

ST. PETERS MUNICIPAL COURT

Donald L. Kohl
Judge, City of St. Peters

YOUR RIGHTS IN COURT

Your presence in the Municipal Court today is perhaps your first experience in any Court. This information has been prepared to help you understand the Court proceedings and to inform you of your rights and duties.

Your Rights

- Right to trial
- Right to know when the Court is open
- Right to attend court
- Right to an attorney
- Right to release pending hearing
- Right to have a Judge decide if you can afford a lawyer or afford to pay fines
- Right to a court-appointed attorney if you are unable to afford one and jail time is likely
- Right to access court records
- Right to request a different Judge

PROPER ATTIRE FOR COURT

The proper attire for Court shall NOT include shorts, tank tops, hats, or sun glasses. If you appear in Court wearing any of this attire; you will be asked to leave.

WHAT THESE WORDS MEAN

The Court's job is to decide all cases as the law requires. You need to know your rights and the meaning of words that are used in court BEFORE you go to court. Then you can better understand court operations and be ready for court when you get there. (Don't forget to read the traffic ticket or summons and the instructions on it.)

Traffic Ticket or Summons – command by court order to appear in court. Failure to appear may result in a warrant for your arrest.

Charge – what you are accused of doing.

Plea – to answer the charge in court.

Plead Guilty – to admit the charge.

Plead Not Guilty – to not admit the charge, or assert your innocence, or require the prosecutor to prove the charge. This is the default plea unless and until you plead guilty.

Defendant – the person charged with the traffic violation.

Continuance – having the judge change your case to another day in the future.

Subpoena (“sa-pee-na”) – an order from the court that compels a person to come to court.

Prosecutor – the lawyer for the city.

Court Costs – the money needed to pay for the operation of the court system and other amounts as set by State law.

Testify – to speak under oath (swear to tell the truth) in court.

Witness – a person who testifies in court about something they know.

Appeal – to try to have a higher court hear the case again.

Arraignment – the reading of the charge(s) and formal entry of a plea of “Guilty” or “Not Guilty.”

WHEN YOU GET TO COURT

Check in with the Court Clerk upon arrival. Then have a seat in the court room.

When your name is called, walk up to the judge. The Judge will read the charge. If you do not understand it, ask the Judge to explain it. The judge may ask you questions. You may answer the questions, or you may ask the judge to wait to answer the questions until you have a lawyer, or you may remain silent.

When the judge asks how you plead, you must say “guilty” or “not guilty.”

ST. PETERS MUNICIPAL COURT

While in the courtroom, please:

Stay seated until your case is ready to be heard by the Judge.

Do not smoke or consume food or drink.

Do not sleep or disrupt the court proceedings.

If you are a non-U.S. citizen.

If you do not have the proper documentation to be in the United States, you should know that a guilty plea of conviction may result in your deportation, denial of admission to the United States, or you may be denied naturalization under United States law. You may wish to speak with an attorney, especially before entering a guilty plea to any charges.

If you need ADA Accommodations

You have rights under the Americans with Disabilities Act (ADA). For example, if you or a witness are deaf or hearing impaired, you have the right to request assistance, including interpreter. For help, please contact the court's ADA coordinator. A list of ADA coordinators can be found at <http://www.courts.mo.gov/page.jsp?id=180>

If you need help with other ADA disabilities, please call (573) 751-4377 or send email to

access2justice@courts.mo.gov

IF YOU PLEAD GUILTY:

The judge may ask you questions.

You must answer them.

The judge will tell you how much money to pay as a fine and court costs or what sentence you must serve. Before you plead guilty, you have the right to ask the judge if you will go to jail.

TRIAL PROCESS

1. The Case is ready to be heard by the Judge
2. Witnesses are given an oath to testify
3. The City's witnesses explain their version of what happened.
4. You or your attorney can ask questions of the City's witnesses.
5. You may testify and call witnesses to explain your version of what happened.
6. The City Prosecutor may question you and your witnesses, if you and your witnesses testify
7. The Judge makes the decision.
8. If the judge decides that you are not guilty, the trial is over, and you may leave.
9. If the judge decides that you are guilty, the judge will tell you what the penalty is and what then to do.

APPEAL

Also known as "trial de novo," which means new trial.

If you are not satisfied with the Judgment (verdict) of this Court, you have the right to appeal the verdict to the St. Charles County Circuit Court. If you do appeal, you must post a \$30.00 filing fee (either certified check or money order); made payable to the Circuit Clerk of St. Charles County. The filing fee and case files will be forwarded to the Circuit Court once received by the Clerk of this Court. You will be notified of a new court date and your case will be heard again by another Judge in its entirety. You must file this appeal within ten (10) days of the Judgment. If the judgment is not appealed within ten (10) days it becomes final and you must pay the fines and costs assessed by this Court.

For additional information, case tracking, online payments visit

www.stpetersmo.net