

# Unit 12: Adult and Juvenile Justice



SS8CG4, SS8CG6

GA Studies-Unit 12

# THE BIG IDEA

- **SS8CG4: The student will analyze the role of the judicial branch in Georgia state government.**
  - Analyze: to divide a complex idea into parts or elements- *dissect, break down*

# Adult Justice System

## SS8CG4c

- **SS8CG4c: Describe the adult justice system, emphasizing the different jurisdictions, terminology, and steps in the criminal justice system.**
  - Describe: to represent or give an account of in words; *recount, report*

# The Adult Justice System

## SS8CG4c

- The adult justice system deals with adults (at least 17 yrs. old)
- Divided into civil law and criminal law
- With criminal law, offenses are classified as felonies or misdemeanors
- The person accused is called the defendant and either goes before a jury (serious case) or a judge (less serious)





# Felony vs. Misdemeanor

## SS8CG4c



### ■ Felony

- Serious crimes like arson, murder, rape, or grand theft
- Minimum sentence of 1 year
- Capital Crimes- felonies that are punishable by death
  - Murder, kidnapping w/ bodily injury, aircraft hijacking, treason

### ■ Misdemeanors

- Less serious crimes like assault and battery, cruelty to animals, shop lifting, trespassing
- Punishable with smaller amounts of prison and/or fine



# Adult Justice

## SS8CG4c

- Steps in the Adult Justice Process
- 1-Pretrial Steps:
  - 1a. Arrest
    - Person is detained and read their Miranda rights
  - 1b. Booking
    - Make record of arrest, put in holding cell
  - 1c. Initial Appearance
    - Ensure due process, set bail, charges explained
  - 1d. Preliminary Hearing
    - Judge determines if there is probable cause to believe a crime was committed

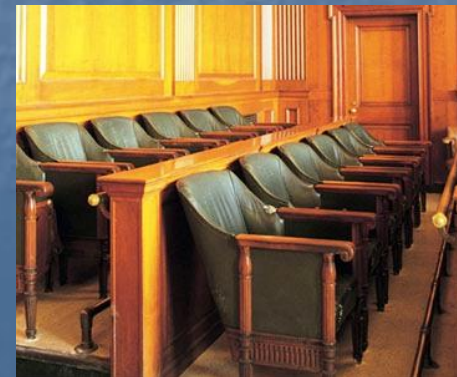


# Adult Justice

## SS8CG4c



- Step 1: Pretrial continued...
  - 1e. Grand jury indictment
    - Group of citizens (jury) decides whether there is enough evidence to charge the suspect with the crime. If so, they hand down an Indictment
    - Indictment-formal accusation of a crime
  - 1f. Arraignment before superior court judge
    - Suspect enters a plea of guilty/not guilty.
    - If guilty plea: go straight to sentencing phase.
  - 1g. Possible plea bargaining
    - Person may agree to plead guilty to a lesser crime. This is a process of negotiation.





# Adult Justice

## SS8CG4c

- Steps in Adult Justice Process
- 2-Trial
  - 2a. Jury selection
  - 2b. Opening statements
  - 2c. Presentation of evidence/cross examine witnesses
  - 2d. Closing statements
  - 2e. Jury deliberation and verdict
  - 2f. Sentencing





# Steps in the Adult Justice System

## SS8CG4a

- 3-Appellate procedures
  - If defendant maintains his/her innocence or if the court made a mistake an appellate court reviews the case.
  - If court of appeals overturns the ruling it goes back to the superior court for a new trial.
  - GA has 2 appellate courts:
    - Supreme Court
    - Court of Appeals

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“Earlier you testified, and I quote:  
‘I wouldn’t hurt a fly.’ And yet police  
found this unregistered weapon in your  
home, along with several dead flies.”

# Settling Disputes

## SS8CG4d

- **SS8H4d: Describe ways to avoid trouble and settle disputes peacefully.**
  - Describe: to represent or give an account of in words; *recount, report*



# Settling Disputes SS8CG4d

G.S.

