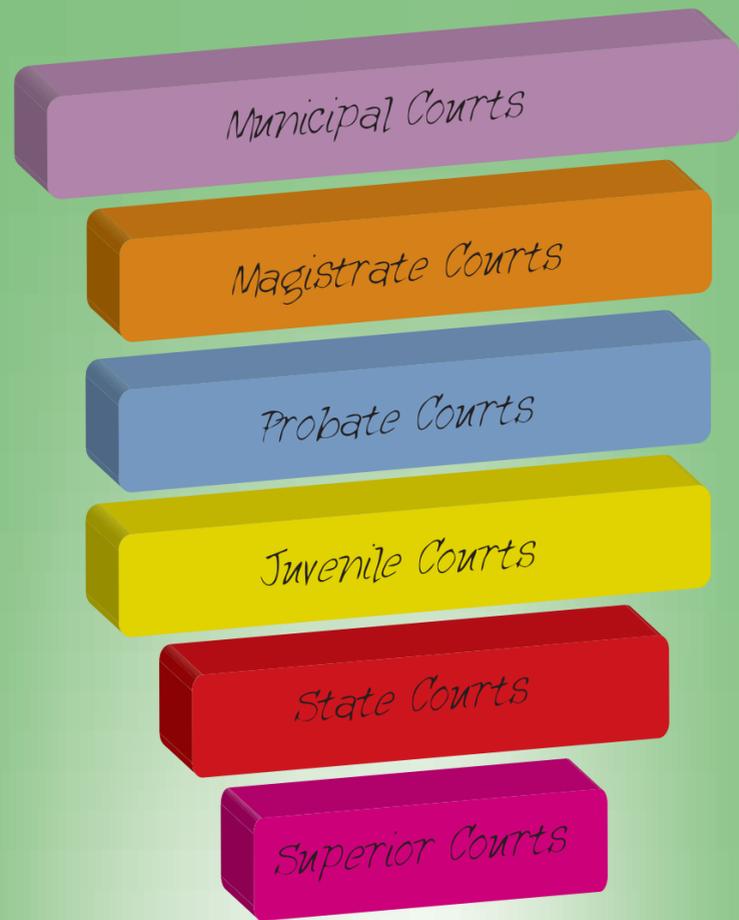
Juvenile Court:

Probate Court:

Magistrate Court:

Municipal Court:

What Do The Courts Do?



Trial Courts

Different courts are set up to do different things. Georgia's courts hear cases based on the subject matter jurisdiction they are given, this may be broad or limited.

MUNICIPAL courts, or city courts, hear cases that involve violations of city ordinances. A small claims case would be heard in the MAGISTRATE court. A person looking to obtain a marriage license would go to the PROBATE court. In many counties, traffic cases are heard by the STATE court. Cases involving children, those under the age of 18, are dealt with in the JUVENILE court. Felony and divorce cases are heard in SUPERIOR court.

Some general jurisdiction trial courts hear appeals from limited jurisdiction courts.

Appellate Courts

The COURT OF APPEALS OF GEORGIA and the SUPREME COURT OF GEORGIA review cases tried in the state's limited jurisdiction courts.

The State Judicial Building in Atlanta houses courtrooms for both appellate courts.



Trial Courts

- MUNICIPAL COURTS**
- Violations of city ordinances
 - Issuance of criminal warrants
 - Preliminary hearings
 - Traffic violations in city limits
 - 370 courts.

- MAGISTRATE COURTS**
- Small claims (\$15,000 or less)
 - Minor criminal offenses
 - County ordinance violations
 - Preliminary hearings
 - Arrest & search warrants
 - Check fraud
 - 159 courts, each county has a magistrate court

- PROBATE COURTS**
- Wills, administration of estates appointment of guardians, involuntary hospitalizations
 - Marriage and firearm licensing
 - Traffic in some counties
 - 159 courts, each county has a probate court

- JUVENILE COURTS**
- Delinquent juveniles under age 18
 - Child in need of services, abused, neglected, emancipation proceedings
 - Juvenile traffic cases
 - 159 courts, each county has a juvenile court

- STATE COURTS**
- Misdemeanor violations - traffic & civil actions
 - Felony preliminary hearings
 - Review limited jurisdiction court decisions
 - 70 counties have state courts.

- SUPERIOR COURTS**
- Felonies
 - Divorce proceedings
 - Title to land, equity
 - Juveniles who commit serious felonies
 - Correct errors from county courts
 - 159 courts, each county has a superior court.

Why Appeal? Georgia's courts of review are set up to correct legal errors or errors of law made at the trial level. No trials are held at the appellate level - instead, judges review written records and briefs and hear oral arguments from attorneys.

Appellate Courts

- COURT OF APPEALS**
- Appellate jurisdiction over lower courts in cases in which Supreme Court has no exclusive appellate jurisdiction
 - 12 judges, 4 panels of 3 judges

- SUPREME COURT**
- Reviews cases involving:
- Death Penalty
 - Divorce
 - Constitutionality of law
 - Treaties
 - Wills
 - COURT OF LAST RESORT
 - 7 justices