

LESSON 15: THE JUDICIAL PROCESS

Law & Citizenship Course • *Ghid practic de educație juridică - „Elevul și legea”* • Judecător Cristi Danileț



JUSTICE THROUGH LAW



Justice isn't about power — it's about fairness. Every person is bound by the same laws. When rules are respected, truth is found, and freedom is protected for all.

LESSON CONTENTS

PART 1

RESPONSIBILITY & LIABILITY

What the law expects from teens; contraventions vs. crimes; when parents may owe damages

PART 2

STAYING SAFE & AVOIDING HARM

How to prevent theft and fraud; practical “be careful” rules in public and online

PART 3

VICTIMS & MINORS IN THE SYSTEM

Victim rights and support; when minors are (and aren’t) criminally liable; juvenile responses

PART 4

EVIDENCE & THE COURTROOM

What counts as proof; who does what in a case; presumption of innocence and fair procedure

PART 5

REVIEW & PRACTICE

Quiz, key concepts, and reflection tasks — review what you’ve learned and apply it

LAW & CITIZENSHIP COURSE

WHAT YOU'LL LEARN IN THIS CHAPTER

In this chapter, you'll see how **justice** protects both **victims** and those **accused**, and how every **trial** follows **strict rules and evidence**. The **judicial process** shows that **freedom** comes with **responsibility**: actions have consequences, and rights exist only when we respect others' rights. You'll learn who investigates **crimes**, who decides **guilt**, and how **judges apply the law to facts**, not emotions. You'll also discover what **contraventions** and **crimes** mean, what happens when **minors break the law**, and why prevention matters more than **punishment**. By the end, you should be able to explain how the **judicial process** works from **complaint** to **verdict**, how **evidence ensures fairness**, and why justice protects society by **defending every individual**.

HOW JUSTICE HOLDS EVERYONE ACCOUNTABLE

RESPONSIBILITY UNDER

THE LAW

When someone **breaks the rules** — by **negligence**, **intent**, or **recklessness** — justice steps in to **restore balance**. For **minors**, the law recognizes both **protection** and **accountability**. Teenagers can answer for **contraventions** or **crimes**, depending on their age and intent. **Parents or guardians** may **share civil liability** if they failed to supervise or guide their children properly. Justice isn't about punishment first — it's about **correction** and **prevention**.



Warm-Up Activity



Think of a real-life situation where a mistake caused harm. What could have prevented it? How would taking responsibility change the outcome?

The law doesn't take freedom away, it teaches how to use it responsibly.

WHY DO WE HAVE RULES?

People live together — in families, schools, cities, and online spaces. Without **basic safety rules**, the boldest would **take advantage** and the quiet would be ignored. **Conflicts** would be settled by **trickery or force**, not by **fairness**. Clear rules set **shared limits** so everyone can **protect their things, their body, and their data**. The aim isn't to restrict life; it's to prevent harm and make room for trust.

At School & Online



Lock devices; use strong passwords; don't share codes; verify links before you click; ask permission before filming or posting others.

Why It Helps



Most fraud and bullying rely on haste and secrecy. Slowing down and asking first stops damage before it starts — and gives proof if you need help.

On the Road



Cross at marked places; make eye contact with drivers; wear a seatbelt; don't text while walking or driving; secure your bag and pockets.



Smart, Not Tough

Small habits — a glance, a strap, a pause — prevent injuries and theft more effectively than confrontation.

In Public Spaces



Keep valuables out of sight; use lockers; label your property; meet strangers in open, well-lit places; take a trusted adult when you're unsure.

Shared Responsibility



If something looks unsafe, say so. Reporting hazards or scams protects others too — that's how communities reduce risk together.

Imagine and Reflect

Think of one everyday habit that reduces risk. Why does it work? When have you seen harm avoided because someone followed a simple rule?

Write 2–3 sentences below.

WHO DOES WHAT IN A TRIAL

Victims



Victim Rights

- Be informed & heard: case updates, the right to make a victim impact statement, and to attend hearings.
- Protection & privacy: protective orders, anonymity limits for minors, separate waiting areas to avoid contact with the accused.
- Help & representation: psychological support, interpreter if needed, and free legal aid in serious cases.

Investigators



Police & Prosecutor

- Start the case: register the complaint, secure the scene, collect forensic evidence, and notify the prosecutor.
- Lead the investigation: the prosecutor directs actions, hears witnesses, orders expert reports, and decides charges or case dismissal.

