

ANATOMY OF A CRIMINAL CASE

Arrest – A misdemeanor criminal case begins when a law enforcement agency makes an arrest or issues a citation.

Courtroom appearance and etiquette- Persons who are appearing in court should dress appropriately; no shorts, sleeveless shirts, no profanity, no hats or caps. Cell phones must be turned off when brought into the courtroom. Loud talking or laughter will not be tolerated. Any violations of conduct or appearance standards may be addressed by the judge as contempt of court and, as such, violators are subject to fines or confinement. If children are brought to court, the judge will order that they be removed from the courtroom.

Defense Attorney options- At any stage in a criminal process or case, a defendant is entitled to be represented by an attorney. It is usually a private attorney hired by the defendant. A person may represent themselves and it is not required that they be represented by an attorney.

Misdemeanor Court- Misdemeanor cases are heard in the Commissioners courtroom on the first floor of the Lampasas County Courthouse, 501 East 4th Street, Lampasas, Texas. Defendants who arrive late may be held in contempt of court and fined or jailed accordingly. Whether the judge decides to find the defendant in contempt or not, defendants who arrive late will have their cases called last.

Pretrial Docket – At Pretrial Docket the defendant or his attorney will have another opportunity to discuss the case with the prosecutor. If no agreement is reached, the case will be set on a trial docket. **Every case entering a not guilty plea must have a pretrial with our prosecutor.**

Trial Before the Court – A defendant may waive his or her right to a trial by jury. The case can then be heard by the judge in a trial before the court. The prosecutor must also agree to waive trial by jury in order to have a trial before the court. The judge decides the guilt or innocence of the

defendant as well as any punishment.

Jury Trial – A jury trial is the embodiment of the American criminal justice system. Six people are selected from a pool of citizens called a “venire.” Those six people sit as a jury in the criminal trial of the defendant. The jury hears the testimony and evidence. After the evidence has been presented, the jury “deliberates” or discusses the facts of the case amongst themselves and decides a verdict of guilty or not guilty. The jury may only return a verdict of guilty if they are convinced beyond a reasonable doubt of the defendant's guilt.

The court will need to send you notices when to appear in court, so **IT IS YOUR RESPONSIBILITY TO NOTIFY THE COURT OF ANY CHANGE OF ADDRESS YOU MAY HAVE AS LONG AS THERE ARE CHARGES PENDING AGAINST YOU WITH THE COURT.**