Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Pre-trial Process Quiz**

1. When does someone enter the court system?

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1. What consists of obtaining biographical information about the defendant, fingerprinting the defendant, and taking the defendant’s photograph?

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1. What is a written statement of the essential facts constituting an charged offense that is made upon oath before a magistrate—can also be known as an affidavit?

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1. What can be allowed in the affidavit?

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1. If someone is not in custody when the judge signs an affidavit, what does it become?

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1. What is the first appearance before a judge where the judge confirms the identity of the defendant, informs of various rights such as remaining silent and having an attorney, gives a date to show up to court for their preliminary hearing, and advises the defendant of how much their bail is?

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1. Within how many hours of being arrested does the judge have to see the defendant?

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1. What is the money or property given as security for a defendant’s appearance in court that can be lost if the defendant does not appear at the court date?

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1. What type of bond consists of a third party agreeing to pay for the bond?

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1. What type of bond consists of the defendant pledging a car, house, or other property to retain release?

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1. What type of bond consists of the defendant putting up their own money to bail out?

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1. What type of bond consists of a defendant being released if they promise to appear in court?

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1. Which amendment does not allow excessive bail?

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1. What can the bail amount depend on?
	1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Bail can be denied to a defendant based on what?
	1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. What is the defendant’s second appearance before a judge where the court determines if probable cause exists to believe the accused committed the crime, is many times bypassed, is adversarial, and can serve as a source of discovery for both the prosecutor and defense?

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1. What is the purpose of the preliminary hearing?

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1. What is a group of people who routinely meet to determine whether there is probable cause to believe that defendants committed the crimes they are charged with; they are closed and secret, and the defendant is not present?

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1. Who is the only attorney present during the grand jury proceedings?

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1. When the grand jury finds that probable cause exists, the defendant is what?
	1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or
	2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. When the grand jury finds that probable cause does not exist, the defendant is what?

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1. What is the hearing at which the defendant is brought before a judge to hear charges and to enter a plea?

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1. In what pleas does the defendant neither admit nor deny the charges and imply they have no intention of defending themselves?

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1. What must a guilty plea be?

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1. What is a no plea the same as?

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1. What is a negotiation between a prosecutor and the defendant’s lawyer where the defendant pleads guilty for lesser punishment so the case doesn’t go to court?

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