

## What to Know Before a Criminal Court Hearing

### When I arrive at court, do I need to check in with anyone?

Probably. Each courthouse has different ways of checking in for court - ask the court clerk. When you check in, you can ask the clerk if an attorney has been assigned to you or you can request an attorney.



### Who are the people in a courtroom?

Depending on the type of court hearing or trial, all or some of the following people may be in the courtroom:

**Judge** - the neutral party who referees a case.

**Defendant** - the person accused of committing a crime.

**Defense Attorney** - the court appointed or private attorney that represents the accused.

**Prosecutor** - the attorney who represents the government in a case. They charge the defendant with crimes and seek to have the defendant punished for those crimes.

**Jury** - a panel of peers that decide the guilt or innocence of the defendant based on the arguments during trial.

**Bailiff/Security Guard** - this person is present to ensure safety and order in the courtroom.

**Assistant** - they help the judge stay organized and on time.

**Interpreter** - a certified translator who translates the hearing over the phone, through a headset, or in person.

### What is a plea deal?

A plea deal is an agreement between you and the prosecutor, where you agree to say that you are guilty of a crime. In exchange, you may receive leniency (examples: an agreement to a lesser punishment or an agreement that the biggest crime that you are charged with would be dropped).

The prosecutor is the person who decides to extend a plea offer. You are the person who ultimately decides if you will



accept it or not. Your attorney may advise you whether this plea is a "good" one based on the facts of your case and the potential punishment if found guilty after trial, but only you can decide to accept or reject it.

### What are plea negotiations?

Plea negotiations may take place when you do not like the plea deal that is offered, but want to take a plea. If this happens, your attorney might collect information from you, usually called mitigation. This information is then given to the prosecutor along with a request for a better plea.



### Will I have to talk during my court hearing?

Yes. You will need to respond to all the questions the judge asks you, such as the spelling of your name and your date of birth. You may address the judge as "Your Honor," "Sir," or "Ma'am." If you have an attorney, they will be doing most of the talking for you and may tell you when you need to respond.



### What should I do if I want to discuss something the judge has not asked me about?

Ask your attorney about the appropriate time to discuss it. If you do not have an attorney, you can request permission to discuss it. For example, you could say "Your Honor, I would like to discuss being released from jail. Is now an appropriate time?" If that is not the right time, write it down so you do not forget to bring it up later.