

## Your rights

- Under the American system of justice, all persons are presumed to be innocent until proven guilty.
- **The State must prove guilt** "beyond a reasonable doubt."
- Every criminal defendant has the right to remain silent and refuse to testify without consequences.

## Your rights before trial

- You have the right to retain an attorney.
- **No attorney will be appointed for you.**
- You have the right to a jury trial.
- **You may waive your right to a jury trial and have a trial before the Judge.**
- If you elect to represent yourself, no person other than a licensed attorney may assist you during trial.

## Your rights at trial

- To have notice of the complaint.
- To inspect the complaint before trial and have it read to you.
- To hear all testimony introduced against you.
- To cross-examine witnesses who testify against you.
- To testify on your own behalf or refuse without consequences.
- To subpoena and call witnesses on your behalf.

## Your legal obligation

- The law requires you to make an appearance.
- Your appearance date is noted on your citation, bond, summons, or release papers.
- You or your attorney may appear in person.
- You or your attorney may appear in open court.
- You or your attorney may appear by mail, postmarked by the appearance date.

## Entering a plea

- **Guilty** – by entering a plea of guilty, you admit that you committed the criminal offense charged against you.
- **Nolo Contendere (No Contest)** – a plea of nolo contendere (no contest) means that you do not contest the State's charge against you.
- **Not Guilty** – a plea of not guilty means that you deny guilt and you require the State to prove the charge against you.
- A plea of not guilty does not waive any of your rights. A plea of not guilty does not prevent a plea of guilty or no contest prior to trial.
- The difference between a plea of guilty and no contest is that the no contest plea may not later be used against you in a civil suit for damages. For example, in a civil suit arising from a traffic crash, a guilty plea can be used as evidence of your responsibility or fault.

## **After a Finding of Guilt**

If you plead guilty or no contest, or are found guilty by a judge, you should be prepared to pay your fine and costs in full. If you are unable to pay in full, you should be prepared to document and explain your financial situation.