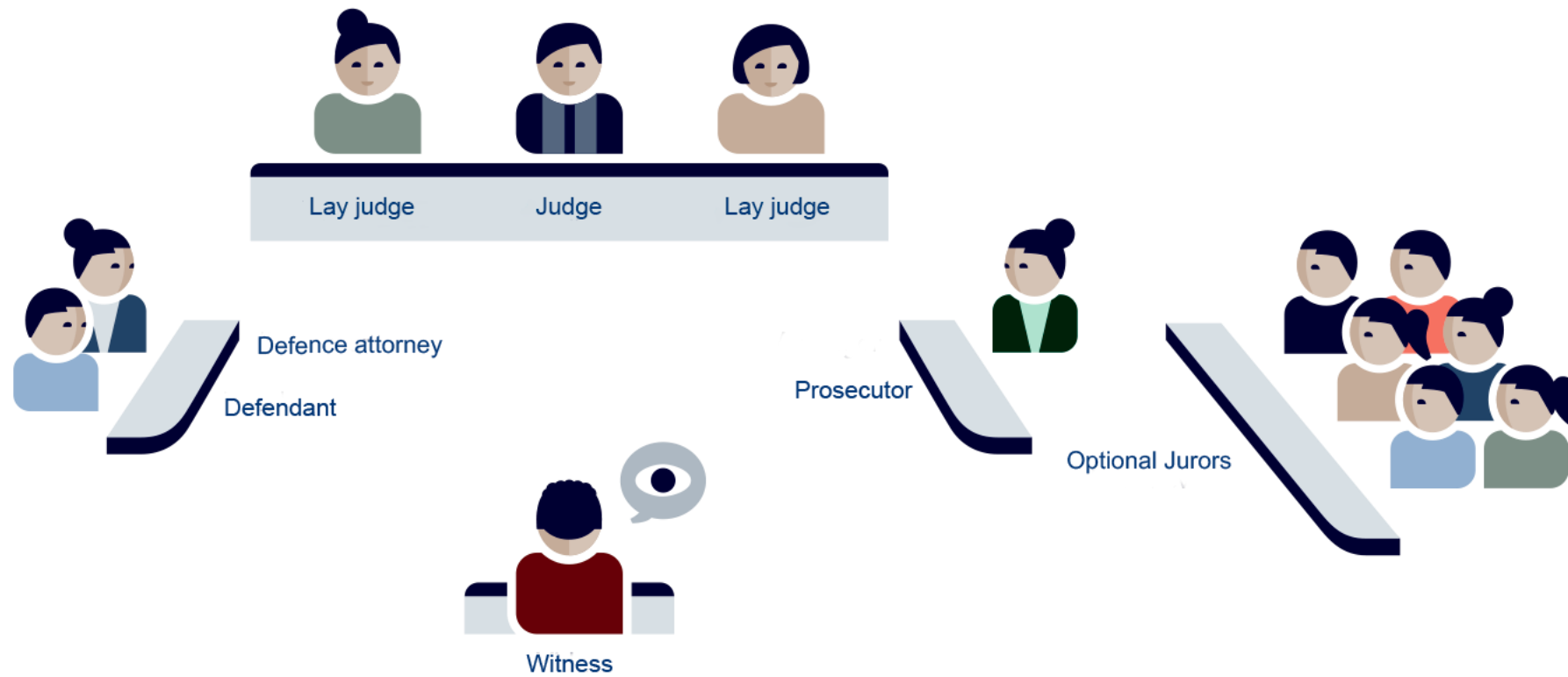




# How are Criminal Cases conducted in the District Court?

# Criminal Cases in the District Court

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## **Order in Court**

It is essential for everyone, i.e. the court, the parties involved, witnesses, and spectators, to maintain order in the courtroom. Please turn off your mobile phone before entering the courtroom.

## **Criminal Cases**

Criminal cases in the district court are handled in three different ways:

Jury trials: Three judges from the court and six jurors participate in jury trials.

Lay judge trials: A judge from the court and two lay judges participate in these cases.

Cases of guilt and minor criminal cases: These cases are handled by a judge from the court.

# Court Proceedings

## **Interrogation of The Defendant**

When the judges enter the courtroom, everyone stands up. The case begins with the prosecutor reading the indictment and explaining the matter. The defendant is not obligated to speak and does not testify under penalty. The prosecutor questions the defendant first, followed by the defense attorney.

## **Witness Testimony**

Witnesses are not allowed in the courtroom prior to giving their own testimony. This is because witnesses should not overhear the testimony of the defendant or other witnesses, as that could influence their own testimonies. As a rule, the witness is first questioned by the prosecutor and then by the defense attorney. Witnesses who have already testified are welcome to stay in the courtroom and observe the rest of the proceedings as spectators. Witnesses and spectators can also call the court afterwards to inquire about the case outcome.

## **The Pleadings (Procedure)**

When all testimony and evidence have been presented, the prosecutor and defense attorney present their views on the case. This is called the procedure. During the procedure, the prosecutor and defense attorney explain how they believe the evidence should be evaluated and suggest the appropriate punishment, if applicable.

## **Deliberation (Voting)**

The judge and lay judges/jurors now withdraw to assess the evidence and discuss the case outcome. In jury trials, the question of guilt is determined first.

## **Pronouncement of Judgement**

When the judge and lay judges/jurors return after deliberation, everyone stands up. The judge sitting in the middle (the presiding judge) reads out the conclusion of the judgment. The presiding judge then asks everyone to be seated and reviews the factors considered by the court in reaching the judgment. Witnesses and spectators can also call the court within 7 days to learn the judgment's outcome.

## **Witness Testimony and Witness Responsibility**

Witnesses have an obligation to speak the truth in court and are generally required to give testimony. Special rules apply to close relatives, and when a testimony could expose the witness or the witness's close relatives to penalty or loss of welfare.

If you, as a witness, are in doubt whether you are obligated to testify, you should bring this to the court's attention.

## **Uncomfortable Witnesses**

If you feel uncomfortable as a witness, you are welcome to approach the court staff, who can assist and guide you. This also applies if you feel uneasy about providing testimony when the defendant is present.

## **Witness Compensation and Expenses**

Witnesses are entitled to witness compensation and reimbursement of transportation expenses. If you are a witness, the court will inform you of the steps to receive witness compensation. If you want to claim compensation for lost earnings, please inform the judge or a court staff member.