

This brochure is designed to answer questions you may have concerning the citation you have been issued.

COURT APPEARANCE

The court date on your citation is the date of your initial appearance. An initial appearance is your opportunity to enter a plea to the charge. You may plead guilty, no contest, or not guilty. The initial appearance is not the trial date.

You may avoid appearing in court. If the bond is posted and you do not appear in court, you will be found guilty, and the bond money will be forfeited.

If you do not post the bond amount, and you also fail to appear in court on your court date, you will be found guilty and default judgment will be entered against you. You will then be sent a notice giving you 60 days in which to pay the bond amount.

If you fail to pay the bond amount in full within 60 days the court will (1) issue a warrant for your arrest, and/or (2) suspend your operator's license until paid in full (but not more than 5 years). Reinstatement requires application to the Department of Transportation and requires a reinstatement fee. Present amount charged for reinstatement fee \$50.00.

NOT GUILTY PLEA

If you wish to plead not guilty, you may do so in person at your initial appearance, or in writing by mail without appearing in court on the date set forth on your citation. Your written plea of not guilty must be received prior to the court date on your citation, or a default judgment will be entered. Default judgments, once entered, may be

reopened only by formal motion, good cause shown and by demonstrating the existence of meritorious defense to the original charge.

Mail the written plea of not guilty to the address on the front of this brochure, and include the charge, the date you were scheduled to appear, the name of the police agency that issued you the citation, and your current address and telephone number.

After you have entered your plea of not guilty, your matter will be set for a pre-trial conference with the prosecuting attorney. You will receive notice of the pre-trial within 3 weeks of your initial appearance. A pre-trial conference is your opportunity to discuss your case with the prosecutor to see if there is a resolution.

NOTICES

All notices will be sent to you at the address appearing on the citation, unless you advise the Clerk of Court, in writing, of a different current address. An incorrect address resulting in failure to timely receive notices could have serious adverse consequences to you.

TRIAL

If your matter is not resolved at the pre-trial conference, it will be set for a trial.

You have the right to a jury trial. If you wish to preserve this right, you must make a written demand for a jury trial, and post jury fees, within 10 days of your not guilty plea. Jury fees are \$6.00 per person, or \$36.00 for a six person jury trial.

A notice for your trial will be mailed to you. You may present evidence and have witnesses at the trial. You must appear at the trial, or you will

be found guilty by default. It is your responsibility to notify the Clerk of Circuit Court, in writing, of any change in your mailing address.

DRIVER'S LICENSE

The arresting officer is required to take your driver's license on certain traffic offenses. Normally, you will be able to get your license back when you appear in court.

QUESTIONS

Any questions you wish answered prior to your appearance in court, other than routine time schedule questions, etc., should be addressed to an attorney. Court personnel are prohibited by law from giving legal advice.

DEMERIT POINTS

If you are found guilty of a traffic violation, a record of conviction is sent to the Division of Motor Vehicles. The Division then assesses appropriate demerit points, if applicable, against your record. The court does not determine the number of points assessed against your driving record. If you accumulate 12 points against your driving record within a one-year period, your license will be suspended or revoked. You will receive a written notice from the Division of Motor Vehicles if this occurs.

If you need to know what your point status is, you should call the DMV at (608) 266-2261.

OUR PURPOSE

This brochure was prepared to help you understand traffic court procedures, your rights, and to help resolve the issues involved with a minimum of time and effort.

HELP US KEEP OUR HIGHWAYS SAFE