

COURT DOING FOR FAMILIES AND COMMUNITIES WHOSE LOVED ONES HAVE BEEN DETAINED

A Participatory Defense Guide to Impacting Arraignment and Bail Hearings

This checklist will empower you -- as a family member, community supporter, and/or participatory defense organizer -- on how to positively impact your loved one's case. After understanding this checklist, you can prepare before court, be impactful at court, and figure out next steps after court.

If your loved one has **NOT** had an arraignment. (their "first court date") :

Before Court

1 Find out when, what time, and where your loved one's first court date is. You can see if your county has an inmate locator online, call the jail where they are housed, or call the court clerk's office.

2 Collect documentation that shows your loved one is not a flight risk (flight risk means the likelihood to show back up to court).

- Examples:
- Proof of place to live
 - Family and/or community ties
 - Employment
 - Letters of support (see attached sample)
 - School

3 Reach out to the public defender's office to see who the public defender would be for that day and that courtroom.

4 Find out if there is a Pretrial Office to know if there will be a pretrial report and call them.

- Tell them your loved one has family and community ties and is not a flight risk. Share any information regarding employment, school, residency in the county, and family.

5 Ask Friends, Family, and Community to show up to court.

ARREST

ARRAIGNMENT

ERC/FAR HEARING

PLEA

PRELIMINARY HEARING

SUPERIOR COURT ARRAIGNMENT

TRIAL

SENTENCING

APPEAL

• This is a typical felony court process in California.

At Court

1 Show up early.

2 Check calendar (outside of courtroom) to confirm you are in the right courtroom. If you can't find your loved one's name, go to the court clerk's office.

3 Approach bailiff and ask to speak with public defender of the day.

- Introduce yourself to the public defender of the day. Say who you are there for.
- Share documentation gathered with the public defender.
- Get the public defender's card or contact info.

4 Take detailed notes. Write down everything you heard. Don't try to make sense of it yet.

- What are the charges?
- List if they are felonies or misdemeanors.
- List who the court actors are -- public defender, D.A., judge, ect...
- Write down notes about release options. If bail is not granted or reduced, list the reason why.
- Write down any updates, next court dates.

After Court

SEE BACK

After Court

PARTICIPATORY DEFENSE
MOVEMENT



If your loved one is **NOT** released

- 1 Follow up with the public defender's office to find out the name of the attorney assigned.
- 2 Schedule a meeting with public defender.
- 3 Ask when a bail hearing can be scheduled. Prepare for it with public defender/defense attorney.

If your loved one **IS** released

- 1 Follow up with the public defender's office to find out the name of the attorney assigned.
- 2 If a Participatory Defense Hub exists in your county, contact them and attend a weekly meeting.
- 3 Have your loved one schedule a meeting with their defense attorney to go over their case.
- 4 If your loved one has release conditions, make sure they are checking in with the appropriate court officers.

KEEP SUPPORTING UNTIL THE CASE IS DONE!

REFER TO P1 FOR THE FELONY COURT PROCESS

If your loved one has **HAD an arraignment (“first court date”), is still in custody, and would like a bail hearing:**

- 1 Schedule a meeting with your loved one's defense attorney.
- 2 If you don't know who that is, contact your public defender's office.
- 3 Ask the defense attorney when a bail hearing can be scheduled. Prepare for it with your loved one's defense attorney.
- 4 If a Participatory Defense Hub exists in your county, contact them and attend the weekly meeting.