

YOUR RIGHTS IN THE MUNICIPAL COURT OF VELDA CITY, MISSOURI

YOUR MUNICIPAL COURT

The Municipal Court of Velda City Missouri, is a Division of the 21st Judicial Circuit (St. Louis County) of the State of Missouri. The Court's jurisdiction is granted by the State Constitution and the City Charter of Velda, Missouri. The purpose of this Court is to provide a forum to litigate municipal ordinance violations. The Court has jurisdiction of all cases arising under the Charter, or any ordinance of the City of Velda City and all such other jurisdictions as are or may be hereafter conferred by law. Upon conviction, you may be fined not less than One Dollar (\$1.00) not more than One Thousand Dollars (\$1,000.00) or you may be imprisoned, not to exceed ninety (90) days, or be punished by both fine and imprisonment.

While In The Courtroom, You Are Expected To:

- Remain seated until your case is called.
- Not smoke or consume food or drink.
- Not talk, or make noise.
- Not sleep or otherwise disrupt the Court proceedings.

You have a right to plead (1) guilty, (2) guilty with an explanation or (3) not guilty. You are presumed to be innocent unless and until the City's Prosecuting Attorney proves your guilt beyond a reasonable doubt. After the charge is read and you understand, you may enter a plea of guilty if you believe you violated the law. If you believe you have not violated the law, or have a defense to the alleged violation, you should plead not guilty. If in doubt, plead not guilty.

You have the right to be represented by an attorney and may employ one to represent you:

- A. Before pleading to any charge.
- B. To defend against any charge.
- C. To protect your rights in any other court proceeding before or after trial.

At the first setting of your case, you may request a continuance in order to consult a lawyer or to prepare your defense. If you desire a continuance, you should request it after your case is called and before entering your plea. However, you may represent yourself at trial.

If You Plead Guilty:

1. You will be sentenced by the court.
2. A guilty plea associated with moving violations may result in points on your driving record.
3. A guilty plea associated with non-traffic charges may be on your court record as a conviction.
4. The court typically will allow you time to pay your fine. The court may consider installment payments if you establish the need for additional time to pay the fine. If you establish that you cannot pay the fine, the court will also consider community service to complete your sentence. If you are given an extension to pay your fine, you will receive information explaining payment. **READ THE SHEET CAREFULLY.** Make sure you appear on the court date noted on the sheet if you have not paid your court fine and/or costs as instructed. **YOU WILL NOT BE ARRESTED FOR INABILITY TO PAY A FINE. HOWEVER, FAILURE TO APPEAR IN COURT ON THE DATE REQUIRED WILL RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.**

If You Plead Guilty with an Explanation:

This plea has the same effect as a plea of guilty, but says that you would like to explain to the Judge mitigating circumstances with respect to your charge/s. This also gives the Judge the opportunity to consider any unusual circumstances which you believe may mitigate your sentence.

If You Plead Not Guilty:

If you plead not guilty, the Court will set your case for trial. Because of the number of cases before the Court each month and the need to have the officer and any witnesses present, your case cannot be litigated tonight. You will be given a future court date for trial.

1. At trial, you have a right to testify or remain silent. If you remain silent, it is not considered an admission of guilt. If you testify, the Judge may consider any statement you make in determining your guilt or innocence.
2. At trial, you have the right to ask questions of witnesses testifying against you.
3. You have a right to have subpoenas issued and served for witnesses on your behalf to appear at the trial and to question all witnesses who testify against you at trial.
4. If you are found not guilty, the case ends.
5. If you are found guilty, you may accept the decision of the Municipal Court or appeal your case to the Circuit Court of St. Louis County, where you may have a new trial before a different Judge. The request for appeal must be made within 10 (ten) days of entry of the court's decision and cannot be extended for any reason. To appeal, there is also a \$65.00 payable to the Circuit Clerk of St. Louis County. Complete details of the appeal procedure will be explained to you by Court personnel upon request.

The Order of Trial Is As Follows:

1. The case is called.
2. Witnesses are sworn.
3. The City's witnesses testify to explain their version of what happened.
4. You or your attorney can question City's witnesses.
5. You may testify and/or call witnesses to testify in your behalf to explain your version of what happened.
6. The City Prosecutor may question you and your witnesses, if you and your witnesses testify.
7. The Judge renders the Court's Decision.

Public Defender:

If you establish that you cannot afford an attorney, and the City is seeking jail time for the offense charged, the Court may appoint a Public Defender to represent you.

This is a court of law established to protect the rights of all citizens. If there is anything you do not understand, do not hesitate to ask questions.

This court is not conducted as a source of revenue. No part of any fine or costs goes to the Judge, the prosecutor or any police officer or any city official. The efficiency of a police officer is not determined in any way by the number of tickets he or she issues.

Velda City Municipal Court

Office Address: 2560 Lucas & Hunt Road, St. Louis, MO 63121
Court Address: 2560 Lucas & Hunt Road, St. Louis, MO 63121
Phone: (314)382-6600 ♦ Fax: (314) 382-9928

In traffic cases, the objective of this court is to reduce the number of accidents and injuries and to keep our streets safe. Careful driving is the daily responsibility of each and every citizen.

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