



Criminal Justice System Commonly Used Terms & Definitions

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| Accused: | A person or persons formally charged or implicated in wrongdoing but not yet convicted of a crime. |
| Acquittal: | A legal judgment, based on the decision of either a jury or judge that a person accused of a crime is not guilty of the charges for which they have been tried. |
| Adjudication: | The judicial process that ends a criminal proceeding by a judgment of acquittal, conviction, or dismissal of a case. |
| Admissible Evidence: | Evidence that is relevant and proper for the court's consideration. Pre-trial hearings are often held to allow the judge to make this determination. |
| Affidavit: | A written, sworn statement made under oath, in which the writer swears that the information stated therein is true. |
| Alford Doctrine: | A plea in a criminal case in which the defendant does not admit guilt, but agrees that the state has enough evidence against him or her to gain a conviction. This allows the defendant to enter into a plea bargain with the state. If a judge accepts the Alford plea, the defendant will be found guilty of the charged offense. |
| Appeal: | A request by either the defendant or prosecutor in a case to have a higher court review and possibly reverse the decision or sentence of a lower court. |

Arraignment: The first court appearance of a person accused of a crime. At this proceeding, the defendant will hear the charges that have been brought against him and may enter a plea.

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Bail/Bond: Money or property required by the court for the release of a prisoner who must appear in court at a future time.

Bench Trial: A trial in which the judge hears the case without a jury and decides whether the accused is guilty.

Beyond a Reasonable Doubt: The degree of proof needed for a judge or jury to convict a person accused of a crime.

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Case Law: Law derived from a collection of reported cases within a certain area of law in a given jurisdiction.

Conditional Discharge: A disposition in criminal cases where the defendant must satisfy certain court-ordered conditions instead of a prison term.

Continuance: A delay or postponement of a court case to another date.

Conviction: The act or process of finding someone guilty of a crime.

Count: Each separate offense listed in a criminal complaint or an indictment accusing a person of committing a crime.

Crime: A violation of a Connecticut or federal criminal law.

Criminal Justice System: The network of institutions through which an accused offender passes until he is acquitted or convicted, his charges dismissed, or his punishment ended. The system typically includes three components: law enforcement, the judicial process, and corrections.

Criminal Trial: A judicial proceeding, before a jury or judge, to determine if a person charged with a crime actually committed that crime.

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Defendant: A person who is arrested and charged with a crime.

Defense Counsel: The lawyer who represents the defendant in a legal proceeding. The Sixth Amendment to the U.S. Constitution requires that all people accused of a crime have a right to counsel (a lawyer). The defense counsel is sometimes called the “defense attorney.”

Dismissal: A judge’s decision to end the case, without convicting or acquitting the defendant.

Disposition: The manner in which a case is settled or resolved.

Docket: A list of cases scheduled to be heard in court on a specific date.

Docket Number: A unique number that the court clerk assigns to each case.

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Electronic Monitoring An electronic system that provides the Probation Officer or Bail Commissioner with reports relative to the offender’s compliance with restrictions on his or her movement.

Enforce: To compel or force obedience to a law, rule, or order.

Evidence: Testimony, documents, and objects used to prove a fact in a case.

Ex-Parte Done for, or at the request of, one side in a case only, usually without prior notice to the other side.

Execution Suspended: A prison sentence that is suspended in whole or in part provided certain conditions of probation or conditional discharge are met by the defendant.

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Failure to Appear: Failing to come to court for a scheduled hearing.

Family Violence
Victim Advocate: A person who works with domestic violence victims to determine their needs and inform them of their rights and the resources available to them.

Felony: A crime that is punishable by imprisonment of more than one year.

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Guardian Ad Litem: A person appointed by the court to represent a minor child’s best interests in a court case.

Guilty: A verdict of a judge or jury that a person accused of committing a crime did commit it.

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Habeas Corpus: A court order used to bring a defendant physically before a court in order to ensure the person's detention or imprisonment is not illegal.

Hearing: A judicial proceeding where a judge may hear argument and evidence so as to decide issues of law or of fact.

Hearsay: Testimony of an individual that is not from his/her personal knowledge, but from what the witness has heard another person say.

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Indigent: Someone who the court determines cannot afford to pay certain fees or the cost of an attorney.

Indictment: A formal charging document presented by a grand jury to a court for prosecution against the defendant.

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Judge: A person who hears and decides cases for the courts.

Jury: A panel of citizens who are selected by the prosecution, defense, and judge and given power to decide questions of fact and power to decide a defendant's guilt.

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Misdemeanor: A crime that is less serious than a felony and that is usually punishable by a fine, penalty, forfeiture, or imprisonment of less than one year.

Mistrial: A trial that a judge brings to an end, without a determination as to guilt, because of a procedural error or serious misconduct occurring during the proceedings.

