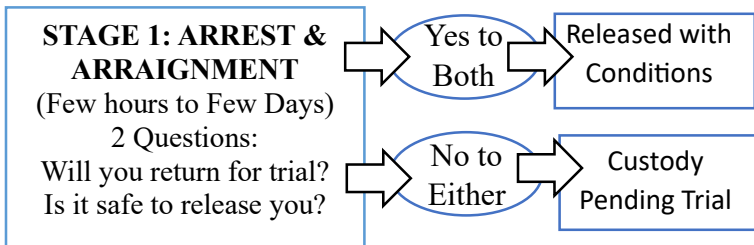


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## CRIMINAL

State/People v. Individual/Corp., Possibility of loss of Freedom, Criminal Record  
 Felony: 1+ year in prison, up to \$25k in fines, Misdemeanor: <1 year in prison, up to \$2500



**LAWYER'S GOALS:**

- >Keeping client from getting in more trouble
- >Arguing client should be released

**STAGE 2: "PRE-TRIAL"**  
 (1 court hearing to years)

1<sup>st</sup> Hearing

- Reading of the Charges
- Plea Entered
- Request/Acknowledge Discovery
- Set for Next hearing

Discovery

- States Attorney required to provide all evidence to be used against client at trial

**SETTLEMENT NEGOTIATIONS: CLIENT AGREES TO PLEA IN EXCHANGE FOR A SENTENCE RECOMMENDATION**  
 -Waives right to Trial -97+% cases resolved by settlement

**Motion Practice**

Motion=Making a request to the court  
 Hearing=when the arguments regarding a motion are heard  
 Notice=lets others know when and where you will be making request  
 Order=Record of the Judge's decision

Motion Types:

- Scheduling-Client needs to travel, this date doesn't work
- Strategic-bar or admit evidence, limiting use of evidence at trial,
- Ending case-Transfer to another court, dismiss the case, etc

**Trial Preparation**

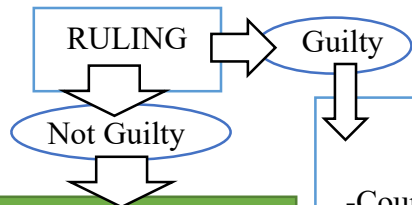
- Investigate
- Develop Theory of the Case
- Plan to present case
- Build rapport with Judge and Staff

**STAGE 3: TRIAL**  
 (Few Hours to a Few Days)

- Bench Trial: Before Judge-Less Dramatic, Faster
- Jury Trial: Before a Jury- More Theatre, Slower, Easier to understand

**TRIAL**

- Tells the "story" of the case
- Presents Evidence beneficial to client
- Argues against evidence not beneficial to client
- Argues rules of Evidence
- Enforces court rules and Judges Rulings
- Protects record for appeal



**STAGE 4: SENTENCING**  
 (few minutes to a few weeks)

- Court Supervision-
- Community Service-
- Special Conditions
- Conditional Discharge-
- Fines/Fees/Reparations

**MITIGATION**

- Argues why the Judge should be lenient with their sentence, and terms

**CONGRATULATIONS!!!**  
 (Pay your lawyer)