What to Check Before Your First Court Appearance for an Assault Charge

Understanding the Charge and the Process

A first court appearance for an assault charge can feel overwhelming. The charge itself may be simple assault or aggravated assault, and the distinction matters. Simple assault typically involves causing or attempting to cause bodily injury, while aggravated assault involves serious bodily injury, a weapon, or an assault against a protected person such as a police officer. Knowing which charge you face shapes how you prepare.

You do not need to be a lawyer to walk into court better prepared. A checklist helps you organize what you need to know and bring. This article covers the key points to review before your first hearing, with practical reasoning for each item.



1. Review the Criminal Complaint

The criminal complaint is the document that starts your case. It states what the police or prosecutor claim you did, where and when it happened, and the specific charges. Read it carefully. Look for factual errors: wrong date, wrong location, misidentified person, or exaggerated description. Errors in the complaint can be raised with your attorney and may affect how the case moves forward.

Make notes of anything that seems incorrect or unclear. You will need to discuss these with your lawyer before the hearing. The complaint also lists the degree of injury alleged, which is central to an aggravated assault defense. If the injury described sounds minor or inconsistent with witness accounts, that is important information.

2. Gather Any Witness Statements

If you have names and contact information of people who saw the incident, collect them. Witness statements can support a self-defense claim or contradict the prosecution's version of events. Even if a witness is not willing to give a formal statement yet, having their name and a brief note about what they saw helps your attorney decide if they should be contacted.

Do not approach witnesses yourself and ask them to sign something. Leave that to your lawyer. But do write down everything you remember about who was present and what they might have seen. Time, lighting, distance, and angle all affect witness reliability. Note those details while they are fresh.

3. Understand Self-Defense Basics

Self-defense is a common argument in assault cases. In Pennsylvania, self-defense generally requires that you reasonably believed force was necessary to protect yourself from imminent unlawful force, and that the force you used was proportional to the threat. For aggravated assault, the same principle applies but the threshold is higher because serious injury or a weapon is involved.

Before your appearance, think through the incident honestly: what the other person did, what you believed was about to happen, and why you responded as you did. Do not try to reshape the facts to fit a legal test. Instead, be prepared to explain your state of mind at the moment. Your attorney will decide whether to raise self-defense. Your job is to provide the raw facts.

4. Check for Protective Orders

If a protective order (often called a restraining order) has been filed against you, it will likely come up at the first hearing. Read the order carefully. It will list conditions such as no contact with the alleged victim, staying away from a residence or workplace, and sometimes surrender

of firearms. Violating a protective order is a separate criminal offense, even if the underlying assault charge is resolved.

Make sure you understand every condition. If you share a home or workplace with the protected person, ask your attorney about how to handle necessary interactions. The court may modify the order if there is a legitimate reason for contact, but do not assume you can ignore it.

5. Know What Happens at the Preliminary Hearing

In Pennsylvania, a preliminary hearing is an early step in felony cases, including aggravated assault. At this hearing, the prosecutor must show that there is enough evidence to send the case to trial. It is not a trial itself. You will not present your full defense. Your attorney may cross-examine the prosecution's witnesses to test their credibility or to lock in their story for later.

You should attend the hearing on time, dressed appropriately, and be respectful to the court. Your lawyer will handle the legal arguments. Your role is to listen and to not react visibly to testimony. The judge will decide whether the case proceeds. Knowing this structure reduces anxiety because you know what to expect.

6. Collect Injury Evidence (If You Have It)

If you were injured during the incident, photographs, medical records, or a doctor's note can be important. Injury evidence can support a self-defense claim by showing that the other person used force against you. It can also be used to argue that the alleged victim's injuries were not as serious as claimed.

Do not try to take new photos of old injuries. If you have existing photos or medical records, bring copies to your attorney. Do not post anything about the case or the injuries on social media. The prosecutor can use your own posts against you.

7. Discuss the Case with Your Attorney Before the Hearing

Your first court appearance is not the time to learn what your lawyer thinks. Schedule a meeting beforehand. Go over the complaint, your version of events, the witnesses, and any evidence. Ask about the likely outcome of the preliminary hearing, what the prosecutor may offer, and what you should expect in terms of bail or release conditions.

The Law Office of Steven F O'Meara handles aggravated assault defense and related violent crime matters in Delaware and Chester Counties. If you are working with that firm, your

attorney will explain the specific procedures for your county. Every court has its own customs, and local experience matters.

8. Prepare for Bail and Release Conditions

At the first appearance, the judge will decide whether you can be released on bail and what conditions apply. Common conditions include no contact with the alleged victim, drug and alcohol testing, and regular check-ins with pretrial services. Violating these conditions can lead to revocation of bail and a warrant for your arrest.

Think about practical issues before the hearing: do you have a stable address, a job, or family ties that show you are not a flight risk? Be ready to provide that information to your attorney. If you are concerned about a specific condition, discuss it beforehand. The judge will consider your attorney's arguments.

9. Dress and Conduct

First impressions matter in court. Dress in clean, conservative clothing. A collared shirt and slacks, or a dress, are appropriate. Avoid casual wear like jeans, t-shirts, or sneakers. Do not wear anything with logos or slogans. Remove hats and sunglasses before entering the courtroom.

Speak only when addressed by the judge or your attorney. Answer questions directly and respectfully. Do not interrupt. If you do not understand something, say so calmly. Your demeanor can influence the judge's perception of your character.

The Law Office of Steven F O'Meara can advise on courtroom etiquette specific to your case. Following that guidance helps you present yourself as serious and respectful.

10. Bring Necessary Documents

Bring identification, any paperwork your attorney asked for, and a list of questions you want to ask after the hearing. Do not bring phones, cameras, or recording devices into the courtroom unless you have permission. Many courts prohibit them.

If you have prescription medications or medical needs, make sure you have them with you in their original bottles. The court may take several hours, and you do not want to miss a dose or be in distress.

Final Point: Stay Calm and Trust Your Attorney

Your first court appearance is a procedural step, not a verdict. The prosecutor must prove the case beyond a reasonable doubt, and you are presumed innocent. Your job is to prepare, show up, and follow your lawyer’s advice. The checklist above gives you a practical framework for that preparation. Use it to reduce uncertainty and focus on what matters: understanding the charge and beginning your defense.