

## **MUNICIPAL COURT PROCEEDINGS**

You should be informed of your legal rights and the general procedure of this Court. When you are called, the Court expects you to step promptly to the line in front of the Bench and answer to your name. The charge against you will then be read, and you will be given the range of penalties. The financial penalty always comes FIRST.

If you have a traffic violation, the Clerk of Courts will give you the number of demerit points that will be assessed by the Department of Transportation if you are found guilty. If you accumulate twelve (12) points in twelve (12) months, the Department of Transportation could suspend your driver's license.

If you do not understand the charge against you, ask for an explanation while you are before the Bench. You must answer the charge by making a formal plea: guilty, no contest or not guilty. You may ask for a continuance.

If you plead guilty, the Court will find you guilty.

If you plead no contest, it is the same as saying the charges are true and the Court must find you guilty. A no contest plea cannot be used against you at a later date in a civil action.

If you plead not guilty, it means you believe that you have not violated the law in the manner and form as charged against you. The Judge will set a trial date after accepting your not guilty plea. If you want a pre-trial conference with the City Attorney, you may contact him at (920) 766-6318 during business hours from 8:00 a.m. to 5:00 p.m. Monday through Friday. The City Attorney's office is located at 180 West Wisconsin Avenue, Kaukauna, Wisconsin 54130.

In setting the forfeiture for persons judged guilty, any previous driving record, the seriousness of the violation, any hazardous conditions present as well as any extenuating circumstances will be taken into consideration.

If charged with O.M.V.W.I. (operating a motor vehicle while intoxicated) or with a B.A.C. (blood alcohol count) of OVER .10, you may demand a jury trial in County Court at this time or within ten (10) days of pleading not guilty by submitting a letter to the Police Department/Clerk of Courts so demanding and accompanying it with the statutory costs required (\$30.00 for a six person jury and \$60.00 for a twelve person jury).

Please refrain from talking during the proceedings. There is no smoking allowed in the Court Room.

Eugene D. Schaefer  
Municipal Judge

Melvin J. Nieuwenhuis  
Clerk of Courts