

# Criminal Trial Procedures

- I A Plea of "Not Guilty - Trial by Judge or Jury" must have been entered. Notice of trial date & time will be mailed or given to you upon entering your plea. Please report any change of address to the court so all correspondence can be mailed to the correct address. **THIS IS THE DEFENDANT'S RESPONSIBILITY.**
- II An Appearance Bond or Promise to Appear Form may be required.
- III The Court follows the Code of Criminal Procedure in all criminal cases.
- IV This Court does not furnish a court-appointed attorney in a Class C Misdemeanor. If you wish to be represented by an attorney, you must hire one. The state is not obligated to appoint an attorney in a Class C Misdemeanor, as the original sentence does not include jail.
- V PRE-TRIAL PROCEDURES
  - A Procedures established in the Code of Criminal Procedures will be followed.
  - B Docket Call is at the time stated on your notice. If you are not present the State may: (1) ask for arrest warrants due to non-appearance, (2) require that bonds be posted, and/or (3) file additional charges of Failure to Appear.
  - C All cases set on the Court's docket will be heard. This is not a swift process. You may be here until 5:00 P.M., so make your plans accordingly.
  - D No resets are granted without a valid reason. Work hours are not considered a reason for absence.
  - E If you are represented by an attorney, both the Defendant and attorney must be present at the Pretrial Hearing pursuant to law.
- VI RESET/CONTINUANCE PROCEDURES
- VII The Code of Criminal Procedure requires all motions (requests), including a motion to reset trial date be submitted in writing, in proper form, and in a timely manner. The State has the right to object to any motion filed at the hearing.
- VIII A timely manner does not mean filing a motion with the Court the day before or day of trial unless an emergency situation has arisen.
- IX DO NOT ASSUME YOUR MOTION HAS BEEN RECEIVED/GRANTED. Please contact the court **24 Hours before** your hearing to confirm action taken.
- X If the motion has been denied and you fail to appear, the State may take the same actions stated in V (B).
- XI BE PREPARED TO PAY THE FINE ON THE TRIAL DATE. (NO PERSONAL CHECKS ARE ACCEPTED.) If found "Guilty", a fine up to \$200.00 on traffic offenses or up to \$500.00 on non-traffic offenses plus court costs may be assessed.
- XII If appealing the Court's decision, The Code of Criminal Procedure must be followed. The amount of the appeal bond will be double the amount of the judgment.
- XIII The Judge and Staff are NOT allowed to discuss the facts of the case with or give legal advice to anyone prior to trial. This is in accordance with the Code of Judicial Conduct, (Canon 8D(2)).