



Wayne County Prosecutor Kym L. Worthy
General Trial Unit – Frequently Asked Questions
(313) 224-7117

www.waynecounty.com/prosecutor/generaltrials.htm

GENERAL TRIAL UNIT – FREQUENTLY ASKED QUESTIONS

How will I know when I should be in court?

Your Victim Advocate, the Assistant Prosecuting Attorney assigned to your case or a representative of the Prosecutor's Office will notify you of court dates where your presence is required. They will also let you know of any other court dates, at your request. You should make sure that your contact information remains accurate at all times. If you move or change your telephone number, please contact your Victim Advocate, if one is assigned to you, the Assistant Prosecuting Attorney assigned to your case or the General Trial Unit at (313) 224-2117.

I am the victim. Can I drop the charge(s)?

Many people believe that as a victim they have the right to drop the charges against the defendant. Unfortunately this is not true. Crimes are committed against the community and therefore once a complaint is made, the case is prosecuted in the name of the People of the State of Michigan, not in the name of the person who has been harmed by the crime. Only the Prosecutor can dismiss charges. However, the Prosecutor will review the case and take into consideration your views as well as other factors when determining whether to dismiss.

Will the defendant have my personal information?

No. Defendants are not given personal information such as addresses, telephone numbers or social security numbers. If anyone contacts you asking you for your personal information and you cannot verify whether they represent the Prosecutor's Office, the Court or the Police Department, take their phone number or hang up and call your Victim Advocate, if one is assigned to you, the Assistant Prosecuting Attorney assigned to your case or the General Trial Unit at (313) 224-2117 or the Police Department.

If anyone approaches you on behalf of the Court, the Police Department or the Prosecutor's Office, ask to see his or her identification. All representatives of the Court, the Prosecutor's Office or the Police Department have official identification.

How do I get my property back?

In some instances, property can be returned prior to trial. However, if the items are important pieces of evidence they will not be returned until the case has been completed. The police will secure these items. Upon request the item(s) may be returned to you.

How can I get a copy of a person's criminal record?

Although the Prosecutor's Office has access to the criminal history of a defendant it is against the law to provide copies to the public. There are many websites on the Internet which provide this information, usually for a fee.

Can I get restitution?

A Judge can order restitution as part of a sentence. However, proper documentation of the loss(es) must be provided to the Probation Department, a Victim's Advocate or your Assistant Prosecuting Attorney.

What if the defendant doesn't pay restitution?

If the defendant does not pay the restitution ordered by the Judge you should notify the Judge and the Probation Department, if the defendant is on probation. If the probation has expired, you may hire a private lawyer to enforce the order through garnishment of wages, attachment of property, etc. In a criminal case, restitution is an order of the Judge that remains in effect until it is paid in full.

How can I get information about my case?

You should call your Victim Advocate, the Assistant Prosecuting Attorney assigned to your case or the General Trial Unit at (313) 224-2117. Not every victim is assigned a Victim Advocate. These assignments are based on the type of case you have.

If you are a victim and have not been assigned a Victim Advocate or you are a witness you can call the General Trial Unit's telephone number at (313) 224-7117.

If you do not receive an answer at any of these numbers, please leave a detailed message along with a telephone number where you may be reached. Someone will return your call at the earliest possible time.

I have been subpoenaed to appear as a witness in a criminal case. Do I have to attend? What if I cannot attend on the scheduled date?

A subpoena is a Court order. If you fail to attend the court hearing the Judge may order your arrest and hold you in contempt. If the Judge finds that you are in contempt for failing to attend the scheduled hearing, as indicated on your subpoena, you may be fined or sent to jail.

If you receive a subpoena and cannot attend court on the scheduled date, you should notify a Victim Advocate, if one has been assigned to you, or the Assistant Prosecuting Attorney assigned to your case. You may also call the General Trial Unit's telephone number at (313) 224-7117. Please leave a detailed message along with a telephone number where you may be reached if there is no answer. Someone will return your call at the earliest possible time.

What can I expect if I am called as a witness in a case?

You should arrive on time. Bring your subpoena and all documents you have received in reference to the case. You should not leave unless the Judge or the Assistant Prosecuting Attorney has told you that you may do so. Court is generally in session from 8:30 a.m. until 4:30 p.m. Therefore, be prepared to stay until 4:30 p.m.

If you are not sure which courtroom you should report to, bring all of your documents up to the 11th floor of the Frank Murphy Hall of Justice, Room 1165, and someone will assist you.

If a jury trial is scheduled, you will have to wait until the jurors are selected before you are called into court to testify. This may take some time.

When you are called into the courtroom to testify, you will be given an oath or asked to affirm that your testimony will be truthful. You should speak clearly and loud enough for every one to hear you. You should throw away gum or anything you have in your mouth before you take the witness stand.

Try to keep as calm as possible.

What should I wear?

A neat appearance and proper dress in court are important. You should try to be as conservative as possible. Avoid wearing halter-tops, plunging necklines, short; clothing that is too tight or too short. Your pants should be worn at the waist. A tie is not required, but you should wear a shirt with a collar, not a t-shirt.