

THE SIMON LAW GROUP FIELD GUIDES · VOLUME IV

The First 72 Hours

A calm, general look at the days after an arrest or charge in New Jersey — common rights, what release conditions involve, and how the early timeline tends to unfold.

NEW JERSEY FOCUSED

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Includes 2 fill-in worksheets · New Jersey focused · Informational only, not legal advice.

HOW TO USE THIS GUIDE

This guide offers general suggestions and insights about the period after an arrest or charge in New Jersey. It is written for orientation, not as legal advice, and reading it does not create an attorney-client relationship. Every situation is different, and the law changes over time, so the ideas here are starting points for a conversation rather than instructions.

The early days of a criminal matter can feel disorienting, and many people find it steadying to have a general sense of how things tend to work. As a general matter, it can help to keep specific facts about a situation out of web forms and email until a representation is in place. When you are ready to talk, Simon Law Group offers an initial consultation; you are welcome to call **(800) 709-1131**. The firm generally answers its phones after hours for active arrests.

If someone is in custody right now

A NOTE FOR AN URGENT MOMENT

Many people in this situation choose to speak with a lawyer before giving any statement. Simon Law Group can be reached at **(800) 709-1131**, including after hours for active arrests. It can help to note the county, the charge if known, any court date, and any release conditions, since those details give counsel a clearer starting picture.

There is rarely any pressure to sort everything out in a single phone call. As a general matter, the early conversation is mostly about orienting counsel to the basics so the next steps can be considered calmly.

Some rights people generally have

In the United States, a person who has been arrested or charged generally has two long-standing constitutional rights worth understanding in plain terms: the right to remain silent, and the right to an attorney. These are general features of the system rather than advice about any particular situation.

The right to remain silent

As a general matter, a person is not obligated to answer questions about the events of a case. Many people choose to say little until they have spoken with a lawyer, and to state clearly and calmly that they would like an attorney.

Worth knowing: conversations in custody settings — including phone calls — are often recorded, so casual remarks made in those settings can later become part of the record.

The right to an attorney

A person who has been charged generally has the right to be represented by counsel. Many people find that having a lawyer involved early helps them understand what is happening and what their options tend to be.

Worth knowing: stating the wish for an attorney clearly and calmly is something many people do, and it is generally understood to carry more weight when it is unambiguous.

AN INSIGHT WORTH KEEPING IN MIND

These rights belong to the person regardless of how a situation began or how things may look at the moment. They exist precisely so that someone can pause, take a breath, and speak with counsel before deciding what, if anything, to say.

Things people often think about in the first days

In the period right after an arrest or charge, several practical themes come up again and again. None of the points below are instructions; they simply describe choices many people find helpful as they get their footing.

- **Social media.** Many people find it helpful to be cautious about posting about the situation online, since posts and messages can take on a significance later that was not intended at the time.
- **Contact with others involved.** It can help to be cautious about reaching out to other people connected to the matter, and instead to share any incoming messages or documentation with counsel.
- **Conditions of release.** It is generally wise to read any conditions of release carefully — no-contact terms, travel limits, testing requirements, and the like — and to ask counsel about anything that is unclear rather than guessing at what a term means.
- **Private notes.** Many people find it helpful to keep private notes of events for their own lawyer, written while memories are fresh. As a general matter, notes prepared for an attorney can carry a different status from ordinary writings, which is a detail counsel can explain.
- **Witnesses and records.** It can help to note who may have seen or heard relevant events and where relevant records might be kept. Some records are kept only for a short time, so noting them early tends to be useful.

AN INSIGHT WORTH KEEPING IN MIND

People sometimes feel a strong pull to explain themselves quickly, to friends, online, or to the other people involved. As a general matter, many find that the calmer course is to gather their own thoughts privately and bring them to counsel, where the conversation is protected and unhurried.

