



The United States Attorney's Office

Western District of Louisiana

Frequently Asked Questions

What does the U.S. Attorney's office do?

The U. S. Attorney's Office prosecutes violations of the federal criminal laws in the Western District of Louisiana. It also represents the United States, its officers, agencies and employees in civil litigation in state and federal courts throughout the District.

What kind of cases does the U.S. Attorney's Office handle?

This office prosecutes federal criminal cases in the Western District of Louisiana. In addition, the U.S. Attorney's Office defends the United States in civil suits brought against it, and brings civil cases to recover money for taxpayers, preserve the environment, and ensure citizen's civil rights.

Will the U.S. Attorney's office represent individual citizens?

We do not represent individuals in matters or lawsuits you may wish to bring against another person, company or government agency. We only represent the United States, its officers, agencies and employees.

What is the difference between the U.S. Attorney's Office and the District Attorney's (D.A.'s) Office?

The U.S. Attorney's Office represents the United States in federal cases, including all federal criminal cases. These cases are heard in any of the five federal courthouses in the District: in Shreveport, Lafayette, Monroe, Alexandria, and Lake Charles. The D.A.'s Office, by contrast, prosecutes state crimes, not federal crimes.

For more information on the District Attorney's office, please visit the [Louisiana District Attorney's Association website](#).

Can you recommend an attorney to represent me?

This office is not permitted to make attorney referrals. You may contact the Lawyer Referral Service for your local bar association. The telephone number may be found in your local telephone directory.

How can I obtain a copy of an indictment or other court record, date of court hearing or other information on a case in federal court?

Court documents are available by visiting the office of the Clerk of Courts where the case is pending. Documents are also accessible over the Internet if you have established a PACER account. Follow the link for contact information for the Clerk of Courts and PACER - <http://www.lawd.uscourts.gov/>

What is a federal grand jury?

Federal prosecutors charge most cases by presenting evidence to a federal grand jury which is made up of jurors. The grand juries serve two functions: they investigate cases through reviewing documents and hearing witness testimony, and they return indictments when they find probable cause to believe that a defendant has committed the crime charged. By law, grand juries operate in secret.

For a more in depth discussion on federal grand juries and the federal judicial process, please visit the [U.S. Federal Judicial Process in Brief](#).

Why are the grand jury's proceedings secret?

The Federal Rules of Criminal Procedure require that grand jurors and federal prosecutors keep grand jury proceedings, including the existence of a federal criminal investigation, completely secret unless and until the grand jury returns an indictment against one or more defendants. Witnesses, other than law enforcement officials, called to testify before the grand jury are not generally under the same secrecy requirements. However, under most circumstances it is illegal for prosecutors to reveal the details of grand jury deliberations. This is one of the reasons that the U.S. Attorney's Office declines to comment on cases under investigation.

What are the steps in a criminal prosecution?

Charges are filed: A defendant is charged either by complaint, indictment or information. A complaint is an initial charging document signed by the Magistrate Judge that describes the charges against a defendant. A person can be arrested and charged by complaint before a grand jury has found probable cause to return an indictment, but a person charged by complaint then has the right to be indicted by a grand jury. An indictment is similar to a complaint in that it describes the charges against a defendant, but it is returned by the grand jury. Most felony cases are charged by indictment. An information, as opposed to an indictment or complaint, is the charging document where a defendant is charged with a misdemeanor (although some defendants give up their right to be indicted by a grand jury and are charged by information instead). A misdemeanor information may be filed by the U.S. Attorney's Office without approval by the court or a grand jury.

Initial Appearance and Detention: The defendant's initial appearance in federal court is before a Magistrate Judge. The defendant is told what charges he or she faces and the maximum penalties. The Court makes an initial determination whether the defendant will be held without bond or released on certain conditions. Frequently there is another hearing later about whether a defendant will be confined or released pending trial. This is called a detention hearing. **Arraignment:** After the grand jury indicts a defendant, the defendant is informed by the Magistrate Judge of the charges and penalties during the hearing known as an arraignment. The defendant enters a plea of not guilty at this point.

Trials and pleas: If the charge is a felony, following arraignment the defendant will appear before a United States District Judge. Most proceedings, including motions, trial or sentencing, take place before the District Judge. **Trial or Plea:** A defendant will generally either plead guilty to charges or proceed to trial before a District Judge. In a trial, the United States must prove the charges to a jury of 12 citizens beyond a reasonable doubt. The law requires that a criminal defendant be tried within 70 days of indictment, though that time is sometimes extended because of motions filed by the defense or the government.

Sentencing: After a guilty plea or guilty verdict, a defendant is sentenced by the United States District Judge. The U.S. Probation Office prepares a pre-sentence report to help the Court and

parties arrive at the appropriate sentence. The Court may also order the defendant to pay restitution and/or a fine.

Appeal: A defendant may appeal his or her conviction or sentence under certain circumstances. Appeals in federal cases are heard by the Fifth U.S. Circuit Court of Appeals, which covers a number of states, but has its headquarters in New Orleans, Louisiana. The U.S. Attorney's Office also represents the United States in appeals before the Fifth Circuit.

Where can I get a copy of Federal Regulations?

Follow this link to <http://www.gpoaccess.gov/cfr/index.html>

How do I file a complaint of discrimination?

Follow this link to [DOJ Net](#) .

How do I report a violation of my civil rights?

Follow this link to [DOJ Net](#) .

I need to contact a federal agency other than DOJ. Can you tell me how?

Follow this link to www.FirstGov.gov .

How do I file a Freedom of Information Request (FOIA)?

Follow this link to the [FOIA page](#) .

How can I apply for a job with the U.S. Attorney's Office?

Follow this link to our [Employment](#) page.