

AN INTRODUCTION TO GEORGIA'S NEW CRIMINAL CODE

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The purpose of this article is to present a general picture of the new "Criminal Code of Georgia,"¹ which was adopted by the 1968 session of the General Assembly and is to come into effect on July 1, 1969. The length and complexity of the Criminal Code make it impossible within a reasonably short space to refer to every section or to comment extensively upon even its more important provisions. The effort of this article is to acquaint the reader with the general scope, arrangement, and purpose of the Code and to comment briefly and in general terms upon some of those sections which will probably be most frequently used and those which show greater change, either in form or in substance. The summary of those provisions that are dealt with is necessarily brief, and the statements of changes from the present law are illustrative only and are far from exhaustive.

Although the subject of this article is the new Criminal Code itself, some background of the origin of the Code and the manner in which it was formulated will foster an understanding of its purpose and an appreciation of the efforts that produced it. The entire history of the Code need not be detailed here, because this has already been well done in more than one place. Theodore T. Molnar, author of *Georgia Criminal Law* and chairman of the Criminal Law Study Committee,² has set forth the origin and philosophy of the committee and described its composition in his article "The Criminal Law Study Committee,"³ and has surveyed the history of the state's statutory development in the area of the law of crimes in "Criminal Law Revision in Georgia."⁴ These two articles, along with the fore-

*The author served on the Research Group for the Criminal Law Study Committee from its inception, but the Committee is not responsible for any of the ideas expressed in this article.

1. New § 26-101.
2. Henry G. Neal served as vice chairman and Richard B. Thornton as secretary.
3. 26 GA. B.J. 32 (1963).
4. 15 MERCER L. REV. 399 (1964).

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