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**.Stages of a Criminal Case**

Criminal prosecution develops in a series of stages, beginning with an arrest and ending at a point before, during or after trial. The majority of criminal cases terminate when a criminal defendant accepts a plea bargain offered by the prosecution. In a plea bargain, the defendant chooses to plead guilty before trial to the charged offenses, or to lesser charges in exchange for a more lenient sentence or the dismissal of related charges.

**Arrest**

Criminal prosecution typically begins with an arrest by a police officer. A police officer may arrest a person if (1) the officer observes the person committing a crime; (2) the officer has probable cause to believe that a crime has been committed by that person; or (3) the officer makes the arrest under the authority of a valid arrest warrant. After the arrest, the police books the suspect. When the police complete the booking process, they place the suspect in custody. If the suspect commited a minor offense, the policy may issue a citation to the suspect with instructions to appear in court at a later date.

**Bail**

If a suspect in police custody is granted bail, the suspect may pay the bail amount in exchange for a release. Release on bail is contingent on the suspect's promise to appear at all scheduled court proceedings. Bail may be granted to a suspect immediately after booking or at a later bail review hearing. Alternatively, a suspect may be released on his "own recognizance." A suspect released on his own recognizance need not post bail, but must promise in writing to appear at all scheduled court appearances. Own recognizance release is granted after the court considers the seriousness of the offense, and the suspect's criminal record, threat to the community and ties to family and employment.

**Arraignment**

The suspect makes his first court appearance at the arraignment. During arraignment, the judge reads the charges filed against the defendant in the complaint and the defendant chooses to plead "guilty," "not guilty" or "no contest" to those charges. The judge will also review the defendant's bail and set dates for future proceedings.

**Preliminary Hearing or Grand Jury Proceedings**

The government generally brings criminal charges in one of two ways: by a "bill of information" secured by a preliminary hearing or by grand jury indictment. In the federal system, cases must be brought by indictment. States, however, are free to use either process. Both preliminary hearings and grand juries are used to establish the existence of probable cause. If there is no finding of probable cause, a defendant will not be forced to stand trial.

A preliminary hearing, or preliminary examination, is an adversarial proceeding in which counsel questions witnesses and both parties makes arguments. The judge then makes the ultimate finding of probable cause. The grand jury, on the other hand, hears only from the prosecutor. The grand jury may call their own witnesses and request that further investigations be performed. The grand jury then decides whether sufficient evidence has been presented to indict the defendant.

**Pre-Trial Motions**

Pre-trial motions are brought by both the prosecution and the defense in order to resolve final issues and establish what evidence and testimony will be admissible at trial.

**Trial**

At trial, the judge or the jury will either find the defendant guilty or not guilty. The prosecution bears the burden of proof in a criminal trial. Thus, the prosecutor must prove beyond a reasonable doubt that the defendant committed the crimes charged. The defendant has a constitutional right to a jury trial in most criminal matters. A jury or judge makes the final determination of guilt or innocence after listening to opening and closing statements, examination and cross-examination of witnesses and jury instructions. If the jury fails to reach a unanimous verdict, the judge may declare a mistrial, and the case will either be dismissed or a new jury will be chosen. If a judge or jury finds the defendant guilty, the court will sentence the defendant.

**Sentencing**

During the sentencing phase of a criminal case, the court determines the appropriate punishment for the convicted defendant. In determining a suitable sentence, the court will consider a number of factors, including the nature and severity of the crime, the defendant's criminal history, the defendant's personal circumstances and the degree of remorse felt by the defendant.

**Appeal**

An individual convicted of a crime may ask that his or her case be reviewed by a higher court. If that court finds an error in the case or the sentence imposed, the court may reverse the conviction or find that the case should be re-tried.

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**Remedies Available To an accused after imposition of sentence**

1. Release

2. New Trial

3. Modification of sentence

2.

Commencement of a civil action is the process taken to institute an action before a competent court to determine the issues between parties.

Essentially, there are 4 modes of commencing a civil action in court in Nigeria namely;

By Writ of Summons,

By Originating Summons,

By Originating Motion and

By Petition.

Each of these modes is dependent on the specific nature of cases

Civil proceedings are commenced by way of originating processes issued and served by the courts. There are various types of originating process. These include writs of summons, originating summonses, originating motions and petitions. In Nigeria, actions in which the facts are disputed must be commenced by writ of summons. The Lagos State High Court (Civil Procedure) Rules 2019 provides for a system under which originating process must be accompanied by a statement of the claim, a list of witnesses, list of documents to be relied on and the sworn statements of the witnesses. In Lagos, the writ of summons is to be served within six months from the date of issuance. A writ may be renewed for a further three months no more than twice, as no writ can be valid for more than 12 months from the date of issuance. A number of other state jurisdictions have now adopted this procedure, which was first introduced in Lagos State.

Courts (especially those in highly commercial cities such as Lagos and Abuja) do experience capacity issues, which substantially affects their ability to attend to cases in a timely manner. However, some jurisdictions have invested heavily in various alternative dispute resolution mechanisms, to relieve the courts of their congested caseload. In Lagos State, the ‘multi-door courthouse’ was created to encourage out-of-court settlement. The Court of Appeal Mediation Centre has also been launched, to create a two-path justice system in the Court of Appeal - litigation and mediation. Courts are constantly enjoined to refer parties to the multi-door courthouse to have disputes resolved out of court and expeditiously. Various courts have also reviewed their procedural rules and practice procedures for the purpose of encouraging resolution of disputes through other alternative dispute resolution mechanisms. For instance, the High Court of Lagos State (Civil Procedure) Rules 2019 makes it mandatory for parties to have taken steps to have their disputes resolved amicably prior to taking out a writ of summons and evidence of such steps must be included in the originating processes; otherwise, the action shall be dismissed as being null. Furthermore, the High Court of Lagos State (Civil Procedure) Rules 2019 introduced the Backlog Elimination Programme to give special attention to matters that have been lingering in courts for five years and above. The Court of Appeal Mediation Rules 2018 also provides that all appeals will be screened by the court to determine their suitability for mediation, and resolved at the centre if found appropriately.