



Section Four

- Court Process













What are Your Rights in Court?





Your Legal Rights Include:

- Right to an attorney 
- Right to remain silent 
- Right to be present at your trial 
- Right to confront the person(s) accusing you 
- Right to a jury trial 
- Right to a public trial 
- Right to a speedy trial 
- Right to know why you were arrested 
- Right to know possible pleas you can enter 
- Right to know the possible sentences 



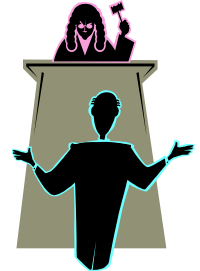
How can you plead when you go to Court?





3 pleas you need to understand

- **Guilty** – You tell the Judge you did the crime
- **Not Guilty** – You tell the Judge you did not do the crime and your case goes to trial
- **NGRI** – *Not Guilty by Reason of Insanity*. You tell the Judge you did the crime, but because you have a mental illness or mental retardation, you didn't understand. The Judge or jury will decide if you're Guilty or Not Guilty by Reason of Insanity. Your mental illness or mental retardation will be discussed in Court.





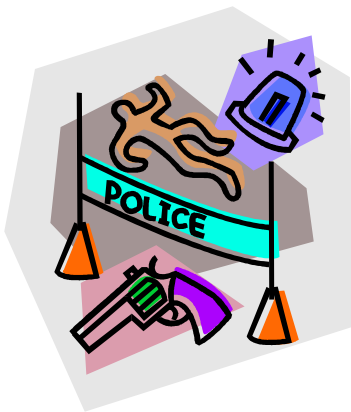
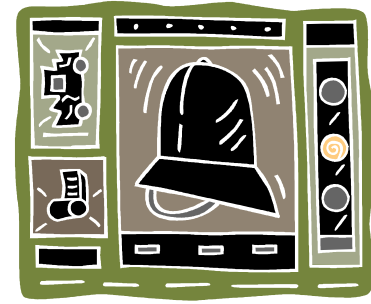
Entering a Plea

- You and your attorney need to discuss how you will plead
- You need to make the final decision on your own about which plea you will enter





What is the evidence against you?





The Commonwealth's Attorney uses these types of evidence against you

- What does the police report say?



- Are there witnesses who saw the crime?



- Is there physical evidence like fingerprints or DNA?





Do you think there enough evidence to
convict you?



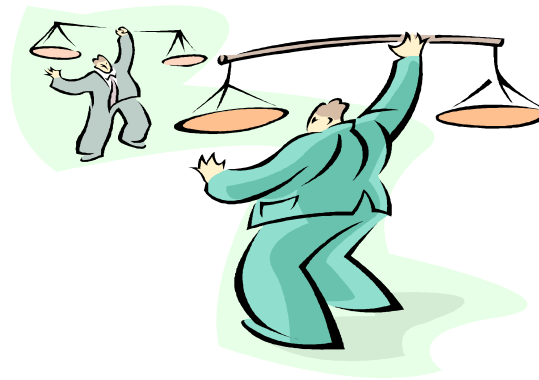


You need to weigh all of the evidence :

- How strong is the case against you?

