

General Descriptions of Court Procedures

The following are basic descriptions of proceedings that may occur during the course of a criminal prosecution. However, each case is unique, and the court may combine issues needing to be addressed at any hearing.

Arraignment - A proceeding in which the defendant is formally informed of the charges and pleads 'guilty' or 'not guilty'. If the defendant pleads 'not guilty', a pre-trial conference, or trial, will be scheduled.

Pretrial Conference - A proceeding to determine if the case will be resolved, continued, or set for trial. The case may be resolved at this stage.

Change of Plea - A proceeding at which the court is presented with a "plea agreement" by the prosecution and defense. The plea agreement may stipulate that the defendant pleads guilty to the original charge(s), or such amended charge(s), as the prosecution and defense have agreed upon. The actual terms and conditions of a change of plea may be very complex and may include a stipulated sentence and/or restitution.

Continuances - Delays are common at all stages of the criminal justice process. Continuances are legal postponements of scheduled proceedings and may occur without warning. You should check with a Victim Advocate, or the prosecutor in your case, for court date changes in advance of any proceeding which you plan to attend.

Trial - A hearing before a judge (or jury) at which time evidence is presented by both the prosecution and defense. The victims and witnesses are subpoenaed to testify, and the judge (or jury) decides whether there is enough evidence to prove the defendant guilty "beyond a reasonable doubt."

Sentencing - A court proceeding after a defendant pleads guilty, or is found guilty at trial, in which the judge announces the defendant's punishment. **The victim has the right to be heard and to submit an impact statement, if desired.** This statement can include information regarding the impact this crime has had on the victim and/or the victim's family and the victim's wishes regarding restitution and sentencing.

Quick Reference Numbers

For emergencies: call 911

Consolidated Dispatch Center
(for non-emergency police assistance)
(859) 292-3622

Campbell Circuit Clerk
(for information on filing a protective order)
(859) 292-6314

Campbell County Attorney
(for information on filing criminal charges)
www.campbellcountyattorney.com
(859) 581-8015

St. Elizabeth DOVE
(for medical assistance)
(859) 212-4254

The ION Center
(for domestic violence/sexual assault/stalking)
www.ioncenter.org
(859) 491-3335 (call or text)

Cabinet For Health and Family Services
(for social services/assistance)
www.chfs.ky.gov
(855) 306-8959

Report Child or Adult Abuse/Neglect
(877) 597-2331 (KYSAFE1)
or online at:
prdweb.chfs.ky.gov/reportabuse

North Key Community Care
(for mental health/substance abuse services)
www.northkey.org
(859) 331-3292

CRIME VICTIMS ASSISTANCE PROGRAM



Campbell County Attorney
Steven J. Franzen

Kentucky Crime Victim Bill of Rights

KRS 421.500 – 421.575

Section 26A of the Kentucky Constitution preserves and protects victim's rights to justice through information, notification, and consultation. As a crime victim, you have a right to:

1. Timely notice of all proceedings. *
2. Be heard in any proceeding involving the release, plea, sentencing, or other matter involving the right of the victim, other than grand jury. *
3. Be present at trial and all other proceedings, on the same basis as the accused.
4. Proceedings free from unreasonable delay.
5. Consultation with the attorney for Commonwealth or the attorneys' designee.
6. Reasonable protection from the accused, and those acting on behalf of the accused, throughout the criminal and juvenile justice process. *
7. Timely notice of release or escape. *
8. Have your safety considered in the setting of bail, determination of whether to release the defendant, and conditions of release after arrest and conviction.
9. Full restitution to be paid by the convicted or adjudicated party in a manner to be determined by the court.
10. Fairness and due consideration of your safety, dignity, and privacy.
11. Be informed of these rights and standing to assert the rights.
12. Seek enforcement of these rights.

*** To exercise certain rights, you MUST submit the appropriate form to the Campbell County Attorney's Office. To request an assertion of rights form, call (859) 581-8015 or send an email to victimservices@campbellcountyky.gov**

Assistance from a Victim Advocate

Advocates at the Crime Victims Assistance Program are available to:

- explain terms and procedures of the criminal justice system **
- provide information about the legal process
- answer questions (case specific or general)
- act as a liaison between the victim and prosecutor
- accompany victims to court proceedings (upon request)
- assist with requesting restitution
- assist with Crime Victim Compensation applications
- assist with submitting Victim Impact Statements
- provide information on available protective, emergency, social, and medical services. ***

To request assistance from a Victim Advocate, contact our office at (859) 581-8015 or state@campbellcountyky.gov

** For a brief explanation of the court process, see the section of this pamphlet titled, "General Descriptions of Court Procedures."

*** For numbers of local service providers, see the back panel of this pamphlet titled, "Quick Reference Numbers."

Kentucky VINE Services (Victim Information Notification Everyday)

The VINE System is designed to provide you with information and notification for offender custody status, court hearings, and protective orders. The Campbell County Attorney's office **strongly** encourages you to register for VINE notifications.

To register for notifications on offender custody status and protective orders, call **800-511-1670** or register at **www.vineline.com**

To receive notifications on court hearings, call **800-511-1670** or register at **www.courts.ky.gov**. Click on "VINE" for VINE Court Services.

Consultation with Prosecuting Attorney

You have the right to consult with the attorney for the Commonwealth on the status of your case including charges filed, case disposition, trial date, release of defendant, conditions of release, a negotiated plea, and the defendant's entry into a diversion program.

Crime Victim Compensation

Kentucky has established a Crime Victims Compensation Fund from which a victim (if eligible) may be reimbursed for certain expenses, or wages lost, as result of a crime. A Victim Advocate can answer questions concerning eligibility and can assist with the completion of the necessary forms. More information on the Crime Victims Compensation Fund can be found at: **kycc.ky.gov**.

Restitution

Restitution can be ordered by the court for reimbursement of costs incurred as a crime victim. Restitution may include medical expenses, property damage, and other out-of-pocket expenses. **Proof of financial losses (copies of receipts, estimates, and/or bills) must be submitted to the Campbell County Attorney's Office for consideration.** Financial compensation for pain and suffering, punitive damages, and lost wages, can only be recovered through a separate civil court action.

Community Resources

The ION Center

(Previously known as the Women's Crisis Center)

The ION Center offers free, confidential support and services to victim-survivors of all identities who have experienced power-based personal violence such as sexual violence, intimate partner violence, child abuse, and/or stalking. Services include: 24-hour hotline, counseling, safety planning, emergency shelter, hospital and court advocacy and accompaniment, groups, pet protection, and referrals. **(859) 491-3335** ♦ **ioncenter.org**