

**VILLAGE OF WHITEFISH BAY
MUNICIPAL COURT**

5300 N. Marlborough Drive
Whitefish Bay, WI 53217

READ THIS BEFORE COMING TO COURT

You have received a citation from a Village of Whitefish Bay police officer citing you for violating either a State Statute or a Village Ordinance. The following procedures will be followed in the Whitefish Bay Municipal Court with regard to this citation.

APPEARANCES

The citation indicates a hearing date and time on which you are to appear in the Municipal Court. You need not appear on this date if you pay your fine prior to the court date, **unless** your citation indicates "**MUST APPEAR**" or "**APPEARANCE REQUIRED- YES**", then you are required to appear in court on the assigned court date. If your citation is a "Correction Notice", you must follow the procedures as listed on the Correction Notice Information handout given to you by the officer.

PRETRIALS

All parties who appear in court on the date of their hearing will be given an opportunity to meet with the Village Attorney to discuss the facts of the municipal violation and review the penalties or fines associated with the citation. This is called a pretrial conference. If there is any type of modification made to the original charge, the Village Attorney will put that stipulation in writing. The Judge has the final decision as to whether the stipulation will be accepted by the court.

After the pretrial conference, the Judge will advise you of the charge or modified charge that has been made against you and the potential penalties if you are found guilty of that charge.

PLEAS

You will be asked to enter a plea to the charge or modified charge. You may plead: **GUILTY, NO CONTEST or NOT GUILTY.**

GUILTY:

By entering this plea, you admit to the charge against you.

NO CONTEST:

By entering this plea, you neither admit guilt nor deny the charge, but state that you do not wish to contest the charge. The effect is the same as a plea of "guilty" except that you are not admitting to any civil liability which may arise if personal injury or property damage is involved.

If a **GUILTY or NO CONTEST** plea is entered the matter can be resolved on the court date. At that time the court will review the officer's statements regarding the event and will also hear any statement you wish to make regarding mitigating circumstances. The court will accept your guilty or no contest plea and will impose an appropriate penalty.

NOT GUILTY:

By entering this plea, you deny committing the violation charged against you. If the case cannot be resolved through a pretrial conference with the Village Attorney, the matter will be set for a trial at a later date.

DEFAULT JUDGMENT

Failure to appear in court, pay your forfeiture, or enter a "not guilty" plea prior to your initial court date will result in a default judgment entered against you.

TIME TO PAY

If you appear in court and are found guilty, or if a default judgment is entered against you, you may be given time to pay your fine. A monthly payment plan may also be presented to the court.

Payment can be made by cash, check, money order or credit card by mail, in person or online. Visit the Village of Whitefish Bay website (www.wfbvillage.gov) for online payments.

Failure to pay may result in suspension of your driving privileges for up to one year; having the outstanding amount certified to the Department of Revenue's Tax Interception Program; or having the matter referred to a State Debt Collection agency.

The court has the discretion to order community service hours in lieu of a monetary forfeiture. The number of hours will be determined by the Judge based upon the facts of the violation and the seriousness of the offense.

DEFENDANT'S RIGHTS

1. You have the right to be represented at all times by an attorney at your own expense.
2. You have the right to a substitution of judge by filing a written request.
3. You have the right to one adjournment, as does the Village of Whitefish Bay.
4. You have the right to request a court trial and to cross-examine all witnesses presented by the Village, to call witnesses of your own, to testify yourself and to address the court in summation during your trial.
5. You have the right upon conviction after your trial to appeal that judgment to the Circuit Court of Milwaukee County. You must timely file written notice

- of your decision to do so with the Municipal Court and pay the statutorily required appeal fees and costs.
6. In cases involving a charge of Operating a Motor Vehicle While Under the Influence of an Intoxicant or other Drug, you have the right to a jury trial in the Milwaukee County Circuit Court upon payment of the statutorily required fees and the timely filing of a written request for a jury trial.
7. You may request that the court conduct a hearing as to whether or not you are indigent or capable of paying any forfeiture assessed against you.
8. Juveniles cited for traffic violations are subject to the same penalties and court procedures as adults. The Municipal Court also has jurisdiction over persons 12 to 17 years of age charged with non-traffic ordinance violations and truancy. Juveniles have the same rights with respect to pleas and the right to a private (closed) hearing.

For additional information, contact the Municipal Court Clerk at **(414)967-5125** or email court@whitefishbaywi.gov.