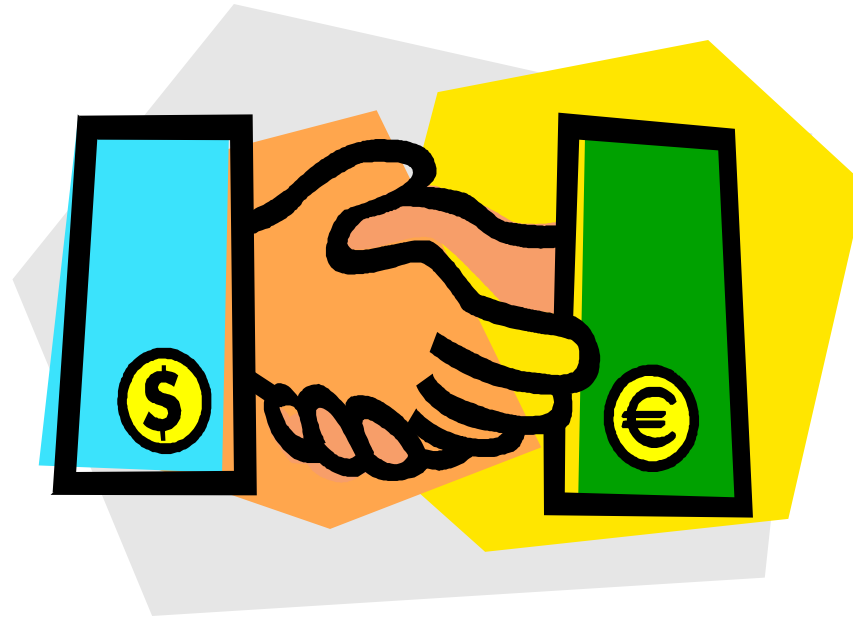


- Is there any evidence that will help you?





What is a plea bargain?





A plea bargain is:

- A deal (like agreeing to trade baseball cards)



- That is made by the attorneys



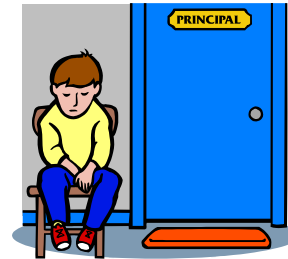
- That must be approved by the Judge



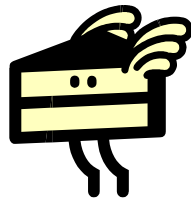


How a Plea Bargain Works

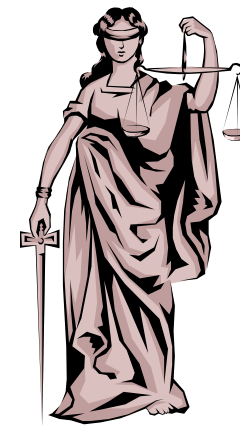
- You agree to plead guilty (or ngr)



- It makes the Commonwealth's Attorney job easier (no trial)



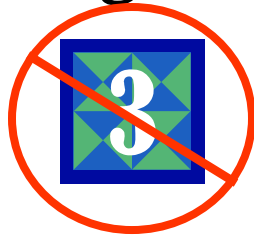
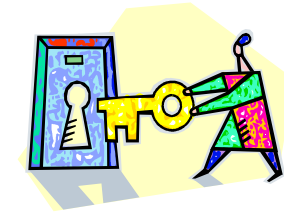
- It saves the legal system time and money



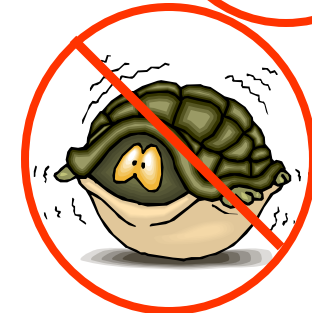


What you gain

- You could get a lighter sentence
- You could get some charges dropped or reduced



- The uncertainty about what will happen to you goes away



- You avoid the stress and fear of trial



What you lose:

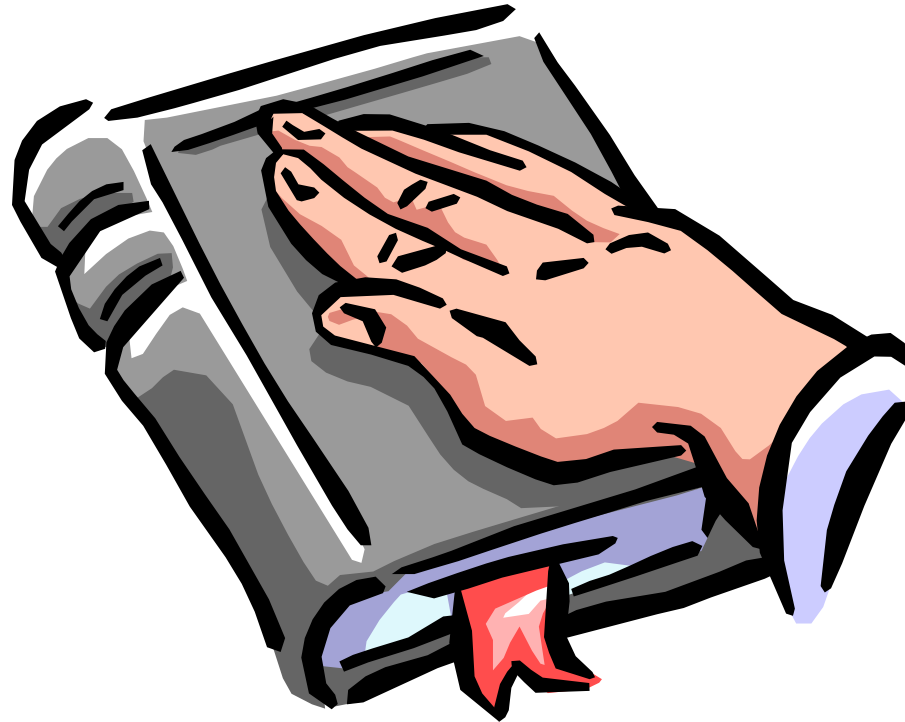
- You **Lose** Your Legal Rights:

