



# Domestic Violence Criminal Cases: What to Expect in Court Transcript

## Domestic Violence Criminal Cases: What to Expect in Court

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FEMALE NARRATOR: Participation in the criminal justice process can be stressful and scary for victims of domestic violence. Inside the courtroom victims will be in the presence of their abuser, questioned, and examined. Cross-examination, in particular, can be extremely intimidating. Knowing about the court and trial process ahead of time may help victims feel more comfortable and supported when their case goes to court.

### What happens in Court?

There are different types of hearings that happen in Court, including status hearings, motions hearings, and trials. You can find notice of these hearings on the Maryland Judiciary Case Search website.

If you are needed for a hearing, you should receive a subpoena by mail. If you have questions, contact the State's Attorney's Office in your jurisdiction.

Your case may go to trial, resolve in a plea, or the prosecutor may elect not to prosecute the case. You may know the resolution prior to Court, or a decision may be made in the courtroom. If you have to appear in court, knowing who's who can help you be more prepared.

### Who is in the Courtroom?

Courtrooms have two sections: the well and the gallery. In the well, you will find the Judge, courtroom clerk, Sheriffs or bailiffs, the State's Attorney, the defense attorney, and the jury (if the case is a jury trial). Members of the public may observe in the gallery, the seating area behind the well of the court.

The State's Attorney sits at one table, and the offender and defense attorney sit at another. There is also a witness stand, or desk, with a microphone next to the Judge. The microphone may only record your voice and not amplify it.

If you are called as a witness, you'll be able to see the offender while you're on the witness stand, but you can choose not to look at him or her. The exception to this is if you're asked to identify the offender.

You may want to ask a friend or family member who's NOT part of the case to come to Court and sit in the gallery. You can look to that person for support during the proceeding.

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## What is my role during the hearing?

If your case goes to trial, you will likely be called as a witness. Your role is to tell the truth about what happened to you. You'll be asked questions by both the State and the Defense. Answer the questions to the best of your ability.

During trial, there may be a rule on witnesses. This means that you'll wait in the hallway until you testify.

## What supports will be in place during my hearing?

Prior to court, you can work with a victim advocate or victim witness coordinator from the State's Attorney's Office. This is your choice. They are there to help guide you through the process, including accompanying you to court where possible. In some jurisdictions, a support dog may be able to sit with you while you wait to testify.

## What are the potential outcomes and follow-up?

If the case goes to trial and the Defendant is found GUILTY or pleads guilty, he or she will be sentenced by the Court either on the same day as the trial or on a future date. You have the right to provide a victim impact statement at the sentencing hearing and to provide a written and/or verbal impact statement about how the crime has impacted you including your emotional well-being, physical injuries, and financial or medical expenses or treatment.

The Defendant may be sentenced to jail or receive a suspended sentence and be released into the community. In most cases, the offender will be on probation following release from jail. Probation conditions may include a stay away order that prevents the Defendant from contacting you and your children at home, work, or school.

You have the right to request that the Defendant wear a GPS ankle monitor that will alert parole and probation if he or she goes into any zones of exclusion –near your home or workplace, for example.

If the Defendant is found not guilty, if the case is not prosecuted, and/or if the Defendant is released into the community following a guilty verdict, you can work with a victim advocate or victim witness coordinator to plan for your safety. This may include seeking emergency shelter or other protective measures.

Going to court can be a stressful and scary experience. You may also find it to be empowering to face your abuser in Court. You are not alone and will be supported throughout the court process.

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Website address: [Hruth.org](http://Hruth.org)

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