

GLOSSARY of court terms

CourtWatchWA, adapted from NYC

Affidavit

A written statement of facts signed under oath by the party making the statement, before a notary or judge.

Arraignment

Accused person's first appearance in front of a judge once a criminal allegation has been made. Purpose of this appearance is to formally charge someone with a crime, appoint a lawyer if that is necessary, and decide conditions of release.

Alleged Victim Request (A/V Request)

This is the term the court will use referring to the person who claims harm in the case being heard. Either of the two parties may tell the court what this person wishes to have happen and the judge may ask from the bench. The court may or may not take this person's wishes into consideration.

Bail

Any condition of release, including, but not limited to:

- **Money**
- **Personal Surety** – an unsecured bond, in which a person promises collateral, usually at ten times the amount of the cash bail that would have been ordered in the case, but need not pay anything directly in order to be released
- **Unsecured appearance bond** --The defendant secures his or her own release by committing to pay the full amount of bail if he or she fails to appear. No property or money is required as a deposit or collateral.
- **Stay Away/No Contact Order** – Condition of release ordering an accused person to stay away and have no contact with a person/place/thing related to the case.
- **GPS or electronic monitoring (EM)**

Bail Revocation

In certain situations, the ADA can move to revoke an existing bail during the pendency of a case. Most commonly this occurs when a person has an existing open case and is charged with a new offense (a second case). If the judge agrees with the ADA request and the bail is revoked, the person will be held for a set time without the possibility of release, pending other conditions.

Charge

The specific law the person is accused of violating.

Conditional Discharge (CD)

This is a type of sentence, usually the unspoken "condition" is to not be arrested for the next year, however, a CD could also include community service or some kind of court mandated program. The concept being that if the person is rearrested within that year or does not complete the mandated program or service, they could be detained and subject to the maximum amount of incarceration allowed under that charge.

Court-Mandated Programs

Sometimes at arraignments, an accused person will either be offered a court-mandated program as part of a misdemeanor plea deal, or as part of their release requirements.

Default

An entry made into a person's CORI when their case is called, and they are not in the courtroom/courthouse to answer. Anytime someone is supposed to be in court, either because they have an open case, because they owe money for fines/fees, or because they must meet with their probation officer and they are not there, a default can be entered on their CORI. These are used by prosecutors to argue that a person is less likely to come to court in the future and to advocate for conditions on their release, like bail or a GPS.

DIR/Domestic Incident Report or DV/Domestic Violence

A written statement taken by police officers at the scene of an alleged domestic incident. In domestic violence cases if there is a prior history with the same complainant the DA may mention prior allegations often referred to as DIR or turn over a DIR to defense counsel if one exists for the present allegations.

Docket Number

The number assigned to a specific case. These will look different depending on which court issued them (eg six digits, ten digits, other).

FTA/FTR

Failure to Appear refers to not being present when scheduled for a court appearance like a hearing or a trial. This can result in a bench warrant, re-arrest and forfeiture of previously paid bail. Failure to Report refers to not checking in with a court-mandated program like probation or day-reporting.

GPS / EM

This is a GPS enabled ankle monitor someone must wear as a condition of their release. This is ordered by the judge after being requested by one of the parties (usually the ADA; occasionally a defense attorney if it seems like a less onerous pre-trial condition) during the arraignment. The monitor tells the probation department where the person is and notifies probation if the person violates any of the conditions of their GPS requirements. Also referred to as an electronic shackle, e-carceration.

Hold

This means that there is some active warrant that acts as a "hold" on the person, meaning that while they may have the option of ROR or making bail on the new matter, the older warrant means they will be held in jail until they are brought before the Judge overseeing that older matter and either released or granted bail.

Personal Recognizance / PR

Release without any financial conditions. Person may be released on personal recognizance and be required to adhere to other conditions like a GPS monitor or a stay away order.

Probation Violation

Allegation by Probation that a person who is on probation violated a term of their probation. Often probation will file a violation of probation when a person is charged with a new crime. The judge decides whether there is enough evidence to decide whether someone violated their term of probation at a separate hearing.

Probation Hold

The probation department may ask that the person be held without bail until their probation violation hearing.

Restraining Order

Civil order from a judge telling a person they cannot contact a specific person. The violation of a Restraining Order is a crime.