- **lose** your right to a trial
- **lose** your right to argue your side of the matter
- **lose** your right to confront whoever is accusing you
- **lose** your right to remain silent (you must tell what you did)
- **lose** your right to an appeal





What does it mean to testify?





Testify is to tell the truth in Court



- A witness knows something about the crime
- A witness answers each attorney's questions



- The Judge might also ask the witness questions





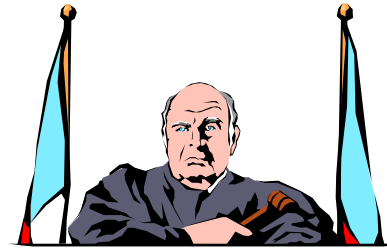
Do you have to testify?





You do **NOT** have to Testify at Trial

- No one can make you testify, not even the Judge



- You have the **Right** to remain silent -- even at trial



- But **remember**, if you take a plea bargain, you lose this right, and you have to tell what you did



What can happen if you are found guilty?





2 things to know about being found guilty :

- The Judge decides your penalty (sentence)



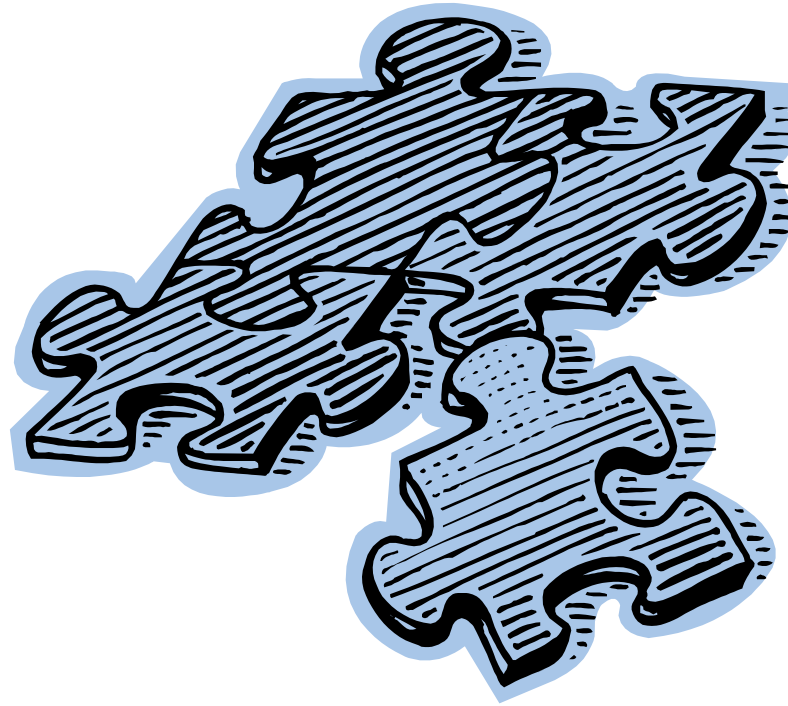
- The Judge can lock you up or give you probation

Remember,
Misdemeanor = up to 1 year
Felony = 1 year to life





What is probation?





3 things to know about probation

- You have regular meetings with your probation officer
- You don't have to go to jail if you obey the Court's rules



- Some of the rules are:

Where you must live



Take your meds



Talk to your counselor



Don't drink or use street drugs

