
ABILITY TO PAY

You must pay your fine IN FULL by the due date provided to you on the yellow stipulation form to avoid alternative sentencing, such as driver's license suspension, debt being referred to Department of Revenue for collection, and/or a commitment to the House of Correction being issued.

If you are unable to pay in full prior to your due date you **MUST APPEAR IN COURT** at **4:30PM** on your due date for an Indigency (Poverty) Hearing with the Judge.

Per Wis. Stat 800.035(2)(a)4, if you are found guilty but are unable to pay due to poverty, you may request an installment payment, community service, or a stay of judgment.

Poverty is defined as:

- Receiving public assistance
- Being represented by an attorney through a legal service program for indigent persons (including public defenders)
- Inability to pay, as determined by the Judge, based on household size, income, expenses, assets, debts, and the federal poverty guidelines under 42 USC 9902(2) [Wis. Stat. 814.29(1)(d)]

FREQUENTLY ASKED QUESTIONS

Am I required to make an agreement with the City Attorney?

No. You can decline the City Attorney's offer, which will result in the case being scheduled for trial.

Is the Judge required to accept an agreement between me and the City Attorney?

No. The Judge can deny the agreement and schedule the matter for trial.

Can I pay the citation instead of waiting to see the City Attorney?

Yes. You may pay the citation at the payment window if you choose to do so. However, if you pay the citation without seeing the City Attorney you will be found guilty of the original charge and in traffic cases any points associated will be added to your driving record.



CITY OF ST. FRANCIS MUNICIPAL COURT

COURT PROCEDURES

PLEASE SIGN IN WITH THE COURT CLERK AND HAVE A SEAT UNTIL THE CITY ATTORNEY CALLS YOU.

There is no guarantee that you will be called in the order in which you signed in but we will do our best to get you out as quickly as possible. Please be patient.

SILENCE ALL ELECTRONIC DEVICES!

Any disturbance will result in your device being confiscated until the end of court.

SILENCE IN THE COURTROOM IS COMMANDED!

Disturbances may result in your removal from the courtroom and possible citation and/or arrest.

DEFENDANTS WITH DISABILITIES

Reasonable accommodations requested by qualified individuals with disabilities will be made in accordance with the Americans with Disabilities Act of 1990.

DEFENDANTS IN NEED OF A TRANSLATOR

The Court is NOT required to provide a translator to adults (over 18) who do not speak English. Reasonable accommodations may be made to assist those who are unable to effectively communicate with court staff. Trusted family members/friends of the defendant may assist with translation if the defendant and City Attorney are in agreement.

PLEASE RETURN BROCHURE TO COURT CLERK BEFORE LEAVING

ENTERING A PLEA TO YOUR CHARGE

At your FIRST court appearance, you will be entering a plea. You may enter any of the following pleas:

NOT GUILTY— This means you deny committing the violation. If you plead not guilty, you **MUST** return to your seat and wait to be called to see the Judge. You will be assigned a trial date in which you will be required to appear. When you are called, the Judge will explain the trial procedures and your rights during trial.

GUILTY— This means you admit to committing the violation. The City Attorney will recommend a fine amount and tell you when payment is due or offer you to see the Judge for a payment plan. If you accept the City Attorney's offer you will sign a stipulation form and you are free to leave. The Judge will review the stipulation after court. If the Judge agrees to the terms of the stipulation he will sign and the agreement is finalized. If the Judge does not agree to the terms of the agreement he will deny it and you will be notified to reappear. Juveniles and alcohol-related cases are all seen by the Judge.

NO CONTEST— This means you declare that you are not pleading guilty, but you are not contesting the citation. Essentially, you merely want to get the matter resolved and pay the fine. The Judge will find you **GUILTY**, but this finding cannot be used against you as an admission of guilt if you appear in any other court action related to the same incident.

POINTS ON YOUR DRIVING RECORD

The Court does not look at the type of driver's license you have when giving you the number of points for your violation. Points are assessed by the Department of Transportation (DOT) in Madison. If you are driving on a probationary license and this is your second or subsequent violation, DOT will double the number of points you are given. If you accumulate more than 12 points in one year, your license will be suspended by the DOT.



OPERATING WHILE INTOXICATED CASES

If you are charged with operating a motor vehicle while intoxicated, a detectable amount of a prohibited controlled substance, or a blood alcohol concentration more than the legal limit, you have the right to request a jury trial.

To request a jury trial, file a "Jury Demand" form with this Court anytime within ten (10) calendar days after the day you plead NOT GUILTY. The form is available at the Municipal Court Office.

You MUST PAY the jury fee when filing the form. The Municipal Court will then send your case to the Milwaukee County Circuit Court. The Circuit Court will notify you of the jury trial date.

APPEAL RIGHTS AND PROCEDURES

If the Judge denied a motion that you filed or you disagree with the Judge's determination about your ability to pay the fine, you may appeal the Judge's decision.

1. Ask for a "Notice of Appeal" form at the Municipal Court Office.
2. Bring the completed form with payment for all applicable fees to the court within twenty (20) calendar days after the date the Judge denied the motion or determined your ability to pay.
3. Pay the appeal fee at City Hall. Unless you pay the fee or have it waived, your request for an appeal will be returned to you and the time allowed for appeal could run out.
4. Provide written notification of your appeal to the City Attorney's office within twenty (20) calendar days of the date of the Judge's decision.

The Municipal Court will send your case to the Milwaukee County Circuit Court. The Circuit Court will notify you and the City Attorney's office of your new court date.