

## **HELP4TN**

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What's the Difference

## **Civil Law and Criminal Law: What's the Difference? - HELP4TN Blog**

HELP4TN can only help give information about civil law and civil cases. So, what's the difference between a civil and a criminal case?

### **Criminal Law**

Examples:

- DUI
- Theft/ Shoplifting
- Drug Offenses
- Assault
- Murder/Homicide

In a criminal case, the state or federal government charges a person (called a "defendant") with a crime. The case generally begins with an arrest or citation. The defendant is presumed to be innocent. The government (through a "district attorney / prosecutor") must prove beyond a reasonable doubt at trial that the person violated a criminal law. Alternatively, the defendant could work out a plea deal with the district attorney. At the end of a criminal case, the defendant could have to go to jail and/or pay fines to the government. In Tennessee, you have the right to an attorney for most criminal charges. You can hire your own criminal defense attorney, but if you can't afford to do so, the government has to provide one for you.

### **Get Help With Criminal Law**

HELP4TN can't help with criminal law issues. You should contact a criminal defense attorney in your area or call the public defender's office if you need help as a defendant in a criminal case.

## Civil Law

Examples:

- Divorce
- Eviction
- Debt Collection

In a civil case, a person generally has a dispute with another person or business. Some examples include a lawsuit following a car accident, two spouses getting divorced, or an eviction case between a landlord and a tenant. A civil case can include hearings before the actual trial. At the end of a civil case, a judgment will be entered. The judgment typically tells the parties how to settle the dispute by paying money or completing another action.

There is no right to an attorney in most civil cases. This means that many times people have to go to court and work out these civil legal issues without an attorney. Unfortunately, there are rules of procedure, rules of evidence, and local rules to contend with. It's often much easier to navigate the court system with the help of an attorney. If you can't afford an attorney, you can contact your local legal aid program. If you're eligible for their services and they have the resources available, they may be able to represent you for free.

## Get Help With Civil Law

HELP4TN has resources for help with civil law. You can search this website to learn more about your legal issues. There are also four legal aid programs that cover all 95 counties in Tennessee. If you need help with a civil legal issue, you can find out which legal aid program covers your county here: <https://www.help4tn.org/search-help>

HELP4TN Blog posts are written by TALS staff attorneys. This blog is not legal advice, but it is legal information to help you learn about your rights. If you have questions about this blog or about your legal situation, you can talk to a lawyer for free at 1-844-HELP4TN (1-844-435-7486).

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