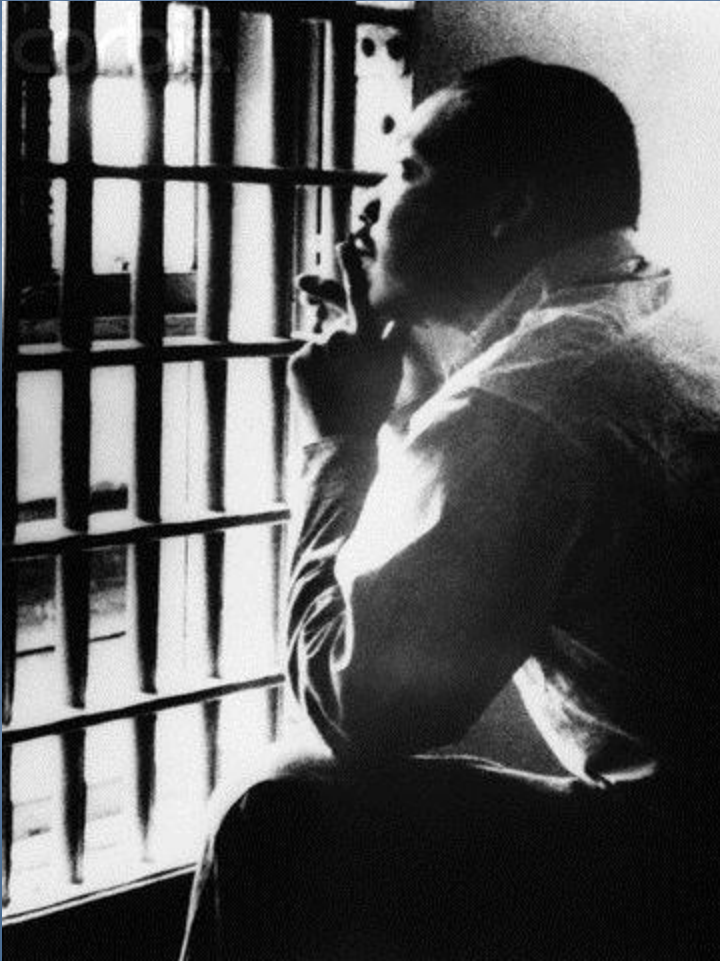


- Rather than using the courts to settle disputes, there are several ways to settle disputes peacefully.
  - Settling disputes peacefully
    - Mediation- 3<sup>rd</sup> party meets with two opposing sides (Example: in Peer mediation one student helps classmates resolve their problems)
    - Arbitration- 3<sup>rd</sup> party makes decision and both accept it
    - Compromise- both sides give a little bit up for a solution
    - Negotiation- back and forth trying to settle it
    - Collaboration- working to find common ground
    - Nonviolent disobedience- seeking attention to get change in a nonviolent protesting way



# Nonviolent Disobedience

## SS8CG4d



- Nonviolent disobedience brings attention to an idea and sometimes brings about change

# Judicial Branch In GA

## SS8CG4e

- **SS8H4e: Evaluate how the judicial branch fulfills its role in interpreting the laws of Georgia and ensuring justice in our legal system.**
  - Evaluate: to make a value as to the worth or value of something; *judge, assess*



# How does the judicial system of GA fulfill its role?

## SS8CG4e

- Interpreting laws
  - The courts of the land judge the constitutionality of a law and whether or not a person has broken the law
- Ensuring justice
  - When a person is arrested for breaking a law, the judicial system ensures that punishment is carried out

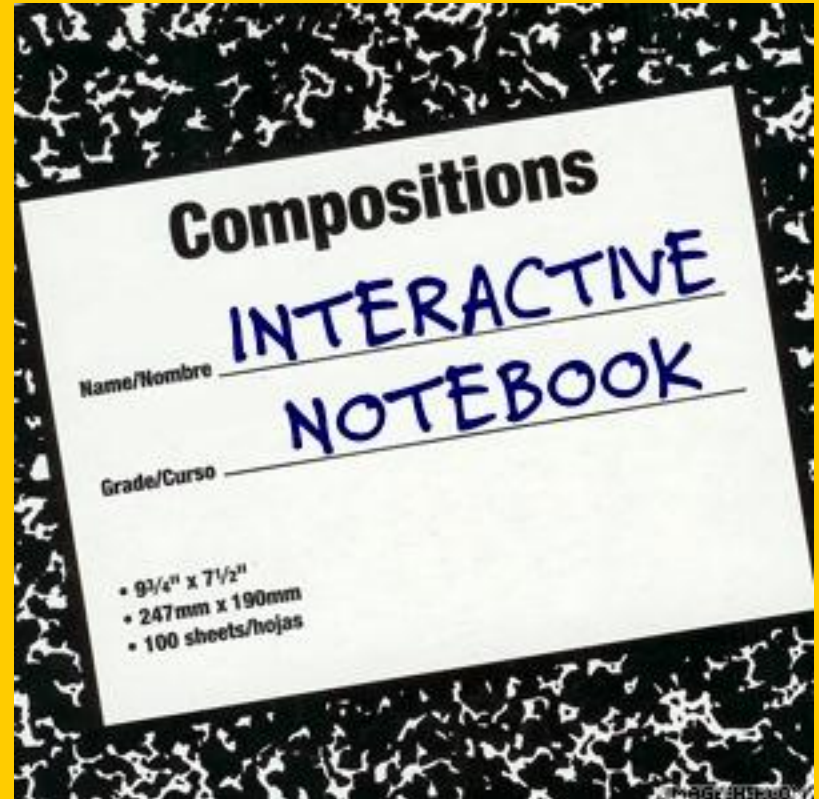
# Summary Discussion (CG4)

- Can you answer the Essential Question now? (CG4)
  - Rule of Law:
    - How might conflicts be peacefully resolved?

