

You are arrested or cited

Decision by the District Attorney (D.A.)

It is extremely important to talk to an attorney during this stage of the case. Just because you have been arrested or cited does not necessarily mean that the District Attorney will file charges against you. In some cases, we have been able to convince the District Attorney not to file any charges by providing them with information that can not be gathered from a simple police report.



No charges are filed

Misdemeanor charges are filed

Felony charges are filed

Arraignment

Arraignment

If you are charged with misdemeanor offenses, other than domestic violence, you will not have to appear in court if you have a lawyer representing you.

If you are charged with a felony offense, your presence at the Arraignment is mandatory. At the arraignment, your lawyer can request the court excuse you from certain future court appearances. (Pen. Code §977)

Pretrial Conferences

Entry of Plea

This stage is where your case is discussed by your attorney, the District Attorney, and the Judge. Any information that we have gathered during the investigation of your case can be shared with the District Attorney at this point in an attempt to convince them to dismiss the case or reduce the charges against you.

There can be many appearances before any plea is entered in a felony case. During this time, we will be conducting investigation in order to determine the strengths and weaknesses of the prosecution case, and to determine the best strategy for you as the case proceeds.

Motions

Preliminary Hearing

Pretrial Conferences

This is a very important hearing. The District Attorney will be required to present evidence to a judge, and the judge must decide if there is probable cause to believe that you have committed a crime. While the standard of proof is much lower than a jury trial, this hearing gives us an opportunity to assess the strength of the prosecution case by cross examining the witnesses that testify.



Dismissal

Trial

Settlement

A trial date doesn't always mean a case will go to trial. Cases that appear on the trial calendar are discussed with the District Attorney and Judge prior to any decisions being made. Often times, the offer previously made by the prosecution is changed, and a new offer is made. The final decision whether a case goes to trial belongs to you.

Arraignment

Pretrial Motions

During this phase of the case, any motions that are appropriate, including suppression motions (Pen. Code §1538.5) or motions to dismiss (Pen. Code §995) can be heard by the court.



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