

This is How We Help

The Criminal Justice Advocacy Program (CJAP) helps to ensure that defendants with developmental disabilities get equal access to justice and fair treatment in the criminal justice system. The CJAP can get involved during any stage of a defendant's case within the system, including initial appearance, arraignment, pre-trial conference, trial, sentencing, correctional facility, pre-release planning and community reintegration. We do this by creating a Personalized Justice Plan (PJP).

What is a Personalized Justice Plan (PJP) ?

A PJP is a written document, that is given to the defense attorney, prosecutor and judge that lays out alternatives to being sentenced to prison. The PJP will list the least restrictive community options that are available so that a criminal defendant can continue to live in the community. The person is still held accountable for their actions and must comply with all conditions that are included.

Once a person is on probation, the PJP can help keep the person safely in the community until the sentence is completed. CJAP staff will monitor the person every week or every month, depending on the person's needs, for as long as the Court requests it.

Every PJP increases the person's responsibility in the community. Our goal is to help the person successfully remain in the community, crime-free.

If you know someone that has an intellectual or developmental disability and has pending criminal charges in the municipal or superior court, please call the Criminal Justice Advocacy Program (CJAP) for assistance.



Criminal Justice Advocacy Program
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Visit our website for more information

Criminal Justice Advocacy Program

Understanding the Criminal Justice System



For Individuals with Intellectual and Developmental Disabilities, Families and Caregivers



Achieve with us.®

Things to Know Before You Go to Court

1. You **MUST** show up for Court every time and on time.
2. Only talk to your attorney, not the judge or prosecutor, unless your attorney tells you to.
3. Dress appropriately.
4. When talking to the judge, call him or her "Your Honor" or "Judge".
5. Keep your hands out of your pockets when standing before the Judge.
6. Make sure you get your new court date before leaving the courtroom.

If you need accommodations, go to www.njcourts.gov for a directory of Americans with Disabilities Act (ADA) Coordinators for your county.



Some Important Stages of the Criminal Justice System in New Jersey

Pre-Arrest Conference

This is the first time there is a court date. You will have the opportunity to receive a copy of the indictment and decide if you would like to fill out an application for the Public Defender, who will represent you for a small fee. If you have a job or own a home, you may not be able to get a Public Defender. You can hire your own attorney who will represent you. A plea is not entered at this time and you will be given your next court date.

Arrest

This is the first time you will go in front of the judge with your attorney and learn about the charge(s) against you. The attorney will say that you are guilty or not guilty.

Pre-Trial Intervention (PTI)

This option is available for some first-time offenders. Your attorney will review if you are eligible, the requirements and application process. If you are accepted into PTI, you will have to report to probation and follow conditions. If you can follow all the conditions successfully, then the charges will be dismissed and you will not have a criminal conviction.

Status Conference(s)

At this hearing the judge will be updated on your case. They will find out if any decisions have occurred, such as if a plea agreement has been accepted or if the case will go to trial.

Plea Agreement

You can decide to not have a trial and admit your guilt to the crime. In return, the prosecutor will make an “offer”. This can include a reduced term of jail or probation or both, and if you have more than one charge, the prosecutor may dismiss one of the charges (but not all) for the guilty plea. However, the judge must accept this plea agreement and may change the terms. At this hearing, you will have to tell the Court what you did under oath so that there is a “factual basis” for the plea.

Trial

If you decide that you want to take your case to trial, then all the evidence will either be heard by a judge or jury. The judge or jury will decide if you are guilty or not guilty of the crime, based on the evidence presented by the prosecutor. The length of time it takes to get a trial date and the length of a trial can vary. Your attorney will explain what will happen and you must be able to help your attorney by sitting at the attorney table, listening and participating.

Sentencing

If you plead guilty or are found guilty at trial, then the judge will tell you your punishment (sentence) for the crime. Your attorney will tell you what may happen before you go into court to be sentenced. This hearing will conclude your court case.

Appeal

You have the right to appeal. Speak to your attorney about that process.

Commonly Used Terms in the Criminal Justice System



Arrest: This is when a police officer reads a suspect their Miranda Rights and brings them to a police station to ask questions about a crime that was committed.

Attorney: This is a person that is appointed to speak on your behalf in court. They can also be referred to as a public defender, defense counsel or lawyer.

Complaint: A document that provides a summary of the criminal act and charges.

Crime: The act of doing something illegal.

Defendant: The person that is charged with a crime.

Discovery/Evidence: The information the attorney and prosecutor have collected to prove the defendant did or did not commit the crime they are being charged with.

Factual Basis: This occurs when a guilty plea is entered. The defendant tells the judge how and when the crime was committed.

Guilty: This is when the defendant admits to the judge they committed the crime, or when a jury concludes that the defendant has committed the crime.

Indictment: A legal document that provides the facts of the case and reason for the charge(s).

Judge: The lawyer that hears the case in the courtroom and makes decisions based on the evidence presented, facts of the case and law.

Jury: A group of citizens that hear the evidence to determine if the defendant committed the crime or not. The jury decides if the defendant is guilty or not guilty of the crime.

Miranda Rights: The legal rights of an arrested individual. This includes your right to have an attorney and to refuse to answer questions by the police. The officer will read these to the person arrested so that the person understands these rights.

Pre-Sentence Report (PSR): A report that is generated by a probation officer to assist the judge with deciding the defendant’s sentence.

Pretrial Service Officer: This person will be responsible for assessing the risk level of an arrested individual and monitoring a defendant who is released pending trial.

Probation: A period of time when a person is assigned to, and supervised by a probation officer in the community.

Prosecutor: A lawyer representing the State who presents evidence in an attempt to prove the defendant is guilty of the crime.

Victim: The person that is affected by a criminal act.

Witness: Someone who observed or has information about a crime that was committed.

