

MISDEMEANOR CASE STAGES

PREFILING	ADMINISTRATIVE PROCEEDINGS	PRE-TRIAL PROCEEDINGS	TRIAL
Police Investigation Prosecutor Filing	Administrative Hearing	Arraignment Pre-Trial Hearings and Conferences	Criminal Trial
<p>Investigation: Police investigate crime, gather evidence and interview witnesses. Police may attempt to contact suspect to obtain a statement.</p> <p>Arrest: Police make arrest or refer case to prosecutor for a criminal filing.</p> <p>Filing: If someone retains the Attorney at this stage, the Attorney attempts to deal with the police or prosecutor to resolve the case without it ever being filed or to convince the government to file lesser charges.</p>	<p>Administrative Hearing: The government or a professional license agency conducts arrest-related associated administrative hearing proceedings. Sample administrative hearing proceedings include DMV Admin Per Se hearings against a person's driver's license or prosecutor's office pre-filing diversion office hearings to avoid a criminal filing.</p> <p>Due Process Rights: A person is entitled to the assistance of an attorney during certain due process rights to protect their rights and privileges.</p> <p>Scope of Case: Our firm does not represent clients in hearing proceedings outside the scope of criminal law, such as immigration, professional license, or employment hearings.</p>	<p>Arraignment: Attorney appears in court to obtain a list of the charges and receive police reports and evidence in case. Bail or OR release is argued by Attorney.</p> <p>Pre-Trial Hearings and Conferences: At this stage in the case, the Attorney tests the strength of the government's case, exploits its weaknesses, and sets up defenses. The Attorney attempts to get the case dismissed, reduced, or resolved by way of a plea bargain that is favorable to the Client. A plea bargain is an agreement, compromise, or settlement of the case, between the prosecutor and the defense attorney. Over 95% of all criminal cases are settled through plea bargain, though you are not obligated to accept an offer as you are entitled to have a trial on the facts of your case.</p> <p>Legal Motions: If appropriate, legal motions will be filed and argued throughout the pre-trial stage. Examples of legal motions may include Diversion Motions, Discovery requests, and other due process violation motions.</p>	<p>Bench Trial: The judge listens to the facts and legal arguments of the case and decides Guilt.</p> <p>Jury Trial: 12 Jurors are selected and impaneled to listen to the facts of the case and decide Guilt.</p> <p>Procedure: The Prosecutor presents evidence, witnesses, and arguments to prove "Guilt" to the fact finder beyond a reasonable doubt. The Accused has the right to present a defense.</p>