

YOUR RIGHTS IN MUNICIPAL COURT

Municipal Judge Mark Ferguson is the presiding Judge of Riverside Municipal Court , a Municipal Division , of Platte County Circuit Court. At the start of each Court session the Municipal Judge will address the courtroom and inform you of your rights and the procedures regarding continuances, fines and payment of fines, and sentencing.

So that you are completely informed of what your rights are in court please read the following:

Docket Call

Each of you has been charged with a violation or violations of one or more ordinances of the City of Riverside. As your name is called you should come forward. The prosecutor (Ms. Ashelford) will read the charge or charges that the City has made against you.

Types of Pleas

There are three types of pleas. After the prosecutor has read the charge(s) against you, you may plead **Guilty**, **Not Guilty** or **Guilty with an explanation** as to each charge.

- A. **Not Guilty**- If you feel that you did not violate the ordinance(s) or if you are uncertain whether you violated it or not, you may enter a plea of not guilty. If you plead not guilty, we will set the case for trial. You will be given a date to return to Riverside Municipal Court for your trial. If you fail to appear or fail to appear on time a warrant will be issued for your arrest.
- B. **Guilty**- When you plead guilty you will not have a trial and you admit that what you did violated the ordinance. You give up the following rights: right to a trial, right to have an attorney represent you at trial, right to a jury trial, right to appeal. If you plead guilty a fine with court costs will be set. Or in pleading guilty a jail sentence may result. If the Judge advises that you are possibly receiving a jail sentence for the charge or charges against you, you may wish to continue the case to seek an attorney.
- C. **Guilty with an explanation**- If you plead guilty with an explanation, it is a plea of guilt. You still may be fined and have to pay court costs. You cannot change your mind when you find out what the punishment is. The following are cases you may want to plead guilty and give an explanation: No proof of insurance, Displaying expired or improper plates, failure to register a motor vehicle, no driver's license, equipment violations, no insurance and housing/nuisance violations (if you have corrected the violation).

Trials, Counsel and Fines/Costs

At trial, the prosecutor must prove beyond a reasonable doubt each of the essential elements of the charge that the City has brought against you. You have the right to retain counsel of your choice at your own expense to represent you at trial. You must clearly tell the Judge that this is your purpose and the Judge will continue your case for a reasonable time for you to obtain representation.

If you are convicted, you have the right to a trial de novo (appeal) in the Platte County Circuit Court, unless you have a trial by jury. If you are given a fine there will be **\$29.50** in court costs assessed to each individual charge in addition to the fine given by the Judge. All fines/costs are due to the Court before you leave.

The Judge has no authority to appoint counsel in a case where there is no practical possibility of a jail sentence (confinement). If there is a possibility of confinement, the judge will advise you (defendant) of the right to counsel and the willingness to appoint counsel to represent defendant if you are unable to employ counsel. Upon showing of indigency, (fill out Affidavit for Court Appointed Counsel) the Judge will appoint counsel to represent you.

You cannot decide to continue the case(s) because you do not wish to pay fines and costs. **The Court does not accept personal or business checks. The Court will accept money order, cash, credit or debit card as forms of payment.**

General Rules

There is to be no talking except for court business. **All electronic devices are to be silenced in court, no exceptions. All hats must be removed. No food or drink may be in the courtroom.** Parents who are with a child because the child has a case(s) pending before the court, should approach the bench when the child's case is called. You must follow all instructions given to you by the Court, its personnel and or bailiffs.