

## **Criminal Court Misdemeanors**

Misdemeanors are minor crimes as opposed to felonies. You will not lose your civil rights if convicted, but a jail sentence or community service may affect your employment, your reputation and your family.

However, misdemeanor sex crimes carry mandatory sex registration and are therefore very devastating.

### **Nearly Four Decades of Experience Contact the Innocence Legal Team Now**

The Innocence Legal Team has a network of experts and the best and brightest lawyers in California who can protect you from over-prosecution and unduly harsh sentencing. Your legal team can also provide you with the best chances of having your record erased after you have successfully completed your sentencing and probation period.

### **Bail / O.R. (Own Recognizance)**

Choosing a legal team before you are charged with a misdemeanor can keep you from being arrested in your home or place of employment and taken to jail. Your lead attorney can arrange for your voluntary surrender, booking and bail so you do not spend any time in jail.

If you do not have the financial resources for bail when you are arrested, your lawyer can go to court and make a motion to have bail reduced or for you to be released on your written promise to appear at the arraignment, referred to as an O.R. release.

### **Arraignment**

At the court arraignment, you are again advised of your constitutional rights and the charges against you. These charges can vary from the original charges, and at this time you enter a plea.

### **Motions**

Your case can be won or lost before it ever goes to trial depending on how well your legal team can control inflammatory and prejudicial information from being used against you. This is done through the use of legal motions.

### **Pretrial Hearing**

The skill, experience and reputation of your legal team are crucial in attaining the most advantageous position for your defense at this stage. At the pretrial hearing, your team negotiates with the District Attorney to dismiss or reduce the charges based upon the ILT's investigation and evidence found in your favor.

### **Jury Trial**

The ability and experience of your legal team are vital in mounting the most successful defense case possible. The Innocence Legal Team has the best and brightest lawyers in California. Working with their network of experts, they will build a case based on facts in order to create reasonable doubt in the jury's minds that you committed a crime.

The prosecution's goal is to prove your guilt beyond a reasonable doubt. Twelve out of twelve jurors must vote "guilty" in order to convict you. For an acquittal, they also must vote unanimously that you are "not guilty". A split vote is called a hung jury and the case must be retried unless further negotiations ensue.

### **Sentencing Hearing**

If you are found guilty or you agree to plea bargain, you will have a sentencing hearing. The skill of your legal team and its reputation can mean the difference between serving probation or time in the county jail. Your defense can present witnesses, evidence, and even a "defense probation report" to help protect you. Remember, even if a case is lost, the terms of your sentence can save you and your family from undue trauma and incarceration.

### **Progress Reports**

In some cases, the judge will want to see you personally at different intervals to evaluate your progress on probation.

### **Probation Violations**

If you violate a condition of your probation, the judge can re-sentence you up to the full term in county jail. You have no right to a jury trial in a probation violation hearing. The judge must decide if there is enough evidence to prove that you violated a condition of probation, and if he does, a new sentencing hearing is held.