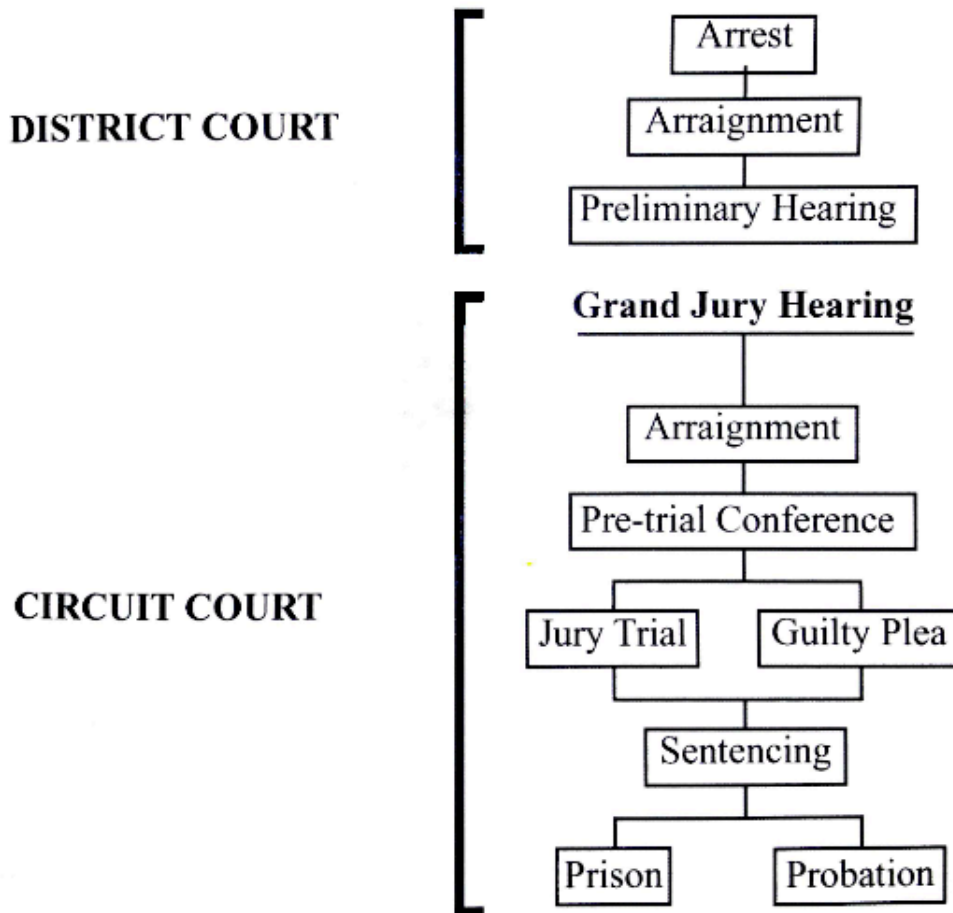


THE COURT SYSTEM

There are two types of courts in Kentucky which handle criminal cases: **District Court** has jurisdiction of felony preliminary hearings, misdemeanors, juvenile matters, and traffic offenses.

Felony cases begin in the District Court and progress to the Grand Jury and then proceed on to **Circuit Court**.



Anyone in need of assistance involving a misdemeanor or crime committed by a person under the age of 18 should contact the pertinent county attorney's office:

Warren County Attorney's Office
1001 Center St., Ste. 206
Bowling Green, Kentucky 42101
(270) 782-2760

OR

Edmonson County Attorney's Office
322 Washington St., Ste. A
Brownsville, Kentucky 42210
(270) 597-9609

GRAND JURY

The Grand Jury is a group of twelve residents, chosen at random, who hear evidence by the arresting officer, victims of crime, and other witnesses. This evidence is presented by the prosecutor in an effort to allow the Grand Jury the opportunity to hear enough information about the case to be able to determine whether or not a crime was committed by the defendant and whether or not he or she should be tried for the crime. Nine of the twelve jurors must agree for indictment to be returned. Grand Jury proceedings are closed to the public; this includes family members and friends.

It is rare, but if it is necessary for a victim or other witnesses to testify before the Grand Jury, you will be notified and a subpoena will be issued.

