

Municipal Court Trial

If you decide to take your case to trial, the Court will not provide an attorney for you. You may choose to retain one at your own expense or represent yourself. If you choose to represent yourself, please read the following information carefully. You may call the Municipal Court Clerk with procedural questions regarding your trial date. Please note that the Clerk cannot offer you legal advice regarding your case, witnesses to call, evidence to present or the likelihood of success at trial, or recommend an attorney. If you need legal assistance with your case, you should consult an attorney.

Trial Procedure

You are presumed innocent and will be convicted only if the evidence is clear, convincing, and satisfactory that you committed the violation with which you have been charged.

This is a formal recorded proceeding where the Prosecutor and the Defendant have the opportunity to present their evidence before the Municipal Judge. Because the burden of proof is upon the municipality, the Prosecutor will present his or her evidence first. The prosecution will produce its witnesses to testify as to the facts and circumstances surrounding the alleged violation and may introduce documentary evidence. You (or your attorney) will be permitted to cross-examine each witness that testifies. Cross-examine means to ask questions of the witness, not make statements to the witness.

After the prosecution has introduced all of its evidence, you (or your attorney) will then have the opportunity to testify on your behalf, call witnesses and present any evidence you have. The prosecution will be permitted to cross-examine any witness that testifies.

When you and the prosecution have completed your cases, each will be given the opportunity to summarize, by a brief argument, their respective cases to the Court. The Court will then decide, based on the testimony, the admissible evidence and the law, whether to find you guilty or not guilty.

If the Court finds you not guilty, you will be discharged and the complaint against you will be dismissed.

If you are found guilty, the extent of the penalty is dependent upon the circumstances surrounding the violation.

Payment of Fines

Upon a finding of a guilty, a fine plus court costs may be imposed. You will be given 60 days in which to pay your fine. If more time is needed you may enter into a payment plan with the Court. All payment plans must be authorized by the Municipal Court Judge. If you fail to pay your fine on time you may be committed to jail, have your driver's license suspended, or your debt will be turned over to the State Debt Collection Agency.

Right to Appeal

Yes, if you are found guilty, you have the right to APPEAL to the Juneau County Circuit Court. The Court Clerk will provide you with a copy of your appeal rights and the appellate fees. You must file the NOTICE OF APPEAL within 20 days of the date of your judgement.