

Court Definitions

Aggravating Factors – factors involved in a crime that may cause a judge to increase the sentence from the advisory sentence.

Advisory Sentence – a guideline sentence that the court may voluntarily consider, typically a middle ground of the given sentencing range.

Bench Trial – the case in question is presented to a judge and the final judgement is determined by the judge.

Diversion Agreement – an agreement lasting six (6) or more months agreed upon by defense and prosecution that has set terms and conditions in which the defendant must abide; once the agreement is completed the prosecution may dismiss formal charges listed on the agreement.

Fact Finding Hearing – Only used in Juvenile Court Proceedings, a hearing conducted to determine the facts of a juvenile case and allow the court to administer a verdict.

Home Detention – a form of community corrections where a defendant is confined to their residence and place of employment as a term of sentencing.

Informal Adjustment – Only used in Juvenile Court Proceedings, when a juvenile has admitted to committing an offense and has agreed to set terms and behaviors written between attorneys and court staff.

Jury Trial – the case in question is presented to a jury and the factual questions and final judgement are determined by a jury.

Mitigating Factors – factors involved in a crime that may cause a judge to decrease sentence from the advisory sentence.

No Contact Order – a court order to limit or prevent communication and contact between parties involved in a criminal case.

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Plea Agreement – an agreement between the defense and prosecution in which the defense agrees to admit guilt for some or all of the charges against them in exchange for concessions.

Probation – a period of supervision over an offender by the probation department; often comes with formal terms and conditions.

Prosecutor – a legal representative of the state responsible for presenting a case in criminal proceedings.

Protective Order – a civil form of a no contact order, must be filed by the individual seeking protection through the clerk's office.

Restitution – a compensation request for any damages incurred during the charged incident that were not covered by insurance, restitution cannot be guaranteed in any case.

Subpoena – a document issued by the government to appear for a court proceeding under penalty for failure.

Victim Impact Statement – a written, or oral statement made during sentencing, allowing a victim the opportunity to speak about the impact of the crime and their opinion of the resolution.