Judges



Courts & Judges

- Guarantee fairness: apply the presumption of innocence, check evidence legality, and ensure both sides can speak.
- Decide the case: issue criminal or civil judgments—guilt, damages, or acquittal—based on the burden of proof.

Support



Probation & Child Protection

- Non-custodial responses: supervision plans, counselling, school attendance, community service, and re-integration programs.
- Juvenile measures: civic training, weekend curfew, daily assistance centre, or placement in an educational/detention centre.
- Repairing harm: mediation where lawful, restitution to victims, and follow-up.

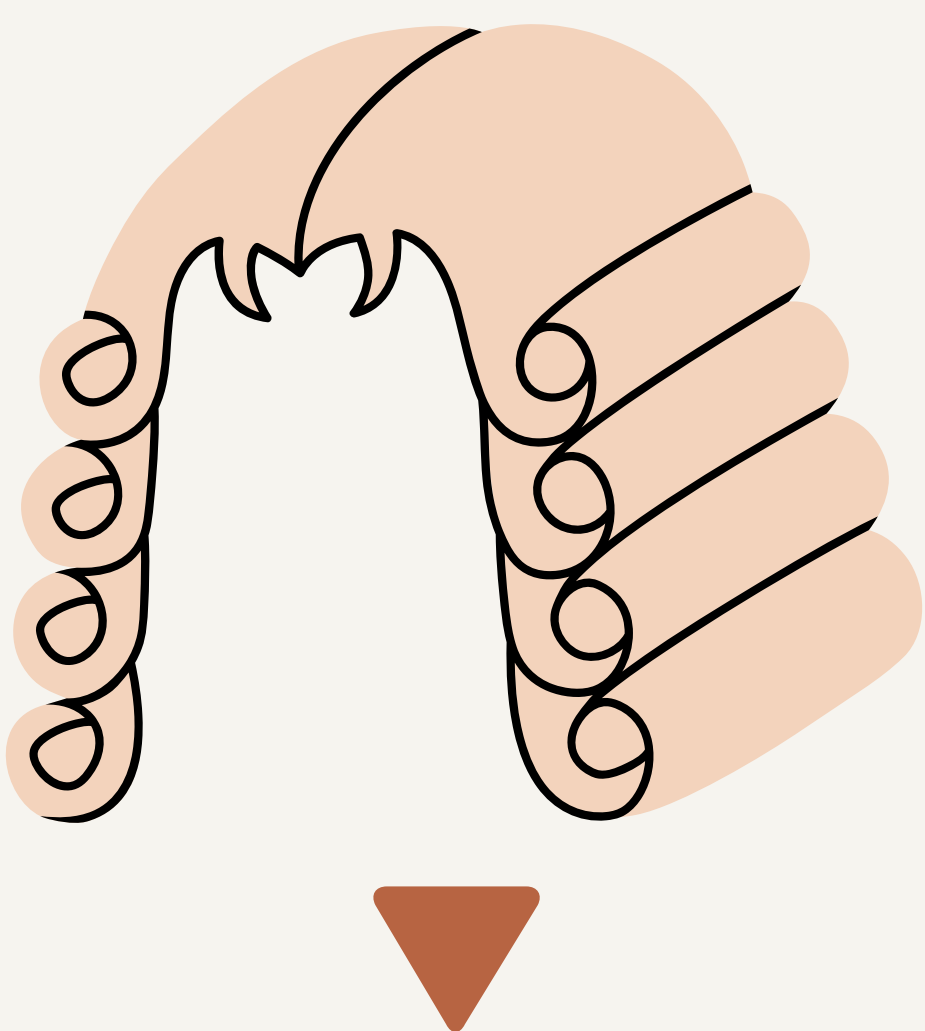
THE COURTROOM & EVIDENCE

A **courtroom** is where law meets proof. Every trial follows clear steps to **protect fairness** and **prevent abuse**. The goal isn't punishment alone, but **truth** and **justice** — reached through **legal evidence**, **equal rights for both sides**, and **independent judges**. A trial's structure shows how **facts become verdicts**: from **gathering evidence** and **hearing witnesses** to applying the law itself.



EVIDENCE

Proof comes in many forms — **objects**, **documents**, **photos**, **recordings**, **witness statements**, or **expert opinions**. The court admits only **lawfully obtained evidence**; anything forced or faked is excluded. Evidence must be **relevant**, **clear**, and **verifiable**.