A general sense of the timeline

One thing that surprises many people is how quickly the early steps of a New Jersey criminal matter tend to move. As a general matter, a first appearance follows soon after a complaint, and a detention hearing — where one applies — tends to happen quickly as well, often within a couple of days. The exact timing depends on the situation, and counsel can describe what applies to a given matter.

Because the early calendar moves so quickly, many people find it valuable to have counsel involved early in the process. As a general matter, having a lawyer involved before the first appearance is something many people find helpful, since it allows that first court date to be approached with someone already familiar with the situation rather than someone meeting it for the first time.

AN INSIGHT WORTH KEEPING IN MIND

The first court appearance is often brief, but the posture set at that early stage can shape what follows. That is part of why so many people treat the first days as a time to get oriented and, if they choose, to bring counsel into the picture promptly.

One thing worth keeping in mind

In the early days, a person may speak with several people who seem helpful — an officer who suggests that things could be sorted out with a quick statement, or a prosecutor who mentions resolving matters before they go further. It can help to understand the roles involved.

An officer's or a prosecutor's role is different from that of your own lawyer. Their responsibilities do not include advocating for the person who has been accused — that is the role of defense counsel. Understanding this distinction is less about suspicion and more about knowing who, in the process, is there to speak for the accused.

Checklist 1 • Information that can help your attorney

Bring what you have. Missing items will not delay a first conversation, but gathering them tends to make a consultation more concrete. This sheet is a working space; there are no wrong entries, and it can be filled in over time.

ITEM	DETAILS
What happened, in your own words	
Date and time	
Location / county	
Who was present	
What was said, and by whom	
The charge, if known	
Any court date	
Any conditions of release (no-contact, travel, testing, etc.)	

Checklist 2 · Potential witnesses & records

Noting who may have observed relevant events, and where relevant records might be kept, is one of the more useful things to think through early. Some records — for example, certain camera footage — are sometimes kept only for a short time, so noting them early can help.

NAME OR RECORD	HOW TO REACH IT / WHERE IT IS KEPT	WHAT IT MAY SHOW

Common questions

Is a person generally obligated to answer police questions?

As a general matter, a person who has been arrested or charged generally has the right to remain silent and is not obligated to answer questions about the events of a case. Many people choose to say little until they have spoken with a lawyer, and to state calmly that they would like an attorney. How this plays out can depend on the situation.

What is a first appearance, in general terms?

In general terms, a first appearance is an early court date that tends to follow soon after a complaint. It is often brief, and it is generally where a person is told about the charge and about any conditions that apply while the matter is pending. The specifics vary, and counsel can describe what tends to happen in a given matter.

What do conditions of release generally involve?

Conditions of release generally describe the terms that apply to a person while a case is pending. As a general matter, they can include things like no-contact terms, travel limits, or check-in and testing requirements. Because the terms can carry real consequences, many people find it worthwhile to review them carefully with counsel and to ask about anything that is unclear.

Is discussing a case online something to be cautious about?

Many people find it helpful to be cautious about posting about a pending matter online. As a general matter, posts and messages can take on a significance later that was not intended at the time. Whether and how this matters can depend on the situation, and it is a topic counsel can speak to.

How soon do people often involve a lawyer?

Because the early calendar in a New Jersey criminal matter tends to move quickly, many people find it helpful to involve counsel early — often before the first appearance. As a general matter, that allows the first court date to be approached with someone already familiar with the situation. What fits a particular matter is a personal decision.

What generally happens in the early days after an arrest?

As a general matter, the early days often include a complaint, a first appearance soon after, and — where one applies — a detention hearing that tends to happen quickly. The exact sequence and timing depend on the situation. Many people find it steadying to have a general sense of how these steps tend to unfold, and counsel can describe what applies to a given matter.

