

## **Common Terms Defined:**

### ***Arraignment:***

The formal hearing where the accused enters a plea of guilty or not guilty.

### ***Bench Trial:***

A trial in which the Judge is the finder of fact, not a jury.

### ***Bound Over:***

When the case is transferred from the District Court to the Grand Jury.

### ***Bond:***

The mechanism that allows a defendant out of jail pending his/her trial.

### ***Bond Revocation:***

If the defendant is accused of violating any conditions placed on the bond order that allows the defendant out of jail, a hearing takes place to determine the consequences (usually return to jail).

### ***Contempt of Court:***

When a person violates a civil order of the court.

### ***District Attorney's Office:***

The office that prosecutes all felony cases and county misdemeanors on behalf of the State of Alabama.

### ***Defendant:***

The person who is accused of a criminal act.

### ***Defense Attorney:***

The attorney for the person accused of a crime.

### ***Discovery:***

The term used to describe the official procedure for a defendant or their attorney to obtain legal information about the State's case.

### ***Deferred Prosecution Programs:***

Programs for defendants who are first time offenders for certain crimes. Successful completion would likely result in the dismissal of criminal charges.

***Grand Jury:***

A jury of 18 people who hear evidence presented by the District Attorney's Office regarding felony charges. The charges are drawn on a document called an indictment. It is the legal mechanism used to determine if there is enough probable cause to move a felony case from District Court to Circuit Court for a trial.

***Habitual Offender:***

A person who has a recidivist record will be identified as habitual offender and may face enhanced punishment.

***Indictment:***

A formal charging document that is produced by the District Attorney's Office through the Grand Jury and is submitted to the Clerk of Court as the official charge(s) against a defendant. These are the charges that the State is required to prove in a trial.

***Jury Trial:***

A trial in which a jury of peers is the finder of fact.

***Motions:***

Procedures in which the prosecutor and defense attorney argue in front of a Judge about what specifically is and is not allowed in a pending trial.

***No Bill:***

The term is used when a Grand Jury does not find sufficient evidence to proceed with charges against a defendant.

***Nolle Pros:***

The procedure in which the prosecutor may dismiss a case after charges have been filed with the Court.

***Preliminary Hearing:***

A hearing in front of a District Court Judge to gain more information from the parties involved as it relates to probable cause.

***Probable Cause:***

The measure of standard required before a District Court Judge can bind a case over to Grand Jury or issue a warrant.

***Probation:***

An alternative to jail that often includes various conditions that the defendant must comply. Often times involving counseling and/or treatment.

***Probation Revocation:***

A hearing to determine if the defendant has violated conditions of his/her probation and subsequent consequences.

***Prosecutor:***

The attorney for the State of Alabama.

***Reasonable Doubt:***

The level of proof required by the State to prove the charges at trial.

***Restitution:***

The amount of money the Judge orders the defendant to pay at sentencing to reimburse a victim for out of pocket expenses.

***True Bill:***

The term is used when a Grand Jury finds sufficient evidence to proceed with charges against a defendant.

***Victim Compensation:***

A State of Alabama program which provides financial support for victims of crime for out of pocket expenses related to a crime. Types of expenses can include: medical, funeral, mental health, lost wages, and loss of support.