

COURT PROCEDURES - OPTIONS

You have received a citation and are scheduled for a court appearance in Municipal Court. You ask yourself, "Now what happens?" The court allows you to plead to the charge or contest the charge. You have some options:

* **STIPULATION** - On a non-mandatory appearance, there is the option to stipulate a No Contest plea without appearing in court by paying your forfeiture. Payment must be received prior to the court date issued on the citation.

* **NO CONTEST OR GUILTY** - There is the option to appear before the Judge to enter a plea of Guilty or No Contest. If the plea you enter is either Guilty or No Contest, the Judge will, upon hearing the facts, accept the Guilty or No Contest plea. He will order a forfeiture for the offense. After this finding, you will be responsible for paying the forfeiture which is imposed. If unable to pay the forfeiture in full by the due date, arrangements must be made with the Municipal Court Clerk or the Administrative Lieutenant for payment.

* **NO CONTEST BY PERSONAL RECOGNIZANCE BOND** - At the time you are arrested, the arresting officer will ask you to sign a Personal Recognizance Bond (PR Bond). This PR Bond states that if you do not appear on your scheduled court date, you understand that the court will enter a Guilty finding and you will owe the amount of the forfeiture written on your citation. It also states that this forfeiture will be due in full within 60 days at the Two Rivers Police Department and lists the alternative sentences for failure to pay. This would be for non-mandatory appearances for adults.

* **NO CONTEST BY COURT** - The law allows Municipal Courts to enter a Guilty finding on all cases where you do not appear to contest a traffic citation or a municipal ordinance citation. Again, the forfeiture will be due in full within 60 days at the Two Rivers Police Department and would be on non-mandatory adult appearances.

* **NOT GUILTY** - If the plea you enter either from yourself or from an attorney is Not Guilty, dates for a pre-trial and trial date are set up by the Judge. This plea is to be entered in person or in writing. The pre-trial is an informal hearing between yourself (and your attorney) and the City Attorney to try to resolve the situation before going to trial. The City Attorney will review all the facts presented by the Police Department and the information you present. At that time, a decision will be made whether to dismiss, amend the charge to a lesser charge, or continue the charge as is and inform you that you should now appear before the Judge at trial. At this point, if you feel the need, you may choose to retain an attorney at your own expense to defend you if you are not already represented. If not, you may represent yourself. The City Attorney, the arresting officer, and any witnesses will be at

the trial for the prosecution. The Judge will listen to both sides and then make a determination from evidence presented at the trial. If the Judge determines a verdict of Guilty, a disposition to the case will be entered. If the Judge's finding is Not Guilty, there will be no forfeiture due. If found Guilty, in most instances a forfeiture amount will be due. If unable to pay in full, arrangements will need to be made with the Municipal Court Clerk or the Administrative Lieutenant. Drivers licenses suspensions, alcohol assessments, etc., may also be ordered by the court as the charge demands. Failure to pay in a timely manner will result in alternative sentencing of suspension of driving privileges and/or a commitment to jail.

All juvenile matters that are non-traffic are closed hearings with the parent/guardian (one parent **MUST** appear) and the juvenile. In Two Rivers Municipal Court, it is a mandatory that one parent appears with a juvenile at court, with the exception of a few offenses, such as bike/skateboard violations and tobacco products violations.