

COMMON QUESTIONS AND ANSWERS

Q- Who is the Defendant?

A- The one accused of committing the crime and is the one who is on trial.

Q- Who is the victim?

A- The victim is the individual against whom the crime was committed.

Q- Who is the Witnesses?

A- The individual who saw, heard, or have information related to the crime. Victims can also be witnesses.

Q-Who is an assistant district attorney or a prosecutor?

A- The attorney who represents the state and whose job it is to prosecute persons accused of the crime.

Q- Who is the defense attorney?

A- The attorney representing the defendant.

Q- Do I need to have my own lawyer if I am a victim?

A- If the case is criminal in nature, the state may prosecute; you will not need your own lawyer for the criminal trial.

Q-Can I drop charges?

A- If you want to drop charges, you can contact our Office of Victim Services to discuss your concerns. However, it is not your decision to drop charges. The state is pressing charges against the accused, not you.

Q- Will I have to go to court and testify?

A- If you were a victim or a witness to a crime you will have to testify in court if the case goes to trial. You are a very important part of the prosecution of this case.

Q- What Should I wear to court?

A- You should not wear tank tops, shorts, jeans, or short skirts to court. Wear clothes that are conservative. If you have any questions about what to wear, call us.

Q- Will the case go to trial?

A- The case will go to trial unless the defendant enters a plea of guilty to the crime or unless the assistant district attorney or the judge dismisses the case.

Q- How many times will I have to go to court and testify?

A- Every case is different. Some cases require more court appearances than others.

Q- Will the defendant be in the courtroom during the trial while I testify?

A- Yes, the defendant will be in the courtroom while you testify. The Defendant has the right to hear the charges and evidence brought against him or her.

Q- What kind of questions will I be asked when I testify?

A- You will be asked questions about the case. You will be asked questions about what you know, saw, and/or heard. You will meet with an assistant district attorney before court to prepare you and to help put you at ease.

Q-What if the defendant doesn't show up for court?

A- If the defendant does not show up for court, a bench warrant will be issued. The sheriff's department will locate the defendant and hold him or her in jail until further order of the court.

Q- Will the Defendant testify?

A- The defendant may or may not testify. The defendant has the choice to testify or not.

Q- Can I watch the entire trial?

A- You will not be able to watch the entire trial. In most cases, if you are a victim or a witness, you will only be allowed in the courtroom when you testify. This is to prevent one witness's testimony from being influenced by the testimony of another.

Q- What can I expect as a witness?

A- As a witness, you will be asked to tell what you know about the case. You probably will be questioned by both the assistant district attorney and the defense Attorney. The defendant will not ask you questions, unless he or she has no attorney and is representing him or herself. All you have to do is tell the truth about what you saw, heard, or know. You may be contacted by the District Attorney's Office Investigators or Victim Services staff. If so, we will clearly identify ourselves as such. You may also be contacted by the defendant's attorneys or investigators. You may ask them to clearly identify themselves.

Q- Is it required that I talk to the defense attorney before the trial?

A- The decision is yours. You do not have to speak with the defense attorney (the defendant's lawyer) before the trial, but you may talk with the defense attorney if you would like to do so. Please be aware that any conversation you have with the defense attorney or his or her investigator may be recorded without your knowledge. Anything you say might be used to cross-examine you late in court.

Q- How can I find out what is going on with the case?

A- You can call our office and we will be glad to give you information on the status of the case.

YOU MUST KEEP THE DISTRICT ATTORNEY'S OFFICE INFORMED OF ANY ADDRESS AND TELEPHONE NUMBER CHANGES.