Plain-English terms

A few terms that come up often in the early days of a New Jersey criminal matter, in everyday language:

First appearance	Generally, an early court date that tends to follow soon after a complaint, where a person is told about the charge and any conditions that apply.
Complaint	In general terms, the document that begins a criminal matter and describes the charge a person is said to face.
Conditions of release	The terms that generally apply to a person while a case is pending, such as no-contact terms, travel limits, or check-in and testing requirements.
Indictable offense	Generally, a more serious category of offense in New Jersey, often handled in the Superior Court.
Disorderly persons offense	Generally, a less serious category of offense in New Jersey, often handled in municipal court.
Discovery	In general terms, the process by which the materials in a case are shared so each side can review them.
Plea	A person's formal response to a charge in court, such as guilty or not guilty.
Pretrial detention	Generally, being held in custody while a matter is pending, which a court may consider in certain situations after a hearing.
Expungement	In general terms, a legal process that can, in some situations, limit access to certain records after a matter has concluded.
Counsel	Another word for a lawyer, including a defense attorney who represents a person who has been accused.

Where Simon Law Group handles criminal defense

As a general matter, Simon Law Group accepts criminal-defense and DWI matters across New Jersey where the matter fits the firm. Intake is generally reviewed by charge type, county, urgency, court date, and the details of the matter, so the right team can consider the next step. The counties below are served in this general sense:

- Atlantic
- Bergen
- Burlington
- Camden
- Cape May
- Cumberland
- Essex
- Gloucester

- Hudson
- Hunterdon
- Mercer
- Middlesex
- Monmouth
- Morris
- Ocean
- Passaic
- Salem
- Somerset
- Sussex
- Union
- Warren

BRINGING IT TOGETHER

The early days of a criminal matter can feel like a lot at once. Having a general sense of your rights, of what release conditions involve, and of how quickly the timeline tends to move can make the period feel more manageable. When you are ready, a New Jersey criminal-defense attorney can review your situation and outline options. Simon Law Group offers an initial consultation — you are welcome to call **(800) 709-1131** or read more at **www.simonattorneys.com/criminal-defense**.

More in the Simon Law Group Field Guides

This guide is part of a free New Jersey series. The others are available to read or download at www.simonattorneys.com/resources.

VOLUME I

Navigating Child Custody in New Jersey

How New Jersey courts generally approach custody and parenting time, with fill-in worksheets.

www.simonattorneys.com/resources/navigating-child-custody-in-new-jersey

VOLUME II

The Post-Accident Evidence Playbook

General ways to keep track of what happened after a New Jersey accident, with fill-in logs.

www.simonattorneys.com/resources/post-accident-evidence-playbook

VOLUME III

The Estate Planning Starter Kit

The foundational documents many New Jersey adults consider, with fill-in checklists.

www.simonattorneys.com/resources/estate-planning-starter-kit

VOLUME IV · YOU ARE READING THIS GUIDE

The First 72 Hours

A calm, general look at the days after an arrest or charge in New Jersey.

www.simonattorneys.com/resources/first-72-hours-criminal-defense

Important information about this guide

About this guide

This guide is provided by Simon Law Group, LLC for general informational and educational purposes about New Jersey law. It offers general suggestions and insights only and is not legal advice. Every situation is different, and statutes, regulations, and court rules change over time. For guidance about a specific matter, consider speaking with a licensed New Jersey attorney who can review your circumstances. This guide reflects general information as of 2026.

No attorney-client relationship

Reading this guide, downloading it, or contacting the firm does not create an attorney-client relationship. An attorney-client relationship with Simon Law Group is formed only through a signed, written engagement agreement. Until then, it is best not to send confidential or time-sensitive details through web forms or email.

Attorney advertising

This material may be considered attorney advertising under New Jersey court rules. Past outcomes do not indicate the result of any future matter. The choice of a lawyer is an important decision that should not be based solely on advertisements.

About Simon Law Group, LLC

Simon Law Group is a New Jersey law firm serving clients across the state from three offices, with a practice that includes criminal defense, family law, personal injury, estate planning, real estate, and bankruptcy and foreclosure.

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