

Criminal Procedure Overview | FELONIES

Defendant is charged.

First Appearance.

Defendant is brought before a judge.
Bond is set, an attorney is appointed (or
Defendant elects to hire own) and the
next court date is set.

No Go Prelim, Docket Setting, Status Setting.

Defendant appears on a docket. Next court date is set. This setting can be repeated a number of times.

Preliminary Examination/Go Prelim.

An evidentiary hearing to determine whether there is probable cause to believe: 1) a felony has been committed; and, 2) whether the Defendant committed the felony.

Victim will be called to testify. While testifying, the Victim will be asked to identify the person who committed the crime.

Arraignment.

Defendant enters a plea to the charges.

Not Guilty Plea

Pretrial Conference/Motion Hearing/ Pretrial Status.

Parties argue motions, discuss stipulations, procedures for trial and work out any issues they can.

If evidentiary motions are filed, it is possible the Victim is called to testify.

Guilty or No Contest Plea

Sentencing.

Set out typically 4-6 weeks for a Pre-Sentence Investigation (PSI) to be completed which compiles information such as severity of the crime, jail credit and criminal history.

Parties make recommendations to the Court and the Court sentences Defendant. This can be to prison/DOC or probation depending on the applicable Kansas Sentencing Guidelines.

Victim is given opportunity to address the Court with his/her thoughts and desires on the case.

Trial.

Case is presented to the Jury to determine whether Defendant committed the crime beyond a reasonable doubt.

Victim will be called to testify. While testifying, the Victim will be asked to identify the person who committed the crime.

Acquitted

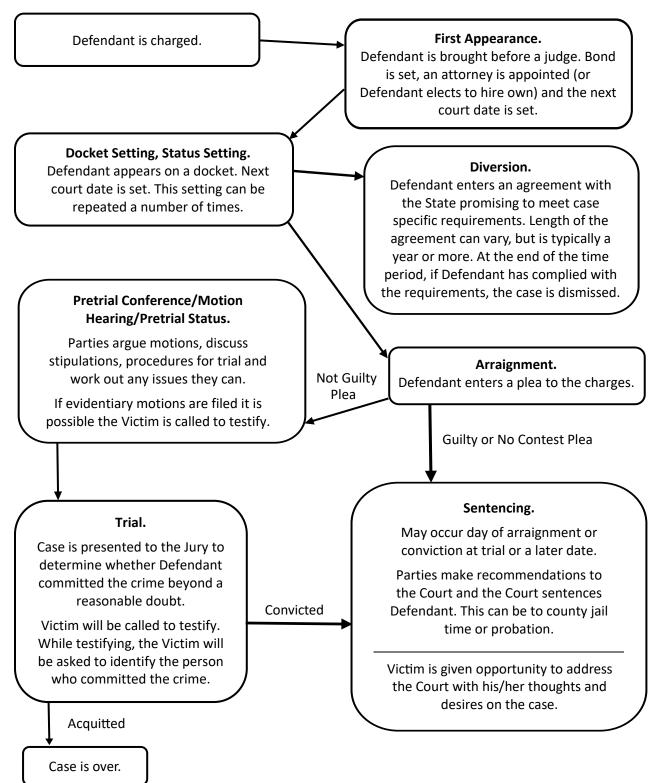
Case is over

Victims are required to attend hearings to which they are subpoenaed. Victims are free to attend all hearings.

Convicted



Criminal Procedure Overview | MISDEMEANORS



Victims are required to attend hearings to which they are subpoenaed. Victims are free to attend all hearings.