

GLOSSARY

- **Arraignment** - A court appearance at which the defendant is formally charged and is asked to enter a plea of guilty, not guilty or no contest. In felony cases, an arraignment follows a preliminary hearing.
- **Bound Over** - At the completion of the preliminary hearing, if the judge finds that it is reasonable to believe that the defendant committed a felony, the defendant is sent to Court to stand trial.
- **Complaint** - A legal document prepared by the DA based on police reports. It lists the charges and some of the evidence against the defendant. The complaint is filed in Court.
- **Defendant** - The person accused of or charged with a criminal offense. This is the person alleged to have committed a particular crime.
- **Deferred Prosecution** - See back panel.
- **Decline** - The office of the District Attorney decides not to issue any criminal charges.
- **Dismissal** - The charge or charges against the defendant are dismissed. No conviction.
- **District Attorney** - Under state law, the prosecuting attorney who represents the state in each county.
- **Assistant District Attorney** - An attorney who acts on the District Attorney's behalf.
- **Felony** - A crime punishable by confinement in a state prison, for one year or more.
- **Final Pretrial Conference** - Final hearing before a case proceeds to jury trial. The parties discuss a case and either settle it or ask that it be scheduled for trial.
- **Initial Appearance** - A defendant's first appearance in court. A judge may read the charges, sets bail (either cash or personal recognizance and determines the conditions of release if any). In felony cases, a date is set for a preliminary hearing. In misdemeanors, the initial appearance is also the arraignment where the defendant enters an initial plea.
- **Misdemeanor** - A crime punishable by confinement in a county jail, for one year or less.
- **Motions** - Oral or written requests about legal questions made by the prosecutor or the defendant before, during or after a trial. Motions ask the court to issue a ruling or order regarding the case.
- **Plea** - A person accused admits or denies commission of a crime by pleading *guilty (no contest)* or *not guilty*. The accused can be convicted on his/her plea of *guilty (no contest)*.
- **Preliminary Hearing** - In felony cases, an evidentiary hearing at which the state must prove to the judge that there is enough evidence to believe the defendant committed a felony.

- **Pretrial Conference** - A conference between attorneys to see if the case can be settled without going to trial.
- **Probable Cause** - A judicial determination that there is sufficient evidence for the case to proceed to trial.
- **Restitution** - An amount of money set by the court to be paid to the victim of a crime for property losses or injuries caused by the crime.
- **Sentencing** - The hearing at which the court imposes sentence. Sentencing follows a guilty plea or a finding of guilt by a jury or judge.
- **Subpoena** - A written order requiring a person to appear in court to testify. The subpoena states the date, time, place and proceeding at which the witness must appear.
- **Trial** - A hearing for presenting physical and testimonial evidence to a judge or jury for a determination of whether an accused is guilty beyond a reasonable doubt or not guilty of the crime(s) charged. A defendant may be found guilty of all, some, or none of the charges. If the defendant is found guilty, s/he can then be sentenced for that crime by the judge at that time or at a later hearing; if the defendant is found not guilty of a crime, the charge is dismissed.