

CRIMINAL JUSTICE TERMS

ADJOURNMENT: A delay asked for by the judge or either side. The judge may agree to the delay.

ARRAIGNMENT: Defendant is formally charged and can plead either guilty, not guilty, or stand mute. The amount of bond, if necessary, is set at this hearing.

DISTRICT COURT: This court handles all misdemeanor cases, sentencings, traffic violations, and the first stages of felony cases.

MISDEMEANOR: a crime for which a person may be sentenced to not more than one year in jail.

MOTION: Court hearing to answer legal questions.

PRE-TRIAL: Meeting between lawyers to see if the case can be settled without going to trial or to see if all parties are ready for trial.

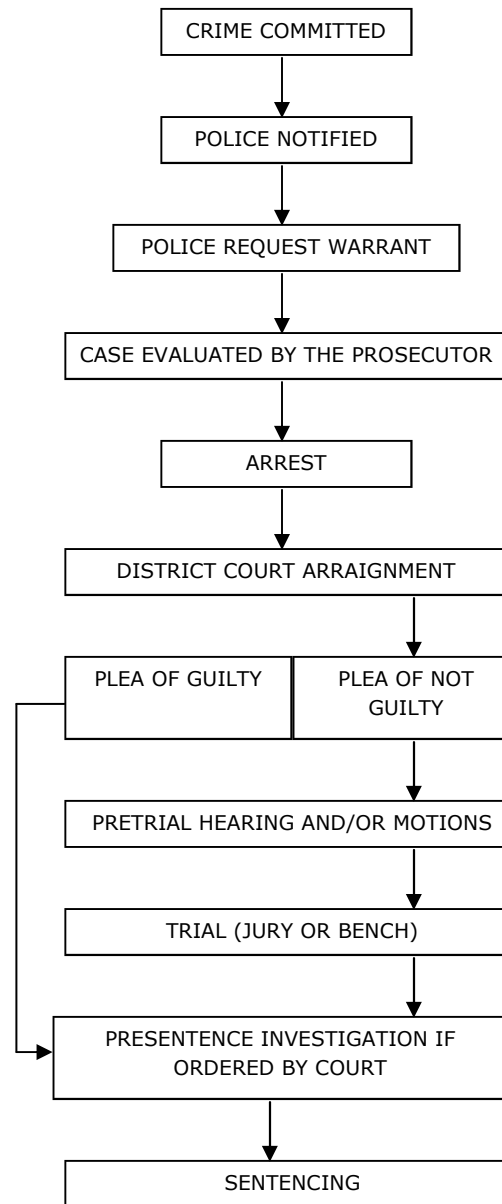
PROBATION: A sentence that places the offender under the supervision of a probation officer.

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.

STAND MUTE: One of the possible pleas at arraignment which is the same as not guilty.

SUBPOENA: A legal order which requires a person to appear in Court to testify as a witness.

MISDEMEANOR PROCESSING



Upon your WRITTEN REQUEST, the Sheriff will notify you of the earliest release date if the defendant is sentenced to more than 92 days.

CRIME VICTIM ASSISTANCE

383-8677

- **LEGAL RIGHTS**
- **INFORMATION**
- **FINANCIAL AID**
- **SUPPORT**
- **EMERGENCY SERVICES**

I am sorry to learn that you have become the unfortunate victim of a crime.

We recognize that you may be unfamiliar with court procedures and the law. To help you overcome your concerns, and to answer questions you may have, I encourage you to read this brochure and contact my Victim/Witness Unit. My staff will do all they can to help you.

Sincerely,

Jeffrey R. Fink
Prosecuting Attorney



LEGAL RIGHTS

The following are your rights under the Crime Victims Rights Act:

- To be notified by the Police Agency of emergency and medical services.
- To be notified of victim's compensation benefits and the address of the Crime Victim's Compensation Board.
- To receive an explanation of the eligibility requirements and receive crime victim's compensation funds, if eligible.
- To be notified of the telephone number of the police department to contact to determine if the defendant has been released from custody.
- To be notified of the address and phone number of the Prosecuting Attorney whom you can contact to obtain information about victim rights.
- To have your property which was taken during the investigation promptly returned to you except as otherwise provided by the law.
- To receive an explanation of court procedures.
- To receive an explanation of procedures to follow if threatened or intimidated by the defendant.
- To be present during the entire trial unless you are to be called as a witness.
- To be free from threats or acts of discharge from your employer because you are subpoenaed or requested by the Prosecuting Attorney to testify in court.
- To be provided with a waiting area separate from the defendant, the defendant's relatives and defense witnesses, if practical.

LEGAL RIGHTS continued

- To consult with the Prosecuting Attorney in order to give your views about the disposition of this crime.
- To receive notice of any scheduled court proceedings and any changes in that schedule.
- To confer with the Prosecuting Attorney prior to the selection of the jury and prior to the trial.
- To receive notice if the defendant escapes custody while awaiting trial.
- To receive written notice of the defendant's conviction and final disposition.
- To receive notice of the address and telephone number of the probation department which is to prepare the pre-sentence investigation report, if one is ordered by the court.
- To have your written impact statement included in the pre-sentence report, if one is prepared.
- To make an oral impact statement to the presentence investigator.
- To make an oral impact statement at the time of sentencing in court.
- To be notified of the time and place of the sentencing.
- To be notified that the defendant has filed for an appeal.
- To be advised if the defendant has been released on appeal bond.
- To be advised as to time and place of appellate court proceedings.
- To be advised of the result of the appeal.

VICTIM COMPENSATION

The Michigan Crime Victims Compensation Act was begun to give financial help to crime victims who are hurt or lose earnings or support because of the crime. Victim Assistance will be able to help with any questions you might have. Applications may be received from our office.

To receive compensation:

- You must be a resident of the State of Michigan.
- The crime must have happened in the State of Michigan.
- The crime must be reported to the police within 48 hours and the victim must cooperate with the investigation.
- You must have at least a \$200 out-of-pocket medical expense and/or loss of two continuous weeks of earnings or support.
- The claim must be filed within 1 year of the crime or 1 year of the death of the victim.
- In the case of death, a claim may be filed by a family member.
- Expenses or losses that are covered by personal insurance or that can be paid by another source will not be covered.
- Property loss is NOT covered.

If you have any questions, please contact us at:

VICTIM/WITNESS UNIT
Office of the Prosecuting Attorney
227 West Michigan Avenue
Kalamazoo, MI 49007
(269) 383-8677