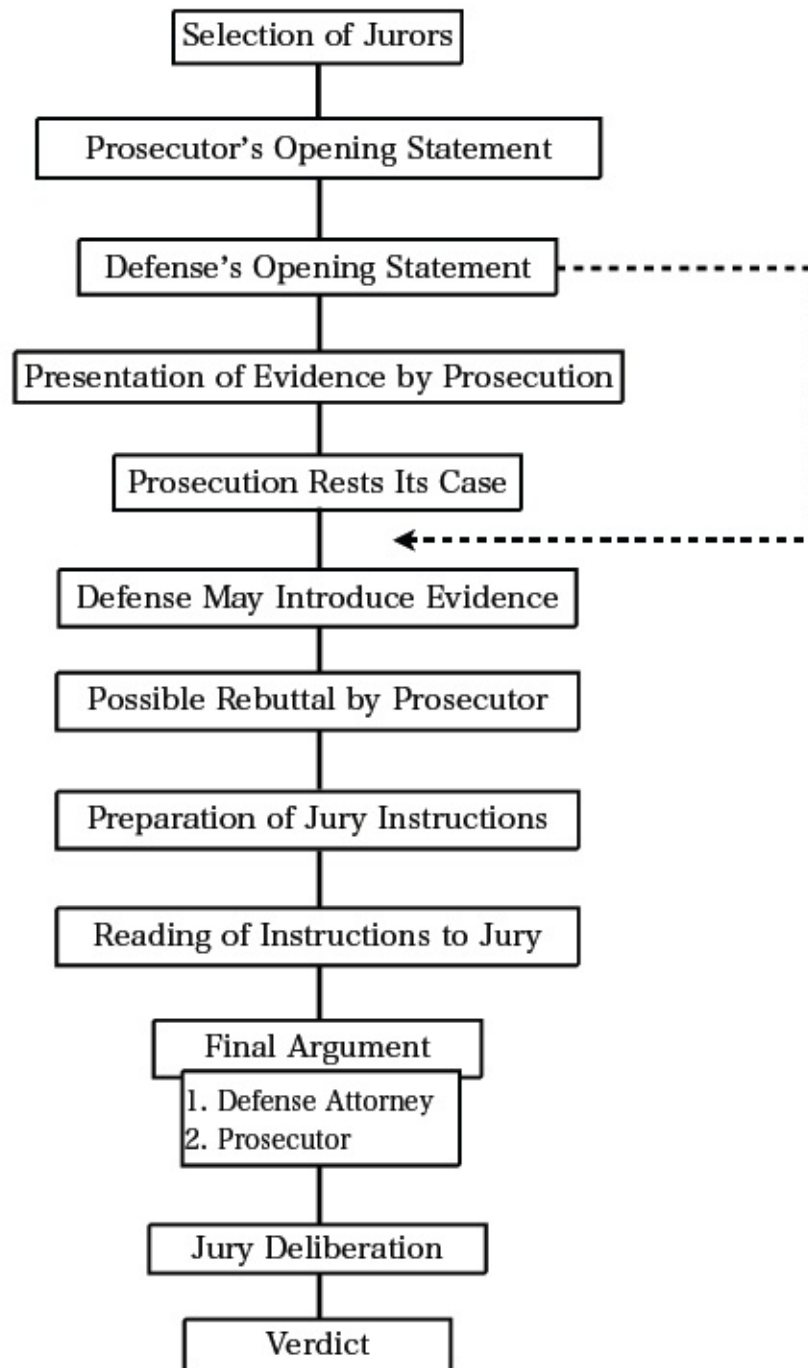
CIRCUIT COURT ARRAIGNMENT

At the Circuit Court arraignment, the defendant appears in open court and is notified by the Circuit Judge of the charges contained in the indictment returned by the Grand Jury. The defendant enters a plea of not guilty or not guilty. Typically, a plea of not guilty is entered and the Circuit Judge sets a Status Hearing date or a Pretrial Conference date. The victim may attend the Status Hearing, but your appearance in court is not required.

STATUS HEARING

The Status Hearing is an aspect of the criminal justice process which allows speedy disposition of cases without the necessity of a trial. The defendant appears in open court and enters a plea of guilty or a trial date is set. You will be notified of the Status Hearing but your appearance in court is not required.

Trial by Jury Procedure



JURY TRIAL

If it is determined that the case will be tried by a jury, the prosecutor will present evidence to the twelve residents who make up the jury. It is the jury to determine whether the defendant is guilty or not guilty, beyond a reasonable doubt, of the crime for which he or she is charged. If the defendant is found guilty of a crime, the jury is also responsible for fixing the penalty. The investigative officers, victims, witnesses all will be subpoenaed to appear in open court to testify under oath before the jury. You will be notified of the trial date and the prosecutor will contact you to review your testimony with you and answer any questions you may have.

SUBPOENA

A subpoena is a Court Order requiring you to be present at a certain place and time. It may also order you to bring a minor to court or present documents relating to a case. You will be served this document in person. Information contained on this document includes your name and address, the defendant's name, the courthouse and location, the date and time of appearance, and the prosecutor's name and telephone number.

JUDGMENT AND SENTENCING

After the defendant has entered a plea of guilty or has been found guilty by a jury, the Circuit Judge sets a final sentencing hearing. This hearing is usually held within a few weeks from the plea or trial verdict. Prior to imposing a sentence, the judge will consider: 1) a **Pre-sentence Investigation** of the defendant and 2) a **Victim Impact Statement** submitted by a victim and/or family members of the victim. At a final sentencing hearing, the judge will impose the penalty. The judge will also decide whether the defendant is sent to prison or probated.

CRIME VICTIM COMPENSATION

Who can Apply?

- Any person who is an innocent victim of a violent crime, including victims of drunk driving, where bodily harm, psychological injury or family/heirs in cases involving a death;
- In the event of death, any person who has assumed the medical or burial expenses incurred as a direct result of the crime; and
- Any person who has lost earnings or support as a result of the crime.

Victims must report the crime to the proper authorities within forty-eight (48) hours, must cooperate with law enforcement agencies, and must apply within five (5) years after the crime occurred.

If you feel that you may be eligible for compensation, please contact the Crime Victim Assistant Program for a claim form or the:

Crime Victims Compensation Board
130 Brighton Park Blvd.
Frankfort, KY 40601
1-800-469-2120
502-573-2290