

Unit Resources - Glossary Terms from "State and Local Governments"

[Resources](#) > **Glossary Terms**

Glossary Terms from: 

Show As List

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bench trial

trial in which the judge alone hears the case

budget

a financial plan for the use of money, personnel, and property

charter

a city's basic law, its constitution

civil law

the portion of the law relating to human conduct, to disputes between private parties, and to disputes between private parties and government not covered by criminal law

clemency

mercy or leniency granted to an offender by a chief executive

commission government

type of city government which has 3–9 popularly elected commissioners who form the city council and combine both legislative and executive powers in one body

common law

an unwritten law made by a judge that has developed over centuries from those generally accepted ideas of right and wrong that have gained judicial recognition

constituent power

the nonlegislative power of constitution making and the constitutional amendment process

cooperative federalism

a system in which state and national governments share power and work together to best serve the people

council-manager government

a modification of the mayor-council form of government, consisting of a strong elected council, a weak elected mayor, and a manager named by the council

county

a major unit of local government in most states

criminal law

the portion of the law that defines public wrongs and provides for their punishment

direct legislation

the process by which people can participate in the creation of laws for their state through ballot referendums or initiatives

disincentive

something that causes or that could cause a person to decide not to do something

dual federalism

a system in which power is clearly divided between federal and state governments

entitlement

a benefit that federal law says must be paid to all those who meet the eligibility requirements, e.g., Medicare, food stamps, and veterans' pensions

equity

a branch of the law that supplements common law by taking a preventative approach

estate tax

a levy imposed on the assets of one who dies

felony

a serious crime which may be punished by a heavy fine and/or imprisonment or even death

fiscal federalism

a system in which funds are granted or withheld to clarify the shared power between the states and the national government

fundamental law

laws of basic and lasting importance which may not easily be changed

grand jury

formal device by which a person can be accused of a serious crime

incentive

something that encourages a person to do something

incentivize

to use an incentive to encourage a desired behavior

income tax

a tax levied on the income of individuals and/or corporations

incorporation

the process by which a state establishes a city as a legal body; the term comes from the Latin words in (into) and corpus (body)

inheritance tax

a tax levied on the beneficiary's share of an estate

initiative

a process in which a certain number of qualified voters sign petitions in favor of a proposed statute or constitutional amendment, which then goes directly to the ballot

item veto

A governor may veto one or more items in a bill without rejecting the entire measure.

jury

a body of persons selected according to law who hear evidence and decide questions of fact in a court case (also referred to as the petit or trial jury)

justice of the peace

a judge who stands on the lowest level of the state judicial system and presides over justice courts

magistrate

a justice who handles minor civil complaints and misdemeanor cases that arise in an urban setting

mayor-council government

the oldest, most widely used type of city government, which features an elected mayor as the chief executive and an elected council as its legislative body

Medicaid

a program administered by the states to provide medical insurance to low-income families

metropolitan area

a city and the area around it

misdemeanor

a lesser offense, punishable by a small fine and/or a short jail term

Missouri Plan

an approach to judicial selection that combines election and appointment; a nominating committee provides a list of candidates from which the governor can choose, and voters can approve or reject the choice.

nullification

the power of the states to reject federal laws found to be unconstitutional

pardon

release from the punishment or legal consequences of a crime, by the president (in a federal case) or a governor (in a state case)

police power

authority of each state to act to protect and promote the public health, safety, morals, and general welfare of its people

precedent

court decision that stands as an example to be followed in future, similar cases

preliminary hearing

the first step in a major criminal prosecution where the judge decides if the evidence is enough to hold the person for action by the grand jury or the prosecutor

progressive tax

type of tax proportionate to income

property tax

a tax levied on real and personal property

recall

a petition procedure by which voters may remove an elected official from office before the completion of his or her regular term

referendum

a process by which a legislative measure is referred to the state's voters for final approval or rejection

regressive tax

a tax levied at a flat rate, without regard to the level of a taxpayer's income or ability to pay

sales tax

a tax placed on the sale of various commodities, paid by the purchaser

special district

an independent unit created to perform one or more related governmental functions at the local level

states' rights

the powers of states not assigned to the federal government, protected by the Tenth Amendment to the U.S. Constitution

statutory law

a law passed by the legislature

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strong-mayor government

a type of city government in which the mayor heads the administration and exercises strong leadership in making city policy and running the city's affairs

township

a subdivision of a county

tribal government

a form of government used on Native American reservations that allows the reservations to be dealt with as sovereign nations; they are allowed to be exempt from state and local laws but not totally exempt from federal law.

warrant

a court order authorizing, or making legal, some official action, such as a search or an arrest

weak-mayor government

form of city government in which the mayor shares executive duties with other elected officials

welfare

a government program for poor or unemployed people that helps pay for their food, housing, medical costs, etc.

zoning

the practice of dividing a city into a number of districts, or zones, and regulating the uses to which property in each of them may be put