VICTIMS' RIGHTS DEFINITIONS

TERM	STATUTE	DEFINITION
Accused	Adult A.R.S.§13-4401(1)	**"Accused"** means a person who has been arrested for committing a criminal offense and who is held for an initial appearance or other proceeding before trial.
	Juvenile A.R.S.§8-382(1)	**"Accused"** means a juvenile who is referred to juvenile court for committing a delinquent act.
Appellate Proceeding	A.R.S.§§13-4401(2) 8-382(2)	**"Appellate proceeding"** means any contested matter before the state court of appeals, the state supreme court, a federal court of appeals or the United States supreme court.
Arrest	Adult A.R.S.§13-4401(3)	**"Arrest"** means the actual custodial restraint of a person or the person's submission to custody.
	Juvenile A.R.S.§8-382(3)	**"Arrest"** means the actual custodial restraint or temporary custody of a person.
Court	Adult A.R.S.§13-4401(4)	**"Court"** means all state, county and municipal courts in this state.
	Juvenile A.R.S.§8-382(4)	**"Court"** means the juvenile division of the superior court when exercising its jurisdiction over children in any proceeding relating to delinquency.
Crime Victim Advocate	A.R.S.§§13-4401(5) 8-382(5)	"**Crime victim advocate**" means a person who is employed or authorized by a public or private entity to provide counseling, treatment or other supportive assistance to crime victims.
Criminal Offense	A.R.S.§13-4401(6)	"**Criminal offense**" means conduct that gives a peace officer or prosecutor probable cause to believe that a felony, a misdemeanor, a petty offense or a violation of a local criminal ordinance has occurred.
Criminal Proceeding	A.R.S.§13-4401(7)	**"Criminal proceeding"** means any hearing, argument or other matter that is scheduled by and held before a trial court but does not include any deposition, lineup, grand jury proceeding or other matter that is not held in the presence of the court.

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Custodial Agency	Adult A.R.S.§13-4401(8)	**"Custodial agency"** means any law enforcement officer or agency, a sheriff or municipal jailer, the state department of corrections or a secure mental health facility that has custody of a person who is arrested or in custody for a criminal offense.
	Juvenile A.R.S.§8-382(6)	**"Custodial agency"** means any law enforcement officer or agency, a sheriff, a county juvenile detention center, the department of juvenile corrections or a secure mental health facility that has custody of a person who is arrested or in custody for a delinquent or incorrigible offense.
Defendant	A.R.S.§13-4401(9)	**"Defendant"** means a person or entity that is formally charged by complaint, indictment or information of committing a criminal offense.
Delinquency Proceeding	A.R.S.§8-382(7)	**"Delinquency proceeding"** means any hearing, argument or other matter that is scheduled or held by a juvenile court judge, commissioner or hearing officer and that relates to an alleged or adjudicated delinquent offense.
Delinquent	A.R.S.§8-382(8)	**"Delinquent"** means a child who is adjudicated to have committed a delinquent act.
Delinquent Act	A.R.S.§8-381	This article applies to acts that are committed by a juvenile and that if committed by an adult would be either: 1. A misdemeanor offense. 2. A felony offense. 3. A petty offense. 4. A violation of a local criminal ordinance.
Detention Hearing	A.R.S.§8-382(10)	**"Detention hearing"** means the accused's initial appearance before the court to determine release before adjudication.

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Final Disposition	Adult A.R.S.§13-4401(10)	**"Final disposition"** means the ultimate termination of the criminal prosecution of a defendant by a trial court, including dismissal, acquittal or imposition of a sentence.
	Juvenile A.R.S.§8-382(11)	**"Final disposition"** means the ultimate termination of the delinquency proceeding by a court, including dismissal, acquittal, transfer to adult court or imposition of a disposition after an adjudication for a delinquent offense.
Immediate Family	A.R.S.§§13-4401(11) 8-382(12)	**"Immediate family"** means a victim's spouse, parent, child, sibling, grandparent or lawful guardian.
Juvenile Defendant	A.R.S.§8-382(13)	**"Juvenile defendant"** means a juvenile against whom a petition is filed seeking to have the juvenile adjudicated delinquent.
Lawful Representative	A.R.S.§§13-4401(19) 8-382(20)	"**Lawful representative**" means a person who is designated by the victim or appointed by the court and who will act in the best interests of the victim.
Postadjudication Release	A.R.S.§8-382(15)	**"Postadjudication release"** means release on probation, intensive probation, work furlough, community supervision or home detention, release on conditional liberty pursuant to section 41-2818 by the department of juvenile corrections or any other permanent, conditional or temporary release from confinement, discharge or completion of commitment by the department of juvenile corrections, a sheriff, a municipal jail, a juvenile detention center, a residential treatment facility or a secure mental health facility.
Postadjudication Review Hearing	A.R.S.§8-382(16)	**"Postadjudication review hearing"** means a hearing that is held in open court and that involves a request by the juvenile for review of a disposition.
Post-Arrest/ Postarrest	Adult A.R.S.§13-4401(13)	**"Post-arrest release"** means the discharge of the accused from confinement on recognizance, bond or other condition.
	Juvenile A.R.S.§8-382(17)	**"Postarrest release"** means the discharge of the accused from confinement.

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Post-Conviction Release	A.R.S.§13-4401(14)	**"Post-conviction release"** means parole, work furlough, community supervision, probation if the court waived community supervision pursuant to section 13-603, home arrest or any other permanent, conditional or temporary discharge from confinement in the custody of the state department of corrections or a sheriff or from confinement in a municipal jail or a secure mental health facility.
Post-Conviction Relief Proceeding	A.R.S.§13-4401(15)	**"Post-conviction relief proceeding"** means a contested argument or evidentiary hearing that is held in open court and that involves a request for relief from a conviction or sentence.
Prisoner	A.R.S.§13-4401(16)	**"Prisoner"** means a person who has been convicted of a criminal offense against a victim and who has been sentenced to the custody of the sheriff, the state department of corrections, a municipal jail or a secure mental health facility.
Release	A.R.S.§§13-4401(17) 8-382(18)	**"Release"** means no longer in the custody of a custodial agency and includes transfer from one custodial agency to another custodial agency.
Rights	A.R.S.§§13-4401(18) 8-382(19)	**"Rights"** means any right granted to the victim by the laws of this state.
Victim	Adult A.R.S.§13-4401(19)	**"Victim"** means a person against whom the criminal offense has been committed, including a minor, or if the person is killed or incapacitated, the person's spouse, parent, child, grandparent or sibling, any other person related to the person by consanguinity or affinity to the second degree or any other lawful representative of the person, except if the person or the person's spouse, parent, child, grandparent, sibling, other person related to the person by consanguinity or affinity to the second degree or other lawful representative is in custody for an offense or is the accused.
	Juvenile A.R.S.§8-382(20)	**"Victim"** means a person against whom the delinquent act was committed, or if the person is killed or incapacitated, the person's spouse, parent, child, grandparent or sibling, any other person related to the person by consanguinity or affinity to the second degree or any other lawful representative of the person, except if the person or the person's spouse, parent, child, grandparent, sibling, other person related to the person by consanguinity or affinity to the second degree or other lawful representative is in custody for an offense or is the accused.