

DEFINITION OF COURT PROCEEDINGS

Remember that you are in a Court of law. While you are waiting for your case to be heard, please remain quiet while Court is in session and give others the courtesy to be heard while they present their case. Please turn off cell phones and pagers and remove hats.

Initial Appearance: You will be called in the order that you checked in with the Court officer. When your case is called, please step forward. The Court will advise you of the charge, maximum penalties and whether or not points may be assessed against your driving record. You will then be asked to enter a plea (see definition of pleas).

Upon a plea of either **No Contest** or **Guilty**, you will be given an opportunity to inform the Court of any extenuating circumstances regarding the charge(s). The Court will review the record and impose a penalty in accordance with the law. You will be expected to pay any forfeiture today unless you request additional time to pay.

Upon a plea of **Not Guilty**, the Court will then set your case for a pretrial with the City Prosecutor. The pretrial may take place today, depending upon the number of scheduled pretrials, or may be set for a future date.

Pretrial: At the pretrial conference, you will discuss the charges with the City Prosecutor and attempt to reach an agreement. If an acceptable agreement is reached, it will be presented to the Judge for final approval. If the case is not resolved, a trial to the Court will be scheduled.

Trial: At a Court trial, you, as well as the prosecution, will present your case before the Judge. You will need to prepare all of your evidence prior to this proceeding and bring any witnesses that would help your defense. The prosecution will produce its witnesses to testify as to the facts and circumstances surrounding your case. You, or your attorney, will have an opportunity to cross-examine each witness. When the prosecution has completed its case you and your witnesses will be given the opportunity to testify and will be subjected to cross-examination by the prosecution. After all the evidence has been presented, the prosecution and the defense will be given an opportunity to summarize their respective cases to the Court through a brief statement. Thereafter, the Court will determine your innocence or guilt. If the Court finds you not guilty, the case will be dismissed. If you are found guilty, the Court will impose a penalty.

DEFINITION OF PLEAS

Guilty: This is an admission of the charge(s) against you. You will be able to explain any circumstances that you wish the Court to consider when imposing the sentence.

No Contest: This is similar to a plea of guilty and will be treated as a guilty plea. However, your plea cannot be used against you in any other Court proceeding to prove your civil liability if personal injury or property damage is involved.

Not Guilty: This plea means that you wish to contest or deny the charge(s).

OPERATING WHILE INTOXICATED CASES

Only if you have been charged with Operating While Under the Influence, may you request a jury trial in Waukesha Circuit Court. You must, however, give the court notice of this request within ten (10) days of your initial appearance and post the required bond and jury fees.

JUVENILE CASES

Juvenile **non-traffic** offenses will be called by number and heard in closed chambers. Juveniles must be accompanied by a parent. Juveniles have the same rights as adults in entering a plea. Juveniles are also required to pay any forfeiture imposed. If a juvenile fails to pay the forfeiture, his/her driver's license, or ability to obtain a driver's license, may be suspended for up to one (1) year.

PENALTIES FOR NON-PAYMENT OF FORFEITURES

If you need, you may ask the Court for up to sixty (60) days to pay. Failure to pay in full or contact the Court office by your due date may result in the Court taking one or more of the following actions:

- Suspension of your driving privileges for up to one (1) year
- Turn your debt over to a collection agency where you may be responsible for any additional costs incurred.
- Enter your debt into the Tax Refund Intercept Program.
- Issue a Writ of Commitment for your incarceration in the county jail.