

## What is Municipal Court?

The Municipal Court is a division of the Circuit Court. Cases in Municipal Court involve alleged violations of city ordinances. If you have received a citation for a municipal ordinance violation, you have certain rights and responsibilities. This document will help you understand these rights and responsibilities.

## The Arraignment

An arraignment is your first appearance in Municipal Court. When you arrive at your arraignment, check in at the door, and be seated. Be sure to leave any hats, cell phones, or firearms in your vehicle. They are not allowed inside the courtroom. When your name is called, approach the podium or bench. The Judge will read the charge that has been filed against you. If you do not understand the charge, ask the Judge to explain it. When the Judge asks how you wish to plead, you must say either “Guilty”, “Not Guilty” or “Guilty” with an explanation.

## A Guilty Plea

If you plead guilty, you are admitting to the Judge that you have committed acts that violate a valid City ordinance. Remember, if you plead guilty, the Judge will find you guilty. Any explanation offered by you may only affect the penalty. When you plead guilty you will be giving up the following rights: 1) to have an attorney to represent you; 2) to have a trial before a court or jury; 3) to call witnesses to testify for you; 4) to testify yourself; 5) to cross-examine any witnesses that the City may call; 6) the right to appeal the judgement and the penalty imposed.

## A Not Guilty Plea

A plea of not guilty means you believe you have not violated the law or you are simply requesting a continuance. When you plead not guilty, the Judge will set a date for trial or grant your request for continuance. You do not need to be represented by an attorney if you want to plead not guilty and you may represent yourself at trial. If you plead not guilty and later decide to change your plea to guilty, you must reappear in court.

## Appointment of Counsel

You have a constitutional right to have the Judge appoint an attorney paid for by the City to represent you if (1) jail is a possible punishment, (2) you cannot afford counsel, and (3) you are found to be indigent by the court. The Judge will notify you before you enter a plea of “Guilty” or “Not Guilty” if the violation for which you are charged has a possible punishment that includes time in jail. You must make a request to the Judge and fill out a form the Judge will present to you. Your case will then be set for an indigency screening hearing. Do not contact the Office of the Public Defender. They do not represent individuals in Municipal Court cases. You do have the right to hire an attorney to represent you at your own expense. Remember, you have the right to remain silent.