

# 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, and consider evidence presented 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.

**E**very day 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.

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



judges who preside over them, and the various professionals who work to ensure the business of the judiciary is fairly and efficiently carried out.

## Did You Know?

**T**here 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.

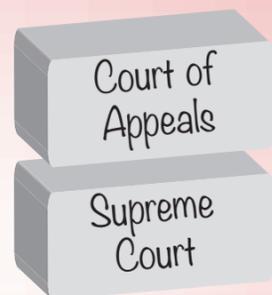


**G**eorgia's courts hear both criminal and civil cases. Criminal proceedings are brought against those who are believed to have broken the law; civil matters involve disputes between individuals or corporations.



*Find out more about your court system inside!!*

# 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 are city courts. MAGISTRATE courts are sometimes referred to as "small claims courts." PROBATE courts are where estates are processed and wills probated. JUVENILE courts hear cases involving delinquency and child welfare (abuse and neglect) cases. STATE courts handle misdemeanor criminal, traffic, and civil cases. SUPERIOR courts handle felony criminal, family law, and other civil cases.

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 appeals of decisions in the state's trial courts.

The State Judicial Building in Atlanta houses courtrooms for both appellate 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 & weapons carry 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
  - 71 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 the Supreme Court has no exclusive appellate jurisdiction
  - 15 judges, 5 panels of 3 judges

- SUPREME COURT**
- Reviews cases involving:
- Death Penalty and murder
  - Constitutionality of law
  - Treaties
  - Election Contests
  - COURT OF LAST RESORT
  - 9 justices

# 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?

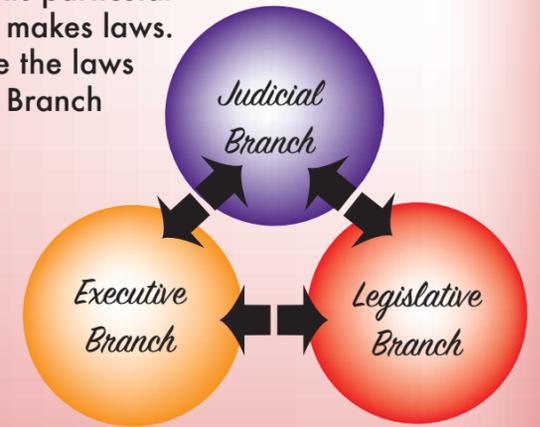
Originally judges would “ride the circuit” – a wide area made up of many counties – visiting each county seat hearing cases.

### 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.



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 Justices of the Supreme Court of Georgia bench (below) illustrate how diverse Georgia's judges are.

## 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.

**Justice David Nahmias**  
1982 Georgia STAR High School Student.  
Former Federal Prosecutor.

**Justice Michael Boggs**  
Served as Rep. in the GA General Assembly.  
Founded Waycross Judicial Circuit Drug Court.

**Justice Keith Blackwell**  
Former Prosecutor/Court of Appeals Judge.  
UGA Graduate.

**Justice Britt Grant**  
Worked in the White House.  
Graduated from Stanford Law.

**Justice Nels Peterson**  
Earned J.D. from Harvard Law.  
Served as GA's first Solicitor General.

**Justice Carol Hunstein**  
First woman superior court judge in DeKalb County.  
Enjoys gardening.

**Justice Robert Benham**  
First African-American on GA's Supreme Court.  
Graduated from Tuskegee, UGA & University of VA.

**Presiding Justice Harold Melton**  
Born in Washington, D.C.  
First African-American Student Body President at Auburn.

**Chief Justice P. Harris Hines**  
Earned Law Degree from Emory.  
Native of Atlanta.

Who Are Your Judges?

Superior Court:	_____	Probate Court:	_____
State Court:	_____	Magistrate Court:	_____
Juvenile Court:	_____	Municipal Court:	_____