

## Sedalia Municipal Court – Statement of Defendants’ Rights

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This is Sedalia Municipal Court. If you have received a summons or a ticket, that means that you have been accused of violating a City ordinance and are now a defendant in a case against the City. The range of punishment for violating a City ordinance is up to ninety days in jail and/or up to a \$500 fine. Court costs are added to that.

As a defendant, you have several rights. You have the right to remain silent. Anything you say can and will be used against you.

You have a right to an attorney. Except under certain circumstances, I cannot appoint a lawyer for you at no cost to you, but if you want to hire a lawyer to represent you in your case, please tell me or tell the prosecutor, and we will continue your case so that you have time to hire a lawyer.

You have a right to plead guilty or not guilty. You have a right to plead with an explanation.

If you plead guilty today, we will set a sentence for you. If that sentence is a fine, you may pay all or part of that fine here today in the courtroom by using a debit or credit card, or, if you have appropriate identification, you may pay with a check. We also take cash. If you cannot pay your fine in full, we will set up a payment plan for you.

If you plead not guilty, we will set your case for trial. The trial will not be today. It will be on the last Wednesday of the month (or the next month, whichever offers enough time to prepare for trial).

This is the way a trial works: The City will first present the evidence it has against you. As a defendant, you have the right to confront and cross-examine all witnesses who may testify against you.

After the City has presented all its evidence, you may present evidence on your own behalf. Because you have the right to remain silent, you are not required to testify. If you do not testify, I cannot assume that your silence means you are guilty. You may bring witnesses to testify on your behalf. I cannot accept documents, such as affidavits, as evidence, unless the person who signed the document or created the document is in court to testify about it.

After I have heard all the evidence, I will determine whether I believe the City has proved its case beyond a reasonable doubt. If I believe the City has proved its case beyond a reasonable doubt, I will find you guilty. If I believe the City has not proved its case beyond a reasonable doubt, I will find you not guilty.

If I find you guilty, and you are unhappy with my decision, you then have the right to ask for a new trial with a new judge. You must follow a procedure to do that. I am not going to explain the procedure today, but if we get to that point in your case, I will explain the procedure so that you have adequate time to exercise that right if you choose to do so.

For now, if you have any questions, please ask me or ask the prosecutor, and we will answer your questions for you.