

NCPA's 39th ANNUAL MEETING & SEMINAR
April 11, 2019 – April 13, 2019



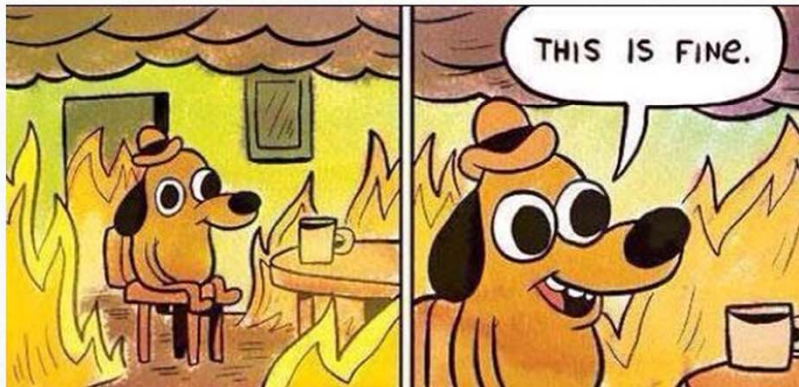
Criminal Law

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Criminal Law

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Out-of-court consequences of Criminal Law



Overview

- 1. Criminal Court Process/Procedures
- 2. School Hearings
- 3. Employer Issues
- 4. Family Communications
- 5. Jail Calls
- 6. “No Contact”
- 7. Q & A

1. Court Process / Procedures

- “What’s going to happen at my court date?”



1. Court Process / Procedures

- Most clients do not understand the path their case will take
- They WILL call (at the last possible moment)
- Understanding of court process extremely useful

1. Court Process / Procedures

- Path case takes depends on the charge
 - Misdemeanor
 - Felony

1. Court Process / Procedures

- Misdemeanor
 - Life in District Court
 - “not like TV”



1. Court Process / Procedures

- What is District Court?
 - No jury
 - “bench trial”
 - District Attorney

1. Court Process / Procedures

- Felony Charges
 - Begin in District Court (what!?)
 - Indictment (sounds scary)
 - Superior Court

1. Court Process / Procedures

- Indictment
 - Procedure that gets felony to Superior Court
 - Grand Jury

1. Court Process / Procedures

- Superior Court
 - Administrative Dates
 - Plea Deals
 - Arraignment
 - Trial Date

1. Court Process / Procedures

- Superior Court Trial

- Just like TV!
- Judge, jury, court reporter
- Plea Deals



1. Court Process / Procedures

- Questions?



2. School Hearings



2. School Hearings

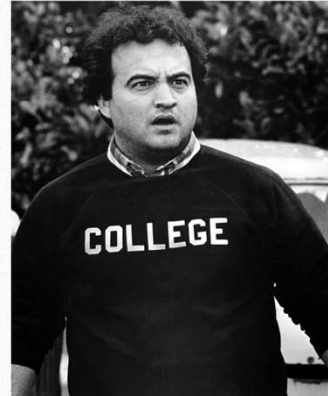
- Types:
 - Highschool
 - School Board Hearings
 - Teacher Disciplinary Hearings
 - College
 - Title IX
 - Student Code of Conduct

2. School Hearings

- Issues:
 - School personnel
 - Pending Criminal Matters
 - DVPO

2. School Hearings

- Communication (with client)
 - Client may not be best communicator!
 - Parents AND Student
 - Letters, calls, emails, etc.



2. School Hearings

- Questions?



3. Employment Issues



3. Employment Issues

- Why is this person contacting our office?
- Relationship to our representation

3. Employment Issues

- Contact related to employee criminal charges

- Fielding Calls from Employers

- Privilege

- Employee Involved in Case

- Victim

- Co-Defendant



3. Employment Issues

- Contact related to employer disciplinary proceedings
 - Unlike criminal court!
 - Assume speaking with prosecutor

3. Employment Issues

- Questions?



4. Family Communications



4. Family Communications

- Age dependent
- Who is Client?
- Who is Paying?

4. Family Communications

- BEWARE family trying to “help”!
- Role of parent v. role of defense attorney
 - Apology letters
 - Calling victims
 - “punish my child”



4. Family Communications

- Court Expectations
 - Courtroom etiquette
 - Timeliness of attorney

4. Family Communications

- Questions?



5. Jail Calls



5. Jail Calls

- Incoming Jail Calls
 - Is this actually my client?
 - Content of phone call

5. Jail Calls

- SOMEONE IS ALWAYS LISTENING!!
 - Advise family of clients!



5. Jail Calls

- Questions?



6. No Contact



6. No Contact

- “No contact means no contact!”
- Arises from:
 - 50B
 - 50C
 - Criminal Bond Conditions
 - *Ex Parte* Orders

Questions?

