



# THE DECODER

A publication of the Victim's Unit of the Calhoun County Prosecutor's Office

## *What did they just say?*

### Legal terms confuses millions

**W**e've all probably watched Law and Order, C.S.I. or COPS on television, but do we really know what they're talking about when they start flinging around all of that legal jargon? Well, if you're like the hundreds of people that come through the doors of the Calhoun County Justice Complex each day, your answer is a resounding NO.

In order to help you understand what exactly the police officer, prosecutor, judge, advocate or defense attorney (there they are again - those nasty legal terms) is saying when you come to court, we've created this handy newsletter to try to eliminate your confusion. Here goes:

**Adjournment** - a delay asked for by the judge, the prosecutor, or the defense attorney. The judge must agree to the delay.

**Advocate** - a person who pleads on another's behalf. An advocate who works in the prosecutor's office can help you through the legal system. An advocate who works for an outside agency (such as SAFE place or Sexual Assault Services) can help in many different ways as you go through your court case.

**Arraignment** - a court event where the defendant is formally charged with a crime. The amount and conditions of bond are set at this hearing.

**Bound over** - in a preliminary examination, if the judge finds that it is reasonable to believe

that the defendant did the crime the defendant is sent to Circuit Court to stand trial.

**Circuit Court** - a division of the court that handles all felony trials and the sentencing of the defendant. They also handle family court matters such as divorces, child support, and personal protection orders.

**Defendant** - a person who is charged with a crime.

**Defense attorney** - a lawyer who represents the defendant in a criminal matter.

**District Court** - a division of the court that handles all misdemeanor cases, sentencing of the defendant, traffic violations and the first stages of felony cases.

**Felony** - a crime of a more serious nature than a misdemeanor; any offense punishable by imprisonment for a term exceeding one year.

**Misdemeanor** - a crime for which a person may be sentenced to not more than one year in jail.

**Motion** - a court hearing to answer legal questions.

**Parole** - after release from a state prison an offender is supervised for a given amount of time. The offender reports to, and is supervised by, an employee of the Michigan Department of Corrections.

**Preliminary examination** - a hearing to find out whether a crime happened and if there is reason to believe that the defendant did it. This hearing is held only for felony crimes in district court.

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**Pre-sentence report (or PSI)** - a background investigation of the defendant to assist the judge in determining the sentence. The probation officer conducting this investigation will interview you in order to get your views on this matter.

**Pretrial** - a conference between the prosecutor and the defendant to see if the matter can be resolved without going to trial.

**Probation** - a sentence that places the offender under the close supervision of a probation officer.

**Prosecuting Attorney** - the attorney who represents the people of the State of Michigan against a criminal defendant.

**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.

**Status conference** - a hearing held by the judge and the attorneys to see if a case can be settled without going to trial *or* to see if the parties are ready to go to trial.

**Subpoena** - a legal order which requires a person to appear in Court to testify as a witness.

**Victim** - a person who suffers direct or threatened physical, financial, or emotional harm as a result of the commission of a crime.

**Warrant** - an order for arrest authorized by the prosecuting attorney and signed by a judge or magistrate.

We hope that this has helped you to “decode” some of the terms that you will be hearing as you travel through the justice system.

If, at any time, you do not understand what is happening in court or you have a question about why something is happening, please do not hesitate to call the Victim’s Unit in the Calhoun County Prosecutor’s Office. Our number is (269) 969-6944. We will make every effort to assist you in any way we can.

