

You have been cited for violating either a State statute or a Village ordinance. If the citation is for a traffic violation, a conviction will mean that demerit points are assessed against your license. If you accumulate 12 points within 12 months you will lose your license.

If you wish to enter a plea of no contest, and allow the court to find that you are guilty of the offense without the need for a court appearance, you can mail the required forfeiture to the clerk at the Municipal Court office. Please note your name and the citation number on the check. **DO NOT SEND CASH.**

If you do not wish to plead no contest and enter into a stipulation, **YOU MUST APPEAR IN COURT ON THE DATE INDICATED ON THE CITATION.** You have a right to one continuance before entering a plea.

INITIAL APPEARANCE

The court date on your citation (ticket) is the day you tell the court whether you are guilty or not guilty of the charge against you. If you wish to contest the ticket, you should appear at the Bayside Village Hall at approximately 6:00 p.m. on the date on the citation. An Assistant Village Attorney will be available to discuss your case with you at that time.

If an agreement resolving the case can be reached, it will be placed on the record when court begins. Any recommendation is subject to the court's approval.

COURT APPEARANCE

Whenever you appear in court, the procedure will be as follows:

- (1) When your name is called, come forward promptly to a position in front of the bench.
- (2) The exact charge against you will be read and you will be expected to enter a plea. You may enter a plea of GUILTY, NOT GUILTY, or NO CONTEST to the charge.

- (3) If you enter a plea of GUILTY, you are admitting that you committed the offense, you will be found guilty, and a forfeiture will be imposed.
- (4) If you enter a plea of NO CONTEST, you are saying that you do not want to contest the charge, but merely want to get the matter over with and pay the forfeiture. The effect of this plea is that you will be found GUILTY, but it cannot be used against you as an admission of fact in some other court proceeding.
- (5) If you enter a plea of NOT GUILTY, you deny committing the violation charged against you, and the matter will be adjourned to a later date for a trial, at which time all witnesses including the arresting officer must be present.

If you need to change the trial date later on, you must appear before the judge and request the postponement at the earliest possible time. Adjournments will be granted only in exceptional circumstances.

- (6) If you must pay a forfeiture, the Court may allow time for you to pay. If you fail to pay the forfeiture within the time allowed by the Court, you may lose your license for a period of up to two years or be sentenced to jail.

If you have questions about your rights or about court procedures, feel free to ask the Assistant Village Attorney or the judge for an explanation.

DRUNKEN DRIVING CASES ONLY

If you are charged with operating a motor vehicle while intoxicated (drunken driving) or with a blood alcohol concentration in excess of .08%, and if your plea is NOT GUILTY, you have the right to request a jury trial. To request a jury trial you must file a written Jury Demand and pay the appropriate fee within 10 days of your first court date. Your case will then be transferred to the Milwaukee County Circuit Court for trial. That court will notify you of the jury trial date. The fee is \$36 for a 6 person jury.

TRIAL TO THE COURT

At the time of trial, the prosecution will produce its witnesses to testify as to the facts and circumstances surrounding your violation you, or your lawyer, will be permitted to cross examine each witness who testifies against you. When the prosecution has completed its case, you, and any witnesses you may have, will be given the opportunity to testify and will be subject to cross-examination by the prosecution. After all of the evidence has been presented, both the prosecution and the defense will be given an opportunity to summarize, by brief argument, their respective cases to the Court. Thereafter, the Court will determine your innocence or guilt.

If the Court finds you not guilty, you will be discharged and the complaint against you dismissed. If you are found guilty, the extent of the penalty depends upon the circumstances surrounding the violation and your past record. It is the Judge's responsibility to determine the appropriate penalty after being fully informed.

VILLAGE OF BAYSIDE

MUNICIPAL COURT PROCEDURE



Charles H. Barr
Municipal Judge

Kellie M. Minikel
Clerk of Court

Court held at: Bayside Village Hall
9075 North Regent Road
Bayside, Wisconsin 53217

Send Payments to: Municipal Court Office
9075 North Regent Road
Bayside, Wisconsin 53217

Phone: (414) 351-8805