# Judicial Branch in GA

- In your interactive notebook:

Write a couple of paragraphs that analyze the role of the judicial branch in Georgia





# THE BIG IDEA

- **SS8CG6: The student will explain how the Georgia court system treats juvenile offenders.**
  - Explain: to make understandable, to spell out; *illustrate, interpret*

# Juvenile Justice In GA

## SS8CG6a

- **SS8H6a: Explain the difference between delinquent behavior and unruly behavior and the consequences of each.**
  - Explain: to make understandable, to spell out  
-illustrate, interpret

# Reasons for Juvenile Justice System SS8CG6a

- Juvenile courts were created because...
  - Children are not always fully responsible for their actions
  - Juveniles may need to be protected
  - Juveniles should not be judged/sentenced like adults





# Juvenile Justice

## SS8CG6a



- Status Offense- an offense that would not be a crime if committed by an adult
- The child is then called a status offender
- Examples
  - Child refuses to go to school
  - Frequently disobeying parents
  - Running away from home
  - Roaming streets 12AM-5AM
  - Going to a bar without parents
  - Caught with alcohol in hand



# Juvenile Justice

## SS8CG6a

- Delinquent Behavior committing a crime (it would be a crime even if adult did it)
- The child is then called a delinquent juvenile
- Examples:
  - robbery, vandalism, DUI, drug offenses



# Juvenile Rights

## SS8CG6b

- **SS8H6b: Describe the rights of juveniles when taken into custody.**
  - Describe: to represent or give an account of in words; *recount, report*



# Juvenile Rights

## SS8CG6b

- Just as adults have rights, students have rights...
  - Freedom from self-incrimination
  - Right to an attorney
  - Right to be notified of charges
  - Right to cross examine witnesses
- But in addition... children have more rights...

# Juvenile Rights

## SS8CG6b

- Rights of juveniles when taken into custody
  - Right to a private trial
  - Right to have a parent present in all hearings
  - Different terminology
  - More a spirit of rehabilitation than punishment

# Juvenile Justice

## SS8CG6c

- **SS8H6c: Describe the juvenile justice system, emphasizing the different jurisdictions, terminology, and steps in the juvenile justice process.**
  - Describe: to represent or give an account of in words; *recount, report*



# Juvenile Justice Jurisdictions

SS8CG6c

## ■ Jurisdictions

- The juvenile justice system has jurisdiction over children
- GA law- A child is anyone less than 17 yrs. old
- If an 18 yr. old is deprived they are treated as a juvenile
- Informal adjustment- a period of time during which a child is under the careful oversight of the juvenile court



# Juvenile Justice Steps

## SS8CG6c

- Steps in the Juvenile Justice Process
  - 1-Intake
    - Student is placed “in custody” and an intake officer then decides what to do with the child’s case
  - 2-Detention Hearing
    - A juvenile court judge decides whether to release or hold the child in a YDC
  - 3-Adjudicatory Hearing
    - Like a trial, this is a hearing to determine whether the student is guilty or not guilty
  - 4-Dispositional Hearing
    - Similar to sentencing in adult court
      - Could be probation, YDC, transfer to superior court etc.

# 7 Deadly Sins

## SS8CG6d

- **SS8H6d: 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.**
  - Explain: to make understandable, to spell out - illustrate, interpret



# 7 Deadly Sins

## SS8CG6d

- 7 deadly sins- There are seven delinquent behaviors for which a child (13 or older) can be tried as an adult
  - Murder-premeditated killing
  - Voluntary manslaughter-killing someone by a sudden violent passion
  - Armed robbery (with a firearm)
  - Rape\*
  - Aggravated sexual battery\*
  - Aggravated child molestation\*
  - Aggravated sodomy\*
    - \*forced sexual acts committed without consent on unwilling or underage victims

# 7 Deadly Sins

## SS8CG6d

- If you are accused of one of these crimes your case is transferred to a superior court.
  - Superior court decides whether to send the case back to juvenile court (not likely)
- Possible consequences are much like adults, and could be as bad as life in prison
  - No death penalty for children

# Summary Discussion (CG6)

- Can you answer the Essential Question now? (CG6)
  - Rule of Law:
    - How does the juvenile process differ from the adult process?
    - How do the rights of juveniles differ from those of adults?
    - What are the seven offenses for which a juvenile may be tried as an adult?

# Juvenile Justice

## SS8CG6

- In your interactive notebook:

Write a couple of paragraphs that explain how the Georgia court system treats juvenile offenders

