

## COURT TERMS

**COURT-ISSUED WARRANTS** - The Court will issue a warrant when:

- \* You fail to make a plea to violations shown on your ticket
- \* You fail to comply with the Orders of a Judge
- \* You do not complete a payment plan or fail to make payments.

**FAILURE TO MAKE A PLEA** – If you fail to make a plea to the violation on your ticket on or before the appearance date shown on your ticket, the Court will: (a) Issue a warrant for you arrest, (b) Add a \$20 Service of Process fee.

**FELONY** - A crime is punishable by imprisonment and extensive fines. Felonies are not handled in a Municipal Court and are referred to the District Attorney for charging in Circuit court.

**GUILTY** – By entering a plea of guilty, you admit that the act is prohibited by law, that you committed the act charged, and you are waiving your right to a trial by judge or jury. When you plead guilty to a violation, you must pay the fine specified for the violation. Either bring in or mail the fine payment to the Two Rivers Municipal Court. Payment must be received before your court date at the top of your ticket. If you signed a PR Bond, your due date would be 60 days from you court date.

**MISDEMEANOR** – A Misdemeanor is every other crime which is not a felony.

**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.

**NO CONTEST BY PERSONAL RECOGNIZANCE BOND** - At the time you are arrested, the arresting officer will ask to you 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 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 whatever forfeiture is imposed upon you. The Judge generally gives you 60 days to pay in full. If you are unable to pay the forfeiture in full by the due date, arrangements must be made with the Administrative Lieutenant for payment options.

**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/or 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 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.

**PERSONAL RECOGNIZANCE** - A written promise by a Defendant that he will appear in Court for a specified hearing, or pay the fine within 60 days after this court date when judgement is entered.

**PLEA** - The response made by a Defendant to charges filed in a criminal or traffic complaint. The three forms of pleas acceptable in Court are "Guilty", "Not Guilty", and "No Contest".

**PRETRIAL** - A meeting with the prosecutor scheduled after your arraignment in which you or your attorney attempt to resolve your case before going to trial.

**RESOLVING A WARRANT** - Your warrant may be dismissed if you plead "No Contest" or "Guilty" to the warrant charge and pay the fine. If you want to plead Not Guilty to a charge after an arrest warrant has been issued, you must post the required bond with the Two Rivers Police Department (you may be subject to an arrest and arrest record) and then obtain a court trial date.

**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.

**SUBPOENA** - A document containing a written command that you must appear and give testimony. The subpoena contains a time and place for the testimony to take place, and it may be in a Court, or many times, at an attorney's office.

**SUMMONS** - A Court notice telling you to appear in Court at a particular time and place.

**WARRANT** - A Court order to arrest you and hold you in custody until you appear in Court before the judge, or post the money for your release.