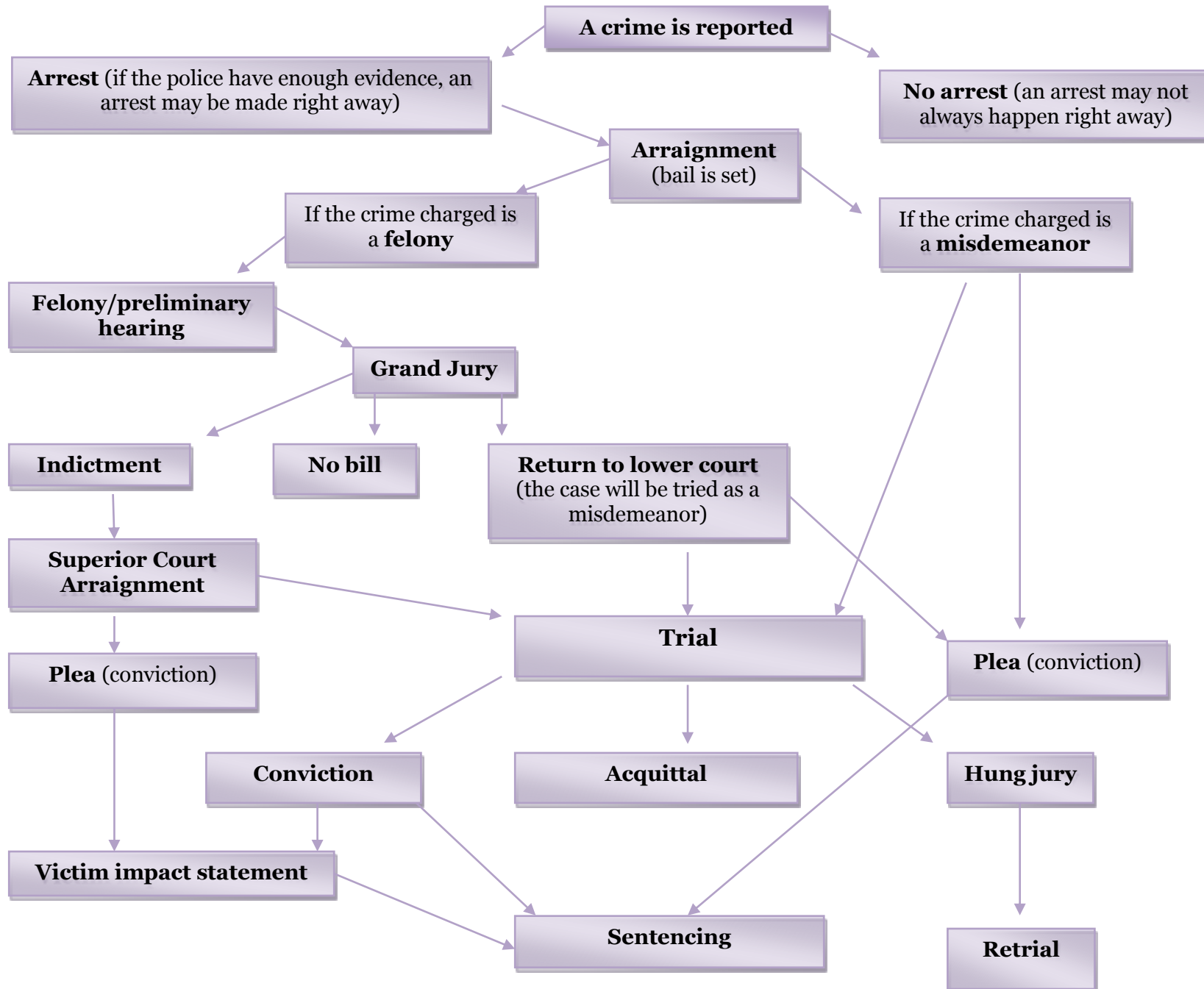


# BASIC STEPS IN THE COURT PROCESS



## Definition of Terms

**Arraignment** – the defendant is brought to court and formally charged with the crime he/she is accused of. Bail is set or the defendant is released.

**Bail** – set at arraignment. The amount of bail is based on whether or not the judge feels the defendant will show up in court on the scheduled days.

**Felony/Preliminary Hearing** – must be held within 5 days after arrest if the defendant is in jail. The victim must testify. This does not guarantee that the defendant will remain in jail. At the hearing, the judge decides whether or not to hold the defendant for a grand jury hearing.

**Grand Jury** – the defendant and his/her attorney are not present. There is no judge. The purpose of the Grand Jury is to decide whether there is enough evidence to indict the defendant.

**Indictment** – the defendant is formally charged with the crime. The defendant will be arrested.

**No bill** – the Grand Jury decided there was not enough evidence to prove that a crime occurred.

**Superior Court Arraignment** – the defendant is arraigned again in higher court, and bail is set (or reset if the defendant has already been arrested).

**Plea** – the Assistant District Attorney (ADA) offers the defendant a plea to the charge or a reduced charge, the defendant accepts, and there is no need for a trial. The ADA will discuss a plea with the victim before it is offered.

**Trial** – the ADA must prove to the judge/jury that the defendant committed the crime beyond a reasonable doubt. The result of the trial could be an acquittal, a conviction, or a hung jury.

**Conviction** – the defendant is found guilty.

**Acquittal** – the defendant is found not guilty.

**Hung jury** – the jury was unable to agree on a verdict. A plea may follow a hung jury, or the defendant may be tried again in a retrial.

**Victim impact statement** – the victim and his/her family can, if they wish, write a letter to the judge and express their feelings about the crime and how it has impacted their lives.

**Sentencing** – the judge decides on the consequences for the defendant. The victim and his/her family may attend the sentencing and speak if they wish to.