

If you are found guilty of a traffic offense, certain demerit points may be assessed against your driving record or your driving privileges may be suspended for certain offenses by the State Department of Transportation over which this court has no control.

In the event you fail to pay in the time permitted, the court will:

1. Allow the Wisconsin Motor Vehicle Department to suspend your driving privileges for up to one (1) year or until forfeiture (including the reinstate fee, due to the Dept. of Transportation) is paid, whichever should occur first, or;
2. In the case your driving privileges have already been suspended, your license would be suspended for an additional one (1) year or until forfeiture is paid, whichever should occur first, or commit you to the County Jail for up to ninety (90) days.

You may be charged with a violation of the law which requires, upon conviction, your operator's record be charged with Demerit Points and the Motor Vehicle Department may suspend your operating privileges when you're driving record shows that you have obtained or accumulated 12 points in 12 month (violation date to violation date).

If you don't understand your rights or the nature of the charge against you, please feel free to ask for an explanation. You should expect politeness and respect from the Court personnel. We expect the same from you.

Municipal Court Judge

*Cletus Hubers*

## Brown County Joint Municipal Court



5718 Dickinson Road  
De Pere, WI 54115

Phone 920-660-2331

Municipal Judge  
Cletus Hubers

Municipal Clerk  
Sharon Diedrick

The court urges you to read this explanation to help you understand your rights and the procedures in municipal court. It is necessary and important that you be fully advised as to your legal rights. You have the right to an attorney, at your own expense, at any stage of proceedings in this court.

When your case is called, please step forward to the podium in front of the Judge. The court will advise you of the nature of the charge as well as the maximum penalty, which can be imposed. If you do not understand the nature of the charge, ask the court to explain it to you. The court will next ask you if you are prepared to enter a plea to the charge, 1) Guilty, 2) No Contest, 3) Not Guilty.

### **PLEAS**

1. If you enter a plea of guilty, you admit to all of the charges and the court will impose forfeiture as explained below.
2. If you enter a plea of no contest, the court will find you guilty. By entering a plea of no contest, you neither admit nor deny the charges but you state that you do not choose 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 you enter a plea of guilty.

If you enter a plea of not guilty, your case will be set for a pre-trial conference with the Municipal Attorney. If the case cannot be resolved at this conference, a trial will then be scheduled and held in this court.

### **TRIAL**

You have the right to a trial without jury before this court or to a jury trial in the circuit court for Brown County on the charges of; Operating a motor vehicle while intoxicated or operating a motor vehicle with a blood alcohol content of .08% or more only. To obtain a jury trial you must make a written request for a jury trial within ten (10) days from the date of your trial appearance.

A jury trial cannot be requested for any municipal/traffic charge except operating while intoxicated or blood alcohol content. If you plead NOT GUILTY to a charge of OWI/BAC, and want a jury trial, you must make a demand to this court IN WRITING, within 10 days of your appearance and you must accompany your written demand with the jury fee of \$36.00 for a six person jury trial. Checks should be made payable to: BROWN COUNTY CLERK. You must also post the bond with payment made payable to: BROWN COUNTY JOINT MUNICIPAL COURT. The case will then be transferred to the Brown County Circuit Court for the jury trial and all further communications would be made with/from them. If you do not properly request the jury trial within this period, you are forever barred from transferring the case and it will be heard in this court.

Either form of trial is a formal proceeding where testimony will be taken under oath, and you will have the right to produce evidence and examine or cross-examine any witnesses.

### **APPEAL**

At the trial, if you feel aggrieved by the decision of this court, you have the right to appeal to the Brown County Circuit Court.

The appeal may be based on the record made in municipal court, or you may request a new trial either to the court or to a jury. To appeal, you must file a written notice with the Clerk of Municipal Court within 20 days after your trial, and pay appropriate appeal fees.

### **FORFEITURES**

Upon your plea of guilty or no contest or upon the finding of guilty by the court after trial, the court will review the record and impose a penalty (monetary forfeiture/s) in accordance with the law. If you cannot immediately pay the forfeiture, the court may grant you a reasonable time to pay the forfeiture. You should pay your forfeiture in full within the time permitted to the Brown County Joint Municipal Court, 5718 Dickinson Road, De Pere, WI 54115.