



Weekly Information Sheet 03

Generally -

The simple **DEFINITION** of the concept of **Executive** is:

The branch of government responsible for effecting and enforcing laws

The simple **DEFINITION** of the concept of **Judiciary** is:

The branch of government consisting of the courts, whose function is to interpret, apply and enforce the laws.”

The simple **DEFINITION** of the concept of **Legislative** is:

The branch of government, consisting of a legislature, whose function is responsible for the enacting of laws.”

The Executive:

- ***The founders wanted to consolidate Executive Power in a single person, for nimbleness of action and accountability.***
- ***Designed to represent and administrate the government, and the nation or state at large, the Executive is charged with providing public protection, securing civil rights, and faithfully enforcing laws made by the Legislature and the Courts.***
- ***There have been 45 Presidents and every President, except for Franklin Roosevelt, served a maximum of two terms. There is no term limit for New York State Governor.***
- ***The President is elected by the electoral college, the governor of New York is directly elected by the people. Both serve 4 year terms.***
- ***The President must be at least 35, the governor of New York must be at least 30 years of age.***
- ***Executives use departments and agencies to Regulate, License, Adjudicate, investigate and Enforce.***
- ***70 percent of employees who work for agencies are appointed under the civil service system.***

The Judiciary:

- **The founders designed the judiciary to *hear cases in controversy and appeals*, and are charged with providing impartial decisions to secure civil rights, interpret and apply the law, and faithfully enforce laws made by the Congress and State Legislatures.**
- **The Federal Courts are Courts of *LIMITED Jurisdiction*. To get into Federal Court you must either have a federal question or complete diversity of parties (meaning residents of different states) and at least \$75000 in damages.**
- **The State Courts are Courts of *BROAD Jurisdiction*. Most law is state law. There are few restrictions to sue in state court.**
- **The Federal Courts include:**
 - **Supreme Court of the United States – The Highest Federal Court,**
 - **Federal Circuit Courts of Appeals,**
 - **Federal District Courts – The Federal Trial Court,**
 - **The US Court of International Trade,**
 - **Foreign Intelligence Surveillance Courts (FISA),**
 - **Federal Bankruptcy Courts, and**
 - **United States Court of Federal Claims.**
- **The Courts of the Unified Court System in New York Include:**
 - **Court of Appeals of the State of NY – The Highest State Court,**
 - **Appellate Division of the Supreme Court,**
 - **Supreme Courts – The State Trial Court,**
 - **Court of Claims – Suits against the State,**
 - **County Courts – The State Criminal Court,**
 - **Surrogate’s Courts, and**
 - **Family Courts.**
- **Local Courts in New York Include:**
 - **County Courts – Criminal (felony) and up to \$25,000 of civil,**
 - **Family Court – Minor Family Related Criminal and Custody,**
 - **Surrogate Court – Wills, Trusts and Estates, Adoptions,**
 - **City Court – Misdemeanor Crimes, Arraignments \$15k civil,**
 - **Town and Village Courts – Misdemeanor Crimes, Arraignments \$3k civil.**
 - **City Court Judges must be lawyers, Town and Village Justices do not**

The Legislature:

- **Congress Designed to enact written statutes involving the issues of federal concern, and provide oversight over all three branches of the federal government, the Congress is charged with enacting laws and taking measures to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty.**
- **The State Legislature was Designed to enact written statutes involving the issues of state concern, and provide oversight over all three branches of the state government, the Senate and Assembly are charged with enacting laws and taking measures to secure the blessings of liberty.**
- **Both Congress and the New York State Legislature are Bicameral (two house) legislatures whose members are elected directly by the people. Members of Congress and all State Legislators serve for a Term of Two Years. United States Senators serve for a term of 6 years.**
- **There are 435 members of the House of Representatives and 100 United States Senators. There are 150 members of the New York State Assembly and 63 New York State Senators.**
- **Legislative bodies pass bills by a majority vote which must be signed by the executive to become law (unless a veto is overridden by a 2/3 vote). They also use their Committees to conduct investigations and obtain information.**
- **United States Senators are elected from their states. All other legislators in Congress and in the states are elected from districts, which must be nearly equally apportioned within their respective houses (same size).**

Local Governments:

- **Counties:**
 - **There are 62 Counties in New York State.**
 - **The Legislative Branch of a County is known as the **County Legislature, or the County Board of Supervisors**, and the Executive Branch is known as the **County Executive**. They are elected.**
- **Cities:**
 - **There are also 62 Cities in New York State.**
 - **The Legislative Branch of a City is known as the **City Council**, and the Executive Branch is known as the **Mayor**. They are elected.**
- **Towns:**
 - **There are 932 Towns in New York State.**
 - **The Legislative Branch of a Town is known as the **Town Council**, and the Executive Branch is known as the **Supervisor**. They are elected.**
- **Villages:**
 - **There are also 551 Villages in New York State.**
 - **The Legislative Branch of a Village is known as the **Board of Trustees**, and the Executive Branch is known as the **Mayor**. They are elected**