

## FREQUENTLY ASKED QUESTIONS

### **1. What is the address of the Barnes County State's Attorney's Office?**

230 4th Street NW #304—Valley City, ND 58072

### **2. Where is the State's Attorney's Office located in the Courthouse?**

We are located on the 3rd floor.

### **3. When and where is my next court date?**

For a County Court case, you can search online at <http://www.ndcourts.gov/publicsearch/default.html>. If you need help searching this site, please use the guide provided for you on the website found at <http://pshelp.ndcourts.gov/>. You may also contact the District Court Clerk's Office at 701-845-8512.

### **4. If I'm charged with a crime, can I talk to the prosecutor?**

If you have retained a defense attorney or one has been appointed to represent you, you must speak with your attorney. You cannot speak to the prosecutor without your attorney being present. IF you DO NOT have an attorney, you can speak to the prosecutor.

### **5. What is "discovery"?**

Discovery is the procedure by which the Barnes County State's Attorney's Office provides information, facts, documents, and other materials to the defense regarding a filed case.

Discovery is submitted by law enforcement or obtained during further investigation. Discovery does not include the work product generated by the State's Attorney's Office.

### **6. How does the discovery process work at the State's Attorney's Office?**

Law enforcement submits investigative reports in a case to be accepted for filing. Once the case is accepted, it is submitted for filing at the State's Attorney's Office. After the case is filed and probable cause has been established, the contents of the court file become available to defense counsel.

Discovery is available on active cases to the attorney of record and to pro-se defendants only. Discovery will not be released to a defendant represented by counsel.

### **7. I do not have an attorney. How do I get "discovery"?**

To obtain discovery you must submit a letter in writing to the office of the Barnes County State's Attorney and include your full name, current mailing address, and case number in your correspondence.

### **8. Can I drop the charges in a case?**

No, charges are filed by the State's Attorney on behalf of the victims and can only be dropped by the State's Attorney's Office. You may call the victim/witness coordinator assigned to your case to discuss the issue.

### **9. How do I change a court date?**

You or your attorney must call the Clerk of District Court to discuss changing a court date.

### **10. I was convicted of a crime and I now want to restore my gun rights. Can you help me with this?**

No. You must consult with your own lawyer about your unique situation.

### **11. I was convicted of a crime and now I am trying to rent an apartment but the arrest shows up on my record. Can you remove it from my record?**

No, you must consult with your own lawyer regarding the current status of expungement and/or sealing of records.

### **12. Can you expunge my arrest record?**

No. Under North Dakota law, some criminal records may be sealed. Only a District Court Judge can order that a criminal record be sealed. The State's Attorney's Office does not represent individuals in matters or lawsuits and cannot advise you

on the sealing process. Contact your lawyer to discuss your unique situation.

**13. How long after I've been convicted of a crime will the conviction stay on my record?**

It depends on a variety of factors. You must discuss your unique situation with your own counsel.

**14. Can I take a \*defensive driving class to avoid losing points on my license?**

Yes, if you qualify you may take a DOT approved online defensive driving course for point reduction. For a list of approved courses please go to: <https://www.dot.nd.gov/divisions/driverslicense/dldriverinfo.htm>

If you have additional questions, please reach out to the North Dakota Department of Transportation. *\*You must elect this when you pay your citation to request the hearing.*

If you still have questions about any of the above information or if your question was not addressed, please call the main reception number for the Barnes County State's Attorney's Office at 701-845-8526 or email the Barnes County State's Attorney's office by using the link found under our contact information.