

MUNICIPAL COURT
STOUGHTON, WISCONSIN

The Court urges you to read this information to help you understand the procedures in Municipal Court and your rights. It is necessary and important that you be fully advised as to your legal rights. You have the right to an attorney, at your own expense, at any stage of proceedings in this Court.

When your case is called, please step forward to the podium in front of the Judge's bench. The Court will advise you of the nature of the charge(s) as well as the maximum penalties which can be imposed. If you do not understand the nature of the charge(s), ask the Judge to explain it to you.

The Judge will next ask you if you are prepared to enter a plea to the charge(s). You have the right to request a continuance.

PLEAS

When you are asked to enter a plea, you have three (3) choices of pleas:

1. <u>GUILTY</u>	2. <u>NO CONTEST</u>	3. <u>NOT GUILTY</u>
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1. If you plead **GUILTY**, you admit to all of the charges and the Court will impose a fine / forfeiture as explained below. (See **FINES / FORFEITURES** section on page 2.)
2. If you enter a plea of **NO CONTEST**, the Court may find you guilty. By entering a plea of No Contest, you neither admit nor deny the charge(s), but you state that you do not choose to contest the charge(s). The effect is the same as a plea of Guilty except that the finding of guilt, as a result of this plea, may not be used against you to establish civil liability.
3. If you plead **NOT GUILTY**, your case will be set for a Pretrial Conference with the City Attorney.

PRETRIAL CONFERENCE

At the Pretrial Conference with the City Attorney, your case will be reviewed on the basis of the police reports and any other records which may be present. You will have a chance to discuss the merits of the case on an informal basis. The matter may be settled at the Pretrial Conference, in which case the matter will be closed. If, however, the issues cannot be settled at the Pretrial Conference, your case will be scheduled for trial before the Court.

If the time or date of the Pretrial Conference is inconvenient for you, please call the City Attorney, whose telephone number appears on the Pretrial Notice, prior to the Pretrial, to make other arrangements to conduct the Pretrial. Failure to appear at the Pretrial or to make other arrangements will result in a default judgment being taken against you.

TRIAL

You have the right to a Trial without a jury before this Court. You only have the right to a jury trial at the Dane County Circuit Court on the charges of Operating a Motor Vehicle While Intoxicated or Operating a Motor Vehicle with a Prohibited Alcohol Concentration of .08% or more. To obtain a jury trial, you must make a written request for a jury trial within ten (10) days from the date of your initial appearance. Your payment of the jury fees must accompany your written request. A cash bond as set out on the citation may also accompany your written request. Either form of trial is a formal proceeding where testimony will be taken under oath, and you will have the right to produce evidence and examine or cross-examine any witnesses.

APPEAL

If, after trial, you feel aggrieved by the decision of this Court, you have the right to appeal to the Dane County Circuit Court. The appeal may be based on the record made in Municipal Court, or you may request a new trial either to the court or to a jury. To appeal, you must file a written notice with the Clerk of Municipal Court within twenty (20) days after your trial and pay the required appeal fees.

FINES / FORFEITURES

Upon your plea of Guilty or No Contest or upon the finding of guilt by the Court after pretrial or trial, the Court will review the record and impose a penalty (monetary fine / forfeiture) in accordance with the law. If you cannot immediately pay the fine / forfeiture, the Court may grant you up to sixty (60) days within which to pay.

IN-PERSON payments should be in the form of Cash, Check or Money Order and taken to the Stoughton Police Department, Public Safety Building, 321 S. Fourth Street, Stoughton, WI 53589, open 24 hours a day, 7 days a week.

When **MAILING** a payment, please DO NOT SEND CASH. Checks or Money Orders must be made payable to the **City of Stoughton** and mailed to the Stoughton Police Department, Public Safety Building, 321 S. Fourth Street, Stoughton, WI 53589.

FAILURE TO PAY ON TIME

If you are unable to pay the fine / forfeiture in full on or before the due date, you may call the Court Office, 608-873-6676, **prior to the due date**, to request an extension or payment plan. You also have the right to request a hearing to determine if you are indigent. A request for an indigency hearing must be made **in writing** prior to the due date. If, however, the Court does not receive your payment, your request for an extension, your request for a payment plan, or your request for a hearing by the due date, one or more of the following will occur without further notice to you:

- ***The Department of Motor Vehicles may suspend your Driver's License for up to two (2) years;***
- ***Your fine may be placed with a collection agency or sent for tax intercept; and***
- ***A warrant may be issued for your arrest and you may be committed to the Dane County Jail.***

TRAFFIC OFFENSES

If you are found guilty of a traffic offense, certain demerit points may be assessed against your driving record or your driving privileges may be suspended for certain offenses by the Wisconsin Department of Transportation, over which this Court has no control.

If you have any questions or concerns, please contact the Court Office at 873-6676.

PLEASE REMEMBER THAT YOU ARE IN A COURT OF LAW. WHILE PROCEEDINGS ARE AT TIMES SOMEWHAT INFORMAL, RESPECT AND PROPER DECORUM MUST BE OBSERVED AT ALL TIMES. AS YOU ARE WAITING FOR YOUR CASE TO BE CALLED, PLEASE REMAIN SILENT AND DO NOT ENGAGE IN ANY KIND OF BEHAVIOR WHICH MIGHT BE DISRUPTIVE OR PREJUDICE ANOTHER PERSON'S CASE.

Thank you for your cooperation.