RIGHTS & FAIRNESS

The accused has the right to **defend themselves**, to be **assisted by a lawyer**, to **remain silent**, and to **question witnesses**. **Victims** have the right to be heard and to see justice done without revenge. Trials are usually public to ensure **transparency**.



THE PRESUMPTION OF INNOCENCE

No one is guilty until the court declares it. This rule means burden of proof lies with the prosecution — they must convince the judge beyond **reasonable doubt**. Doubt always benefits the accused.



WHY IT MATTERS

Rules of evidence make trials **honest** and **predictable**, not **emotional** or **arbitrary**. When both sides are heard and the court's decision is reasoned, society gains something more important than victory: **trust in justice**.

FROM CASE TO VERDICT

Complaint Filed

A victim, witness, or police officer reports an offence. The prosecutor opens a case and checks if the facts suggest a crime.



Start of proceedings

Investigation

Evidence is collected — witnesses questioned, forensic tests ordered, searches authorized by a judge.



Facts and proof

Indictment

If enough evidence exists, the prosecutor files an indictment (or closes the case if not). The judge checks if it meets all legal conditions before trial.



Case sent to court

Trial

The court hears both sides, examines evidence, and questions witnesses directly. Judges apply laws, not opinions, and make sure rights are respected.



Hearing and defense

Verdict & Appeal

The judge announces the decision — conviction, acquittal, or restitution. Either side can appeal to a higher court within the legal deadline.



Decision and review

So what for me?

Even small cases, like vandalism or online harassment, follow the same model of proof, defense, and judgment.

Next time you read about a trial, ask: Was there evidence? Were both sides heard? Could the accused appeal?

Try it: Pick one example — a news story, a movie, or a local event involving a court. Identify the evidence, the people involved, and who made the final decision. What made it fair or unfair?

QUIZ — Lesson 15

Check what you've learned about how justice works and how the judicial process protects everyone.

Read each question carefully and choose the correct answer.



- 1** What starts a criminal case?
 - a) The police decide on their own
 - b) A complaint or report from a person or institution
 - c) The judge automatically opens it
- 2** What does the prosecutor do?
 - a) Investigates the case and decides whether to send it to trial
 - b) Defends the accused in court
 - c) Issues final verdicts
- 3** What principle protects the accused until proven guilty?
 - a) Equality before the law
 - b) Presumption of innocence
 - c) The right to remain silent
- 4** Which evidence is valid in a trial?
 - a) Only written documents
 - b) Only witness testimony
 - c) Any lawful and relevant proof
- 5** Who ensures the trial is fair and both sides are heard?
 - a) The prosecutor
 - b) The judge
 - c) The police
- 6** What happens if someone lies in court?
 - a) Nothing, if no one notices
 - b) It's called perjury and is punished by law
 - c) The judge just warns them
- 7** What can victims request during the process?
 - a) To choose the judge
 - b) To be informed, protected, and compensated
 - c) To decide the punishment
- 8** What does “burden of proof” mean?
 - a) The victim must prove the accused is guilty
 - b) The prosecutor must prove guilt beyond reasonable doubt
 - c) The judge must prove everyone's innocence
- 9** When are minors criminally liable in Romania?
 - a) From age 12 for any act
 - b) From age 14, only if they understand their actions
 - c) From age 18, always
- 10** Why are court procedures public and recorded?
 - a) To educate future judges
 - b) To ensure transparency and prevent abuse
 - c) To entertain the public

QUIZ — Lesson 15

ANSWER KEY



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KEY CONCEPTS FROM LESSON 15



JUDICIAL PROCESS

The sequence of legal steps from investigation to verdict, ensuring justice through rules, rights, and impartiality.



PRESUMPTION OF INNOCENCE

No one is considered guilty until proven so by final court decision.



EVIDENCE

Information or objects that help prove facts in a case—must be obtained legally and relevant to the issue.



PROSECUTOR

Directs investigations, brings charges, and represents society in court.



DEFENSE RIGHTS

Guarantees that the accused can be represented, respond to accusations, and present evidence.



VICTIM RIGHTS

Access to information, protection, psychological support, and legal assistance.



MINOR LIABILITY

Minors under 14 are not criminally liable; between 14–16 only if they understood their actions.



FAIR TRIAL

Equal treatment, impartial judges, and both sides heard before any judgment.



BURDEN OF PROOF

Responsibility of the prosecution to prove guilt beyond reasonable doubt.



REHABILITATION & REINTEGRATION

Programs helping offenders—especially minors—return responsibly to society.