Mittimus Judgment: The formal document prepared by the court clerk to present a convicted defendant to the Department of Corrections for incarceration. Also called the "Mitt".

Modification: Request to change a prior court order. Usually requires a change in circumstances from when the prior order was issued.

Motion: An oral or written application made by the prosecution or defense before, during, or after a trial requesting the court issue a ruling or an order.

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No Contact Order: A court order that prohibits contact by a defendant with another person and may be ordered by a judge, a bail commissioner, a probation officer, or a parole officer.

Nolle: Short for *nollo prosequi*, which means “no prosecution”. A disposition where the prosecutor agrees to drop the case against the defendant but keeps the right to reopen the case and prosecute at any time during the next thirteen months.

Nolo Contendre: Means “no contest”. A plea that allows the defendant to be convicted without admitting guilt for the crime. Although a finding of guilty is entered on the criminal court record, the defendant can deny the charges in a civil action based on the same acts.

Not Guilty: A verdict issued by a judge or jury stating that the prosecution has not proved the defendant’s guilt beyond a reasonable doubt.

Notice: The provision of information, usually in oral or written form, to an identified party regarding their rights or interest.

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Pardon: An official release from responsibility and consequences for a crime.

Parole: The conditional release of a prisoner from imprisonment before the full sentence has been served.

Parole Revocation: The act of returning a parolee to prison because of the parolee’s failure to abide by the conditions of parole.

Party: A person that is named as a plaintiff or defendant on legal papers. In Connecticut criminal cases, the parties include the state and the defendant. Although victims have a role in the criminal justice process, crime victims are not a party in the criminal case.

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| Plea: | An accused person's answer to a criminal charge. For example: not guilty, guilty, or no contest. |
| Plea Bargain: | The agreement a defendant makes with the prosecutor to avoid a trial. Usually involves pleading guilty to lesser charges in exchange for a lighter sentence. |
| Post Judgment: | Any request to a court or action by a judge after a judgment in a case. |
| Pre-sentence Investigation: | Also called PSI. A background investigation conducted by a probation officer on a person who has been convicted of a criminal offense. |
| Pretrial: | A conference with the prosecutor and the defense attorney, and sometimes the judge, to discuss the case status and what will happen next. Pretrial can last several months or years. |
| Probable Cause Hearing: | A hearing held to determine if enough evidence exists to prosecute the accused. The probable cause hearing must be held within 60 days of the filing of the complaint, unless the accused person waives the time period. |
| Pro se: | When the defendant is representing him/herself in court and is not represented by counsel (a defense attorney). |
| Prosecutor: | Also called the state's attorney. Represents the state in all criminal cases. |
| Protective Order: | A criminal court order issued by a judge to protect victims of certain crimes. |
| Public Defender: | An attorney appointed and paid for by the state to represent an indigent criminal defendant. |

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| Restitution: | Money ordered to be paid by a criminal defendant to a victim for expenses related to the crime. |
| Restraining Order: | A civil court order to protect a family or household member from physical abuse. |

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| Sentence: | A sentence is what a judge or jury formally pronounces after a criminal defendant has been found guilty; the sentence is the consequence and/or penalty for the crime. |
| Sentence Modification: | A defendant's written application to the sentencing judge or court to reduce the sentence. If the original sentence was more than three years the prosecutor must agree to hold a hearing. |
| Sentence Review: | A defendant's written application to a three judge panel to review the sentence. The application must be filed within 30 days after being sentenced. A review decision can increase, decrease, or affirm the sentence. |
| State's Attorney: | Also called the prosecutor. Represents the state in all criminal cases. |
| Statute: | A law enacted by the legislative body. |
| Statute of Limitations: | A certain time allowed by law for starting a case. |
| Subpoena: | A command to appear in court to testify as a witness. |
| Substitute Charge: | In a criminal case, a charge that replaces the original charge by the prosecutor. |

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| Time Served: | A sentence of incarceration equal to the amount of time a defendant has already spent in custody waiting for his/her case to be resolved. |
| Transcript: | The official written record of everything said at a court proceeding. |
| Transfer: | Assignment of a case to another court location by court order. |
| Trial: | A judicial process in which a judge or jury examines evidence and determines whether the defendant is found guilty. |

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| Unconditional Discharge: | A sentence in a criminal case in which the defendant is released without imprisonment, supervision, or conditions. |
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| Vacate: | To cancel or rescind a court order. |
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Victim Services
Advocate:

A person who assesses a victim's needs and helps the victim understand the court case, how to exercise their rights, and how to access other resources.

Violation of Probation:

Action or inaction that disobeys a condition of probation.

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Warrant:

A court order directing a law enforcement officer to make an arrest, a search, or a seizure.