

Court Hierachy

Magistrates

-Hears all criminal cases after somebody is charged
-Determines which court will hear the case
-If the case cannot be dealt with by Magistrates, the offender will be moved to District court.

A magistrate is an officer in court who can make legal decisions for minor offences.

Lawyers will often aim for a settlement before going to court for a trial.

The Basics

How Does a Law Get Made?

Starts as a bill>gets voted on by house of reps>goes to senate>is voted on again by senate>governor general>act of parliament>law

What is the definition of the word Law?

A law is defined as a formal rule to determine how people and organisations are expected to behave.

Laws can also receive **amendments** to improve an existing piece of legislation.

amendment-a formal or official change made to a law, constitution or other legal document

Court Hierachy

District Court

-Deals with more serious criminal/civil offences the magistrates court can't rule on
-Is the first level of court to involve a jury on the decision making process

Anybody after an **appeal** from a magistrates court decision can move up to this court.

Appeal-a request to rehear or retry a case

Criminal & Civil Law

Criminal Law

a direct result of a law being broken, usually punishable by jail time. Much more difficult to prove by just evidence.(must have proof of proof)

A civil case can be overruled by 'balance of probabilities'.

A criminal case must be 'beyond all reasonable doubt'.

Civil Law

deals with disputes between people and organisations often involving money. The plaintiff can win simply by having more evidence than the defendant.

Key Terms

Bail- a paid agreement that you will come to court to face charges
BAC- Blood Alcohol Concentration

Negligence-a failure to take care in a circumstance or event

Defamation-where a person's reputation has been damaged by what has been said or written about them

Civil Law- deals with disputes between people/organisations involving money

Criminal Law-a direct result of a laws being broken, punishable by jail time

Magistrate-an officer in court who can make legal decisions for minor offences

Key Players In Court

Bailiff-a court official, usually a peace officer or security, who keeps order in the courtroom and handles errands for the judge and clerk.

Legal Clerk-Prepare and summons jury and witness list and swear them in before court proceedings

Solicitor-lawyer who speaks in court

Key Players In Court

Defendant-an individual, company, or institution sued or accused in a court of law.
Accused-a person or group of people who are charged with or on trial for a crime.

Plaintiff-person who initiates the lawsuit, who then becomes the prosecutor

Barrister-Lawyer who speaks in court

Witnesses-Provides evidence by answering questions

Jury-a randomly selected group of citizens from an electoral roll who decided whether or not someone is guilty based on the facts of the case.

Driving Laws

The max demerit points you can lose on your L's,P1's,- P2's,open- s:4,4,4,12	If you are caught drink driving you must go to court, and your license will be immediately disqualified for 24 hours.
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The following drivers **must have a BAC of 0.00**: Professional Drivers, anyone not on an open license

If you are caught drink driving on your **learners**,license is disqualified for 3-9 months, and can be fined up to \$2012

If BAC is over **0.05** but under 0.10;license is disqualified for 1-9 months, and can be fined up to \$2012

If BAC is over **0.10** but under 0.15;license disqualified for 3-12 months,can be fined \$2875

If BAC is **0.15** and over;license disqualified minimum 6 months, can be fined up to \$4025



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