

The City of



**Welcome to
Liberty Municipal Court**

**The Honorable
Douglas Wilson, Municipal Judge**



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Your Legal Rights

Liberty Municipal Court

Liberty **Municipal Court**

You have certain rights in your case.

- You have the right to plead guilty or not guilty.
- If you plead not guilty:
 - You will have a trial either by Judge or Jury (if you request a Jury).
 - You have the right to cross examine witnesses who testify against you
 - You have the right to subpoena witnesses to testify on your behalf.
- “No contest” pleas are not allowed in Missouri Courts.

The Arraignment

- An arraignment is your first appearance in Municipal Court.
- When you receive a ticket, you are also given a court date and time to appear in Municipal Court.
- When you appear at court, your name will be called.
 - When your name is called, approach the bench.
 - The Judge will read the charge that has been filed against you.
 - If you do not understand the charge, ask the Judge to explain it.
 - When the Judge asks you how you plead, you must say either “Guilty” or “Not Guilty”.

The Arraignment

You have the following rights:

1. The right to retain counsel.
2. The right to request the appointment of counsel if: you are indigent and unable to employ counsel AND there is a possibility of a jail sentence.
3. The right to remain silent. Any statement made by you may be used against you.



Guilty Plea

- Pleading guilty is admitting to the Judge that you are guilty of the acts that violate the City Ordinance violation.
- The Judge will determine the fines and costs and any additional penalties.
- You will have the opportunity to tell the Judge any circumstances that you believe would affect his decision.
- You cannot plead guilty and then in the explanation to Judge say that you did not commit the offense.

Guilty Plea

When you plead guilty you will be giving up:

1. The right to hire an attorney to represent you
2. The right to have a trial before a court, which includes:
 - calling witnesses to testify for you
 - to testify for yourself
 - to cross-examine any witnesses that the City may call
3. The right to appeal the judgment.



Payment of Fines

- 1. If you are found guilty or plead guilty,** fines and court costs will be assessed.
 - If you are indigent, you may be required to complete documentation to be determined by the court as evidence of your financial status. This documentation will aid the judge in assessing fines, costs and setting up a payment plan if requested.
- 2. Acceptable payments include cash, money order, Mastercard, Visa and Discover. Payments are made at the Municipal Court window in City Hall.**

Payment of Fines, cont.

4. A plea of not guilty means you believe you have not violated the law. When you plead not guilty, the Judge will set a date for trial.
5. You do not need to be represented by an attorney to plead not guilty, but you do have the right to hire your own attorney.
6. At the trial, the City Prosecutor will first present evidence against you. Then you will have a chance to tell your side of the story. The City Prosecutor must prove your guilt beyond a reasonable doubt. The Prosecutor will call witnesses to testify about the facts alleged in the charge. You or your attorney will have the right to question the witness.

A Not Guilty Plea

1. After all witnesses for the City have testified, you will have an opportunity to present your case. You may testify or you may call witnesses to testify for you. If you testify you may be questioned by the City Prosecutor.
2. After all witnesses have testified , each side may give a closing statement or argument.
3. The Judge will then decide if you are guilty or not guilty.
 - **If you are found guilty**, the Judge will assess punishment.
 - **If you are found not guilty**, no fines, costs or punishment will be assessed.

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Appointment of Counsel

If the Prosecuting Attorney is requesting that jail time be imposed for the violation for which you are charged, the Judge will notify you before accepting a plea of guilty or not guilty.

If jail is a possible punishment and you cannot afford an attorney, the Court will appoint an attorney for you.



Right to Appeal/Trial De Novo

If the Judge finds you guilty during trial, you have the right to appeal the decision.

- When you appeal, you are asking for a new trial.
- The new trial is called a Trial de Novo.
- Your application for Trial de Novo must be filed within 10 days of the first trial.
- Payment of the fine or failure to file within 10 days forfeits your right to appeal.

Right to Appeal/Trial De Novo, cont.

- A filing fee and application of Trial de Novo must be filed with the Clerk before transferring the case to the Circuit Court.
 - This payment must be in the form of cash or money order ONLY.
- If you wish to appeal, you must tell the Judge or a Municipal Court Clerk. Forms are available for appeal at the Court office.



Liberty Municipal Court
is committed to
professionally serving the citizens
of Liberty by administering justice
in a fair, efficient and respectful
manner, so as to enhance
the public trust and confidence
in the court system.

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Questions?

See the clerk at
the Municipal court window.