

## Types of Cases – Criminal

The legislature passes laws that forbid certain kind of criminal conduct and authorizes penalties for violations of those laws. Criminal cases result when someone is accused of violating a criminal law. In other words, a criminal case is filed when a person is charged with committing a crime. The parties involved in criminal cases are the defendant who is the person alleged to have committed a crime and the government entity (either the State or the local government) who is accusing the defendant and representing the people in society. The government has to prove that the defendant committed the crime by putting on evidence. For example, if Joe assaults Brian, a government entity acting on behalf of both Brian and the entire community (city or state) may charge Joe with committing the crime of assault. If Joe is convicted of assault, various statutes authorize the court to impose a fine, impose jail time, order restitution and probation, and so forth. There are two types of criminal cases:

**Felony.** A crime punishable by imprisonment for more than one year.

**Misdemeanor.** A crime punishment by imprisonment for no more than one year.

### Special Proceedings

**Grand Jury.** A grand jury is a group of citizens selected and sworn in by the court. Grand juries listen to evidence presented by the prosecutor and decide if someone should be charged with a crime. Although grand jury proceedings are held at the court and a court clerk records these proceedings, the prosecutor schedules and conducts case presentations before the grand jury. Grand juries may also investigate and make reports and recommendations concerning the public safety or welfare.

**Search Warrant Applications.** A search warrant proceeding is one wherein a law enforcement officer asks the court to issue a search warrant. In general, a search warrant is a type of warrant that authorizes law enforcement to search a specified place for evidence. A special kind of search warrant, called a *Glass warrant*, allows a peace officer to monitor or electronically record conversations.

