

## Glossary of Legal Terms for Victims

**BAIL:** An amount of money set by the court, which allows the release from custody of a person charged with a criminal offense. The purpose of bail is to insure the appearance in court of the accused. The defendant usually has to come up with 10% of the bail. Every criminal defendant, except those charged with murder, are permitted by law to have bail set by the court.

**CONTINUANCE:** A court hearing cannot always take place as scheduled. A continuance is filed to postpone a hearing date until a date when all parties will be available. As a witness you may be informed that your case has been continued to another day.

**DEFENDANT:** Person against whom the complaint or charge is filed.

**DEPOSITION:** The sworn responses to questions asked by the defense attorney and the prosecuting attorney, which are recorded by a certified court reporter. The transcript of a deposition may be used at trial.

**FELONY:** A crime more serious in nature than those designated as misdemeanors. Potential punishment is greater than one year.

**VICTIM IMPACT STATEMENT:** A statement from the victim to be given to the sentencing judge. The statement should include the emotional, physical, and financial impact of the crime on the victim.

**MISDEMEANOR:** A lesser criminal offense than a felony. Maximum sentence of one year or less with alternative sentencing options available.

**PERJURY:** Deliberate false testimony under oath.

**SUPPRESSION HEARING:** A court proceeding where the defendant seeks to prevent the introduction of evidence alleged to have been seized illegally.

**PRE-TRIAL DIVERSION:** A program which is available for first-time offenders charged with certain misdemeanor offences. Participants are placed on informal probation for one year and are required to achieve certain goals, including no further violations of the law.

**PROSECUTING ATTORNEY:** A lawyer employed by the State whose job is to ascertain the truth and prosecute people who have committed a crime.

**PUBLIC DEFENDER:** A lawyer appointed by the court to represent criminal defendants who cannot afford to pay for a lawyer's services.

**REASONABLE DOUBT:** The idea that the evidence in a criminal trial must show that the defendant is guilty to the point that the jury is firmly convinced that the defendant did commit the crime.

**RESTITUTION:** Payment by offenders to the victim for damages caused in the commission of the crime. Restitution is aimed at making the offender accountable for his or her actions and restoring the victim's loss.

**SUBPOENA:** A court order directing you to be present at the time and place stated. Failure to comply constitutes contempt of court.

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**JURY:** Twelve county residents (six for class D felonies and all misdemeanors) sworn to render a verdict on evidence presented in court.

**NEGOTIATED PLEA AGREEMENT:** An agreement between the State of Indiana and a defendant whereby the defendant agrees to plead guilty to a crime and the punishment for the crime is established. The agreement can also leave the punishment up to the court to decide.

**VICTIM ADVOCATE:** A person who assists, defends, or provides information to the victim of a crime.