

# Indicted vs Convicted: What's the Difference?

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With all the legal jargon used in the judicial process, it can be difficult to know the definition of each term and, more importantly, the implications.

For example, there is a big difference between being indicted versus being convicted, although both terms are used in the criminal justice world in relation to criminal charges and involve different types of juries.

## What Does it Mean to Be Indicted?

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You probably hear the word “indictment” frequently on crime-solving television shows or the news, but you may not know the actual definition. ***To be indicted, or receive an indictment, means you are formally accused of or charged with committing a crime.***

The indictment contains basic information about the charges being leveled at you by the state.

An indictment against a person can be obtained even before an arrest is made, although in many felony cases, a grand jury of impartial citizens will determine whether to indict a defendant. The grand jury is not there to decide whether or not you committed the crime—only if there is enough evidence to make you stand trial. If the grand jury believes there is insufficient evidence, they can decide not to issue an indictment. Grand juries can be made up of 16 to 23 members, and at least 12 must be in favor of the indictment in order for formal charges to be brought against you. According to the Utah Code of Criminal Procedure, two or more people can be charged in the same indictment if the crimes are related to the same incident.

**Indictments typically include multiple accusations, which are called counts.** Later in the court proceedings, the judge can decide to throw out any charges that don't have strong support without completely clearing you of all counts.

## What is Convicted vs Indicted?

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While an indictment means you have been formally charged with a crime in Utah, a conviction means you have been found guilty of committing the crime. Once the indictment has established there is enough evidence to charge you with a crime, your case proceeds to a criminal trial.

During that process, the judge and jury will hear further evidence by the prosecution and the defense and deliver a verdict, which states whether they find you to be guilty or not guilty. You can be found guilty on certain charges or counts, but not on others. In criminal cases, the standard of proof to convict you of a crime is proof "beyond a reasonable doubt," which is the highest standard of proof used in court. That means if the jury has any reasonable doubt about your guilt, you can be convicted of a crime.

In the United States, jury trials are a constitutional right. While the judge will still be involved in the case to rule on matters of law—deciding what evidence is admissible or upholding or denying objections by the prosecution and defense—the jury is responsible for deciding on the facts of the case and determining the verdict. Judges may not overrule a jury that acquits a defendant, but they can throw out guilty verdicts. If you are found guilty, the judge will also determine your sentence according to applicable law.

## Fighting Criminal Conviction in Utah

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If you have been charged with or indicted on crime in Utah, you have a right to legal counsel. Our team of [reliable, responsive attorneys](#) at [Wasatch Defense Lawyers](#), based out of Salt Lake City, is ready to come alongside you and work to reduce charges or obtain an acquittal. Call [801-845-3423](tel:801-845-3423) for a free, no-obligation case review.

## Comments

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