

Initial Appearance

Since most people are concerned about appearing in court, I offer the following rules and procedures to help you understand how the court functions. This Court has jurisdiction over traffic and non-traffic ordinance violations. You have the right to be represented by an attorney, or you may proceed without one. If you want an attorney you must retain one at your own expense. The court cannot provide you with a Public Defender as this is a civil court not a criminal court.

The citation you have received is not proof of guilt. It is merely an accusation that must be substantiated either by admission or evidence and testimony. The dollar figure written on the face of the citation is not necessarily the amount of the fine. The amount shown is referred to as the Bond amount; which is a predetermined amount based on the allegation. The purpose of which is to insure appearance in court (if necessary) by the defendant. Simply appearing in court is not an automatic amendment or dismissal of your citation. If you came today for this reason, you may be disappointed.

Court Procedure

When you arrive at Court, please sign in. Names are called according to the order on the list. When your name is called, please advance promptly to a position in front of the bench. You will then be informed of the charges against you and the possible consequences of your plea. Consequences which may be imposed include forfeiture, license suspension/revocation, or restitution.

Defendants pleading not guilty will be scheduled for a pretrial. Failure to appear for your pretrial will result in a default judgment, and you will be found guilty. Defendants pleading guilty or no contest may make a brief statement, when asked, relevant to the charge. The Court will then review the police reports, prior convictions, and any other relevant information, and a judgment and sentence will be rendered accordingly. Upon a finding of guilty by the court, forfeiture plus court costs may be imposed. Forfeitures are payable immediately to the Court Clerk. If you cannot pay the full amount, the Court can defer payment for an agreed upon amount of time.

Pleas

At the initial appearance the defendant may enter one of the following pleas:

If you plead GUILTY: This is an admission of the charges against you. You will be found guilty of the charges as they appear on the citation and you will be sentenced.

If you plead NO CONTEST: This means you are not admitting to the charges nor are you denying them. It means that you believe you could be found guilty if the matter were to go to trial. If this plea is accepted by the court, you will be found guilty in accordance with State law. If you are potentially facing a civil suit because of the citation in question, and you believe that you could be found guilty; a no contest plea is not an admission against your civil liability for use in other litigation which may occur where personal injury or property damage is involved.

If you plead NOT GUILTY: This is a denial of the charges against you. You are then given the opportunity to attend a pretrial. This is a meeting with the Village Attorney in an attempt to settle your case. If no settlement can be reached, you will be scheduled for a trial.

If you fail to appear in Court for your initial appearance, and you have not responded with a plea of not guilty, previously paid the fine, or requested a continuance for another date, the Court will enter a default judgment and you will receive a notice in the mail regarding payment.

Traffic Violations

If you are found guilty of a traffic offense, in addition to any judgment made by the Court, the Wisconsin Department of Transportation will assess demerit points against your driving record which may result in the suspension or revocation of your driver's license. The accumulation of 12 demerit points in one year shall result in the loss of your license.

Probationary License: If you hold a GDL license, points will double for the second and all subsequent violations. The probationary period may be extended after a violation. To find out how many points you have accumulated, you must contact the Drivers License Bureau by contacting the DOT at <http://www.dot.wisconsin.